



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: September 27, 2016  
Contact: Anita Molaro  
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VanRIMS No.: 08-2000-20  
Meeting Date: October 18, 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: 2655 Maple Street (F. Haynes & Company Building)

**RECOMMENDATION**

- A. THAT Council add the existing building at 2655 Maple Street (PID: 014-191-181; Lot 11, Block 365, District Lot 526, Plan 1949 (the “site”)), known as the F. Haynes & Company Building (the “heritage building”) to the Vancouver Heritage Register in the ‘C’ evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior of the heritage building as protected heritage property.
- C. THAT Recommendations A to 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 building at 2655 Maple Street to the Vancouver Heritage Register in the ‘C’ evaluation category and to designate its exterior as protected heritage property. As incentive and compensation to the owner for the heritage designation, rehabilitation, and conservation of the heritage building, the owner is seeking approval of the Director of Planning for certain discretionary zoning relaxations as provided for in the *C-7 Zoning District Schedule*, as set forth in the Development Permit Number DE419817 (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 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 and 594 of the *Vancouver Charter*, Council may, by by-law, designate real property, in whole or in part, within the City of Vancouver as protected heritage property.

Pursuant to section 595 of the *Vancouver Charter*, if sought, Council must compensate an owner of real property being designated as protected heritage property for any reduction in market value caused by the designation. Often this is achieved by way of by-law variations so as to permit an otherwise impermissible development.

The proposed heritage designation for the heritage building and its exterior 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 application:

- *Heritage Policies and Guidelines (April, 1991)*
- *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin (June, 2014)*

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***

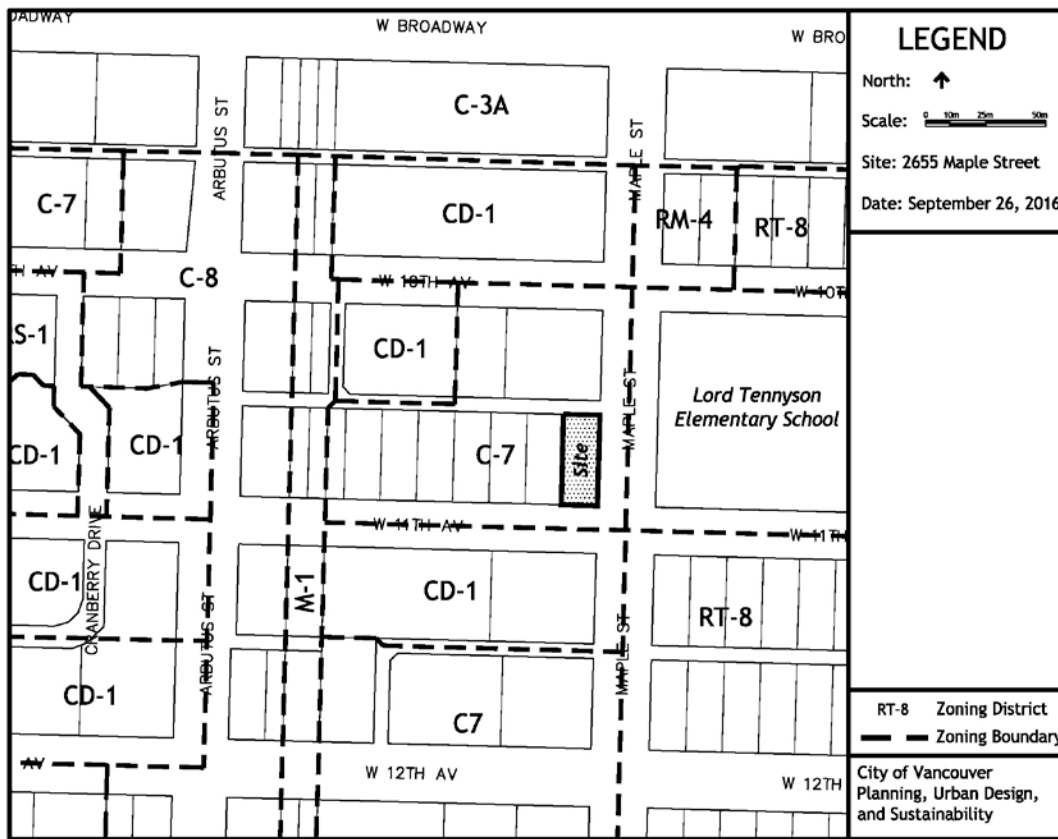
The General Manager of Planning, Urban Design, and Sustainability RECOMMENDS approval of A, B, and C.

### ***STRATEGIC ANALYSIS***

#### ***Site and Context***

The site is located in the Kitsilano neighbourhood in an area zoned C-7 (see Figure 1). The *C-7 Zoning District Schedule of the Zoning and Development By-law* permits residential and commercial development, and a height of up to 24.4 metres where a heritage structure is retained. The total area of the site is 581 square metres (6,251 square feet). A six metre (twenty foot) wide paved lane runs along the north property boundary of the site. The heritage building is located in the far north-east corner of the site and fronts onto Maple Street (see Appendix A and B).

Figure 1: Site and surrounding zoning



### Heritage Value

The F. Haynes & Co. Building was built in 1929 by Frank Haynes for his construction company. He and his wife lived in the upstairs apartment until the late 1940s. It was designed in the Mission Style, one of a number of historic referential styles popular between the World Wars, and which first appeared in commercial and industrial buildings in the 1920s. While the heritage building is modest, it is well known in the area for its distinctive appearance (crenellated parapet, bays, and wood storefronts). Based on information received from the public during the early stages of the DP Application review, it appears that the building may have been home to, and used as a practice space, by a number of important Canadian composers and musicians in the 1970s, as the building's layout facilitated both living and studio space (musicians still use the building).

A number of later structures were built on the site and an addition constructed at the rear of the heritage building which are not proposed to be retained.

The F. Haynes & Company Building remains one of the last surviving commercial and industrial buildings associated with the early development of the Arbutus corridor. It is proposed to be added to the Vancouver Heritage Register in the 'C' evaluation category.

### Development Application and Proposed Incentives

If approved, the incentives and compensation to be provided to the owner for the heritage designation of the heritage building's exterior and its rehabilitation, and conservation are proposed to be in the form of discretionary zoning relaxations as provided for in the *Zoning*

*and Development By-law* and in the *C-7 District schedule* as set forth in the DP Application and as described below.

The zoning applicable to the site is C-7. The DP Application proposes to retain the heritage building and construct a new seven storey residential building on the south side of the site. A later addition at the rear of the heritage building is in poor condition and is to be removed to allow for construction of the underground parking ramp (see Appendix C). The heritage building is to be converted to contain two Artist Studio units with residential units.

The zoning allows a maximum height of 24.4 metres (80.0 feet) where a heritage building is retained. The proposed height is 20.4 metres (66.3 feet). The maximum permitted density under the C-7 zoning is 2.25 Floor Space Ratio (FSR). The DP Application proposes a 10% increase in the maximum permitted density (see Table 1 and Appendix D). Neither the proposed density or height require Council approval.

**Table 1: Zoning and Height Summary**

	Existing*	Required or Permitted	Proposed
Overall Floor Space Ratio (FSR)	0.32 FSR 186 m <sup>2</sup> (2,000 sq. ft.)	Up to 2.25 FSR maximum 1,307 m <sup>2</sup> (14,065 sq. ft.)	2.47 FSR (10% over the maximum permitted) 1,438 m <sup>2</sup> (15,471 sq. ft.)
Height	6.1 metres (20 feet)	12.2 metres (40.0 feet) up to 24.4 metres (80.0 feet) where a heritage structure is retained	20.2 metres (66.3 feet)

\* Existing in this case means the retained F. Haynes & Company Building, not the other structures which currently exist on the site, which are to be demolished.

As part of the application review, staff considered the probable impact of the proposed development, including the results of notification (see the Results of Neighbourhood Notification and Staff Comments section), as well as the compatibility of the development with the zoning, and concluded that the proposal is supportable. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application should Council approve the recommendations of this report.

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

The Intent of the *C-7 Zoning District Schedule* is to:

*“... encourage the transition of a predominantly industrial and commercial area into a mixed-use community with a strong residential component, while respecting the needs of existing development. Emphasis is placed on well-designed all-residential or mixed residential and commercial buildings.”*

The project is consistent with the intent of the *C-7 Zoning District Schedule*. The proposed residential development is well designed and is appropriate in a complimenting the local mixed use community.

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

The F. Haynes & Company Building is in fair condition, having experienced some water damage over the years. The DP Application proposes to restore the original character of the building based on on-site analysis and photographic records. The building will be painted in its original colour scheme as determined from on-site analysis. Staff have concluded that the rehabilitation scheme is consistent best conservation practices.

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

555 surrounding properties were notified of the application and a site sign was installed. Thirty-one responses were received (6% of those notified). Four expressed support while the remaining twenty-seven expressed opposition, including concerns as follows (see Appendix F for a detailed list of concerns received and staff comments):

1. The development is too high and out of character with the neighbourhood- the height should be limited to the outright provision (12.2 metres);
2. The development will block views from properties to the south.
3. The F. Haynes & Company Building is not on the Vancouver Heritage Register and does not warrant consideration and therefore the increased height and density should not be permitted.

The proposed height of 20.2 metres (66.3 feet) for the new building is 4.2 metres (approximately 14 feet) less than the maximum permitted height of 24.4 metres (80.0 feet). The proposed height is permitted in the zoning and does not require Council approval. The development will create only nominal impacts with regard to shadowing and privacy compared to development which could be permitted on the site without heritage designation (see the note in Appendix D). Heritage sites are added to the Vancouver Heritage Register from time to time (see Council Authority). The Vancouver Heritage Commission supports the addition of the F. Haynes & Company Building to the Vancouver Heritage Register in the 'C' evaluation category (see Comments from the Vancouver Heritage Commission and Appendix E).

Staff considered the response to notification and concluded that the proposal is supportable.

### ***Comments from the Vancouver Heritage Commission***

On July 18, 2016, the Vancouver Heritage Commission reviewed the DP Application and unanimously supported the proposal (see Appendix E).

### ***Urban Design Panel***

On February 24, 2016, the Urban Design Panel reviewed the application and while the Panel unanimously supported the proposed density and height it did not support the architectural expression of the new building, and had concerns about its relationship to the heritage structure. On May 4, 2016, the Panel reviewed a revised scheme which addressed these comments and the application was supported. The minutes of the meetings can be found at the following link: <http://vancouver.ca/your-government/urban-design-panel.aspx>.

### ***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 City-wide DCL rate of

149.73/m<sup>2</sup> (\$13.91/square foot) is applicable to the project. On this basis, a DCL of approximately \$187,375 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.

**Heritage:** The owner has offered to conserve and rehabilitate the heritage building and to accept the designation of its exterior as protected heritage property, which is a highly valued community feature. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$460,000.

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

### ***Proforma Evaluation***

Real Estate Services staff reviewed the applicant's proforma evaluation in accordance with Council's approved policies. The Director of Real Estate Services advises that the by-law variances proposed, including the revised density of 2.47 FSR, will offset the costs of the rehabilitation and conservation of the heritage building and will not result in any undue profit.

### ***Implications/Related Issues/Risk***

#### ***Financial***

As noted in the section on Public Benefits, the applicant has offered the on-site conservation and rehabilitation of the F. Haynes & Company Building valued at \$460,000.

The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$187,375 in DCLs should the applications be approved and the project proceed.

#### ***Environmental***

The City's Green Buildings Policy for Rezoning does not apply to the application as neither a Heritage Revitalization Agreement or a rezoning application is required. However, the project will comply with the *Vancouver Building By-law* with respect to energy and environmental provisions contained therein.

#### ***Legal***

The owner's proposal to rehabilitate and conserve the heritage building in exchange for the proposed discretionary zoning relaxations needed to get that improved development potential will be appropriately secured as legal obligations contained in a heritage restoration covenant (the 'covenant') to be registered on title to the site as a covenant pursuant to Section 219 of the *Land Title Act* so as to enable the City to enforce those obligations and ensure that they will be fulfilled at the owner's expense. City staff and the owner have negotiated and settled

the covenant, which includes rehabilitation and conservation obligations on the part of the owner and enforcement provisions for the City.

Section 595 of the *Vancouver Charter* requires that, if sought, Council compensate an owner for any reduction in the market value caused by a heritage designation. By entering into the covenant noted above, the owner explicitly accepts 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 rehabilitate and conserve the heritage building. The covenant will be executed by the City following enactment of the Heritage Designation By-law and registered on title to the site before a development permit for the project is issued.

### **CONCLUSION**

The approval of the proposed addition to the Vancouver Heritage Register of the F. Haynes & Company Building in the 'C' evaluation category and the heritage designation of its exterior will ensure that the heritage building is rehabilitated, conserved, and protected from exterior alterations which affect its heritage value, and from demolition. The owner has agreed to accept the proposed discretionary zoning relaxations as compensation for the designation of the heritage building's exterior and for its rehabilitation and conservation. 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 addition of the F. Haynes & Company Building to the Vancouver Heritage Register in the 'C' evaluation category and the proposed Heritage Designation By-law.

\* \* \* \* \*

2655 Maple Street  
PHOTOGRAPHS



Photo 1: 2655 Maple Street Looking South-West From Maple Street (circa 2016)



Photo 2: Close Up of Existing Windows (circa 2016)



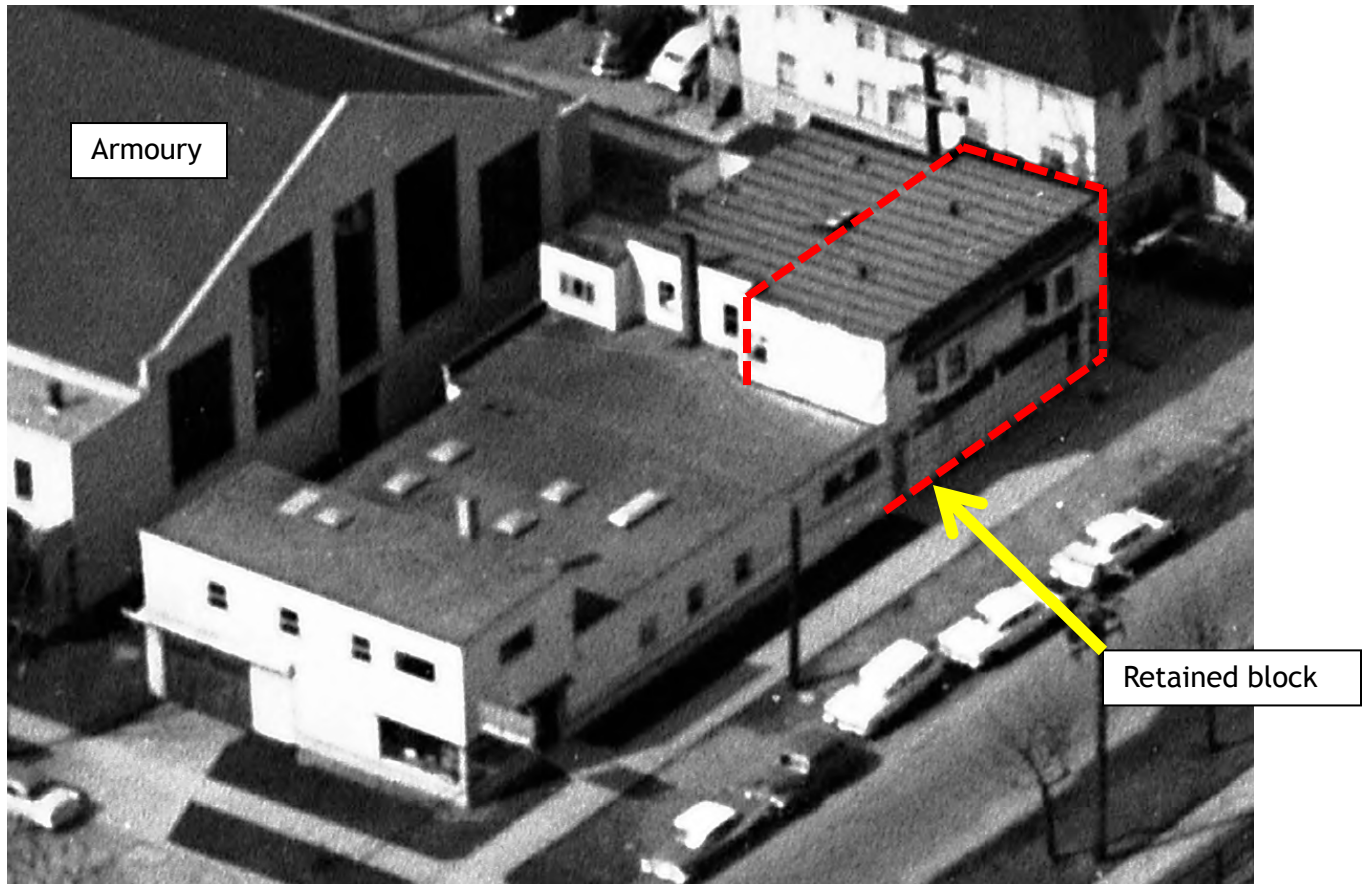


Photo 3: 2655 Maple Street circa 1957



Photo 4: Partial View of 2655 Maple Street circa 1932

2655 Maple Street  
DIAGRAMS AND RENDERINGS



Site Diagram



Renderings of Proposal Looking North-West





EXISTING

Proposal (7 Storeys)



PROPOSED

View Analysis From Upper Floor of 2028 West 11<sup>th</sup> Avenue (Five Storey Building)



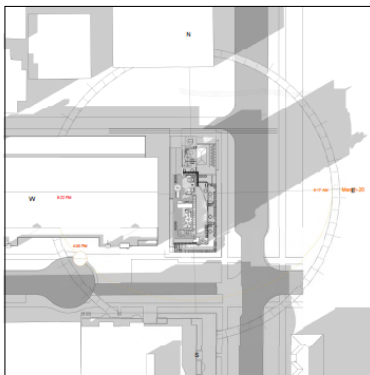
EXISTING



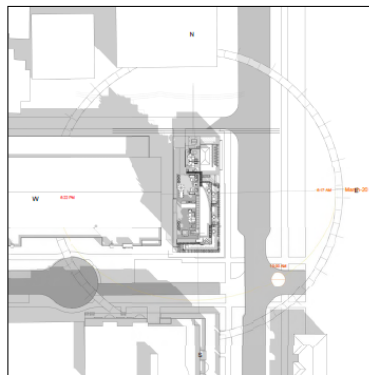
PROPOSED

VIEW FROM MAPLE STREET

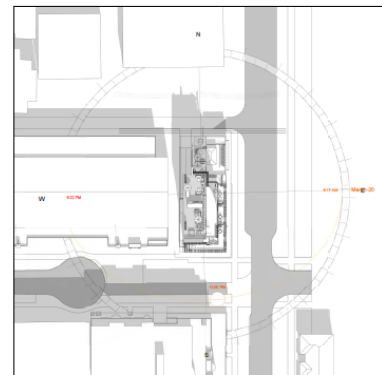
**Rendering of Proposal Looking West From Across Maple Street at 11<sup>th</sup> Avenue**



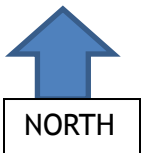
Shadow - 4pm - March 20



Shadow - 10am - March 20

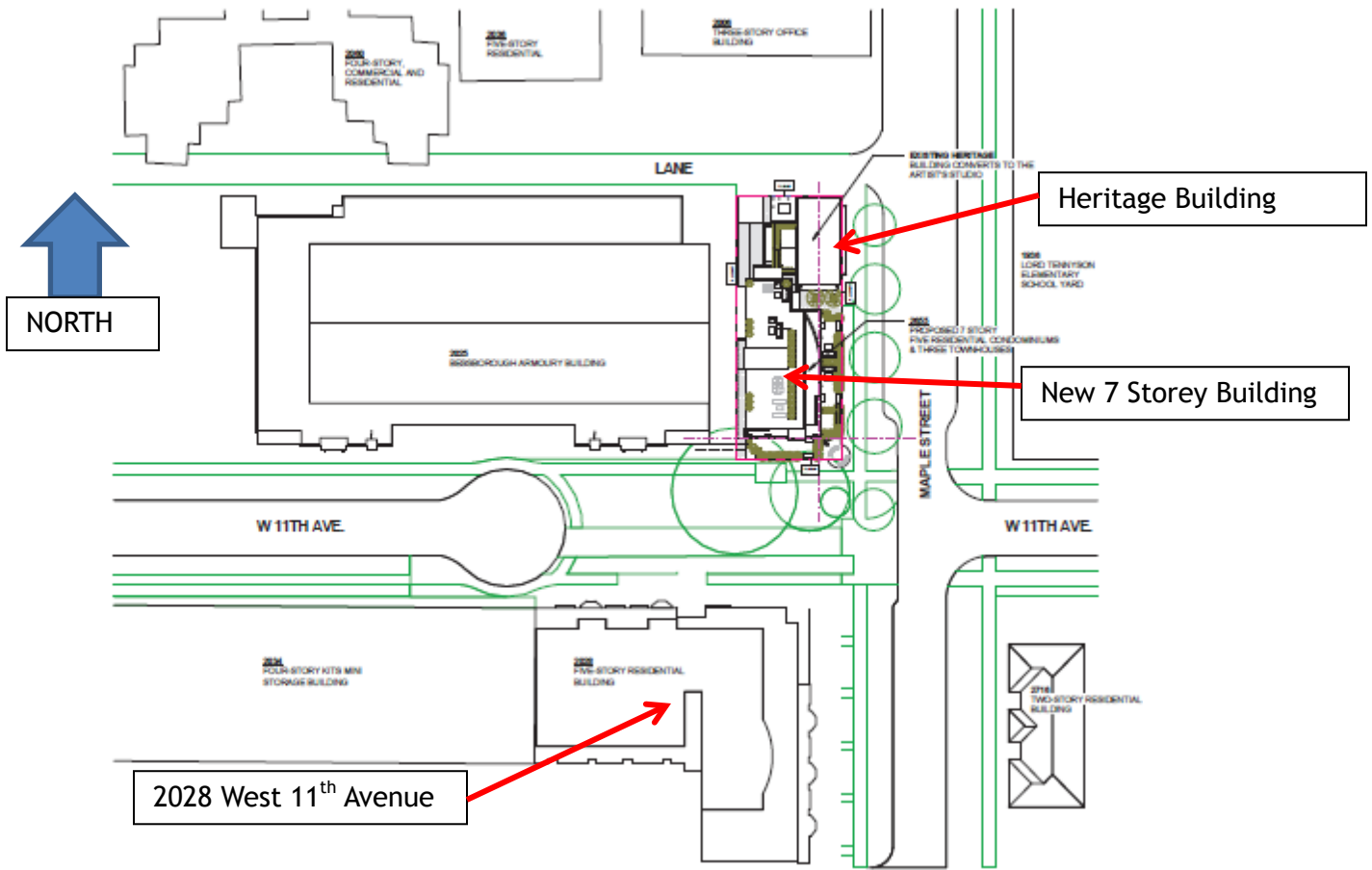


Shadow - 12pm - March 20

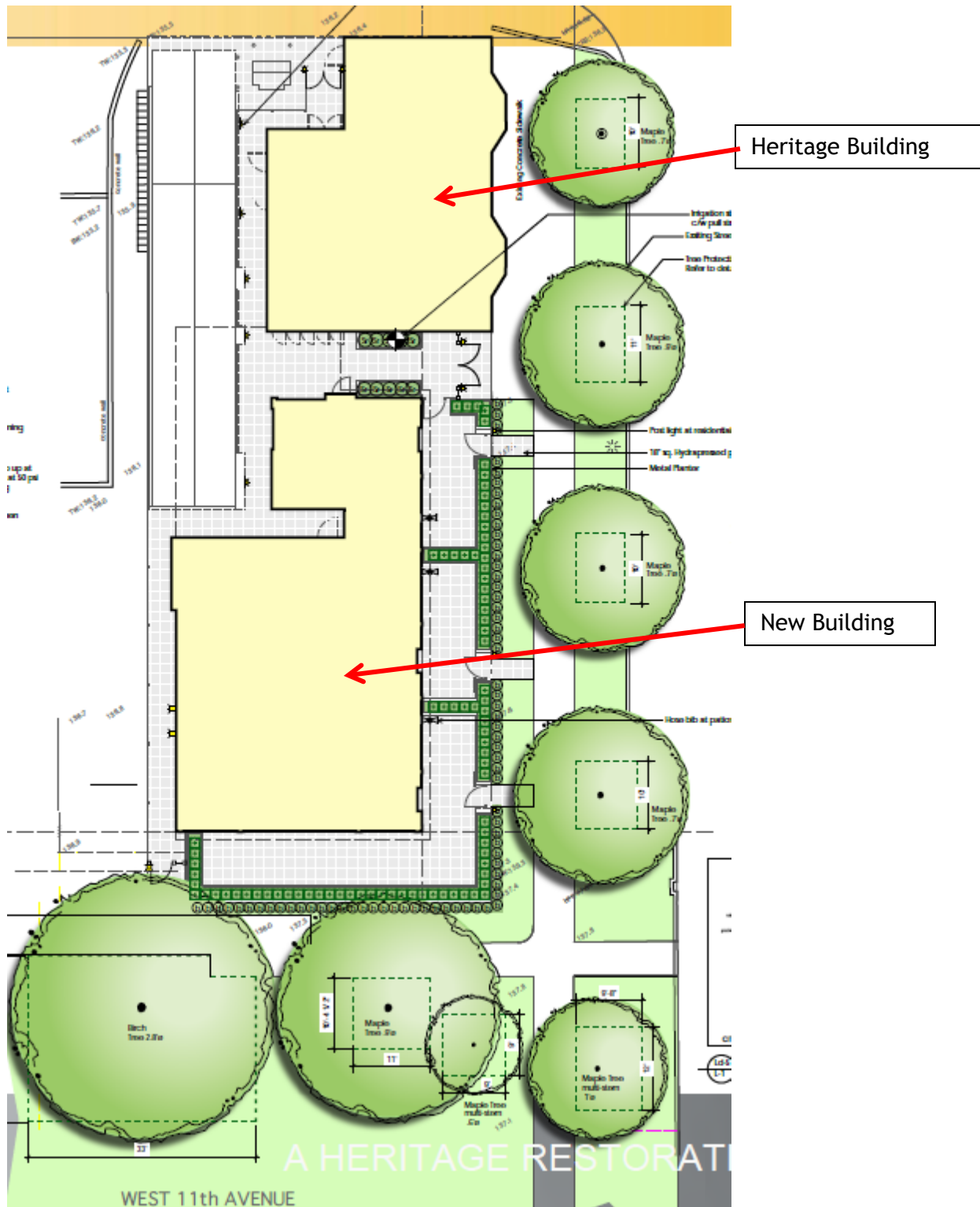


**Excerpt of Shadow Analysis**

2655 Maple Street  
DRAWINGS



Context Plan



Site Plan



**Ground Floor Plan**







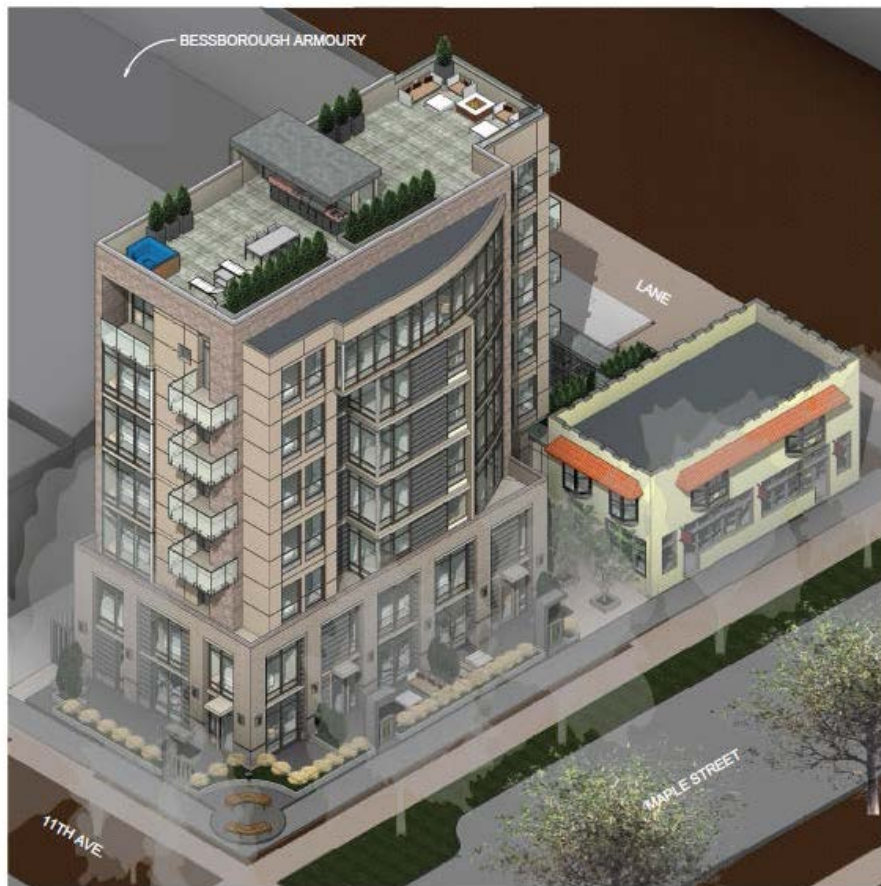
**Upper Floor Plans of New Building**



**East Elevation (Left) and South (Front) Elevation (Right)**



West Elevation (Left and North (Rear) Elevation (Right))



Diagram

2655 Maple Street  
TECHNICAL ZONING AND PARKING SUMMARY

Table A: Zoning and Height Summary

	Existing*	Required or Permitted	Proposed
Overall Floor Space Ratio (FSR)	0.32 FSR 186 m <sup>2</sup> (2,000 sq. ft.)	Up to 2.25 FSR maximum 1,307 m <sup>2</sup> (14,065 sq. ft.)	2.47 FSR (10% over the maximum permitted) 1,438 m <sup>2</sup> (15,471 sq. ft.)
Height	6.1 metres (20 feet)	12.2 metres (40.0 feet) up to 24.4 metres (80.0 feet) where a heritage structure is retained	20.2 metres (66.3 feet)
Front Yard	None	3.1 metres (10.2 feet) Minimum	3.1 metres (10.2 feet)
East Side Yard	None	3.1 metres (10.2 feet) Minimum	3.1 metres (10.2 feet)
West Side Yard	None	1.2 metres (3.9 feet) Minimum	1.2 metres (3.9 feet) Minimum
Off-Street Parking	0	13 minimum	18
Bicycle Parking (Class A)	0	13 minimum	13

\* Existing in this case means the retained F. Haynes & Company Building, not the other structures which currently exist on the site, which are to be demolished.

**2655 Maple Street**  
**RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS**

On July 18, 2016, the Vancouver Heritage Commission reviewed the DP Application and resolved the following:

THAT the Vancouver Heritage Commission supports the proposal to conserve 2655 Maple Street - F. Haynes & Co. Building, as part of the redevelopment of the southern part of the lot, noting that:

- the creation of a new “heritage façade” on the south elevation is acceptable;
- the new building provides adequate separation from the heritage building; and
- the Commission hopes that the storefront units can retain uses that will animate the street.

CARRIED UNANIMOUSLY

**Staff Comments:**

While the level to which ground floor uses in the heritage building will be “open” to the public is not mandated, the proposed Artist Studio uses with residential uses will make it possible for owners of those suites to be able to display and sell artwork and related work from the ground floor studio areas.

2655 Maple Street  
RESULTS OF NEIGHBOURHOOD NOTIFICATION AND STAFF COMMENTS

1. The proposed heritage building is well loved in the community but the development is too high and out of character with the neighbourhood and the heritage building- the height should be limited to the outright provision (12.2 metres) and/or a townhouse development.
  - **Staff Comments:** the height is permitted in the zoning. A townhouse development would not be able to achieve the permitted density and likely would not be able to achieve retention of the heritage building.
2. The development will block views from the five-storey Maples building (CD-1) to the south.
  - **Staff Comments:** Views would be blocked up to four storeys by a wider outright building on the site if developed without the heritage building. A proposed ten foot setback on the east side will allow views to the north-east and to the school site nearby for all floors. The proposed height is permitted and approximately fourteen feet less than the maximum permitted height.
3. The F. Haynes & Company Building, which is in need of repairs, is not on the Vancouver Heritage Register and does not warrant consideration and therefore the increased height and density should not be permitted.
  - **Staff Comments:** The Vancouver Heritage Commission unanimously supported the project and the addition of the site to the Vancouver Heritage Register (see Appendix E).
4. The project does not provide affordability. Some smaller units would make them more affordable.
  - **Staff Comments:** while there is no requirement to provide rental accommodation in the zoning, the City has identified the need for more family units (three bedroom units) which the project provides.
5. The project will affect the Bessborough Armories heritage building.
  - **Staff Comments:** Sufficient separation exists between the buildings such that undue impacts on the armories building are not created.
6. The proposed increase in height and density require a rezoning application and a commensurate amenity contribution such as a daycare.
  - **Staff Comments:** the DP Application is not a rezoning and may be approved under the current C-7 zoning under applicable policies and guidelines.
7. The developers are getting compensation because they paid too much for the land.



- **Staff Comments:** the price paid for the site is not a consideration in the proforma analysis.
8. The building should be commercial or mixed use as more commercial uses are needed in the area.
- **Staff Comments:** Commercial uses at grade are permitted in the zoning but not required. The C-7 zoning is intended to be a transitional zoning from the existing industrial lands to residential and mixed use.
9. The project will create adverse traffic impacts. Mirrors should be installed at the lane.
- **Staff comments:** the proposal will likely create traffic impacts commensurate with development which likely will concur in the neighbourhood over time. However, conditions of the DP Application approval will specify safety measures in the lane at the parking ramp where required.

2655 Maple Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Rehabilitation, conservation, and designation of a heritage building and construction of a new 7 storey building

**Public Benefit Summary:**

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

	Current Zoning	Proposed
Zoning District	C-7	C-7
FSR (site area = 581 m <sup>2</sup> (6,251 sq. ft.))	2.25	2.44
Buildable Floor Space (sq. ft.)	14,065	15,471
Land Use	Mixed use	Residential/ Artist Studio

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed HRA (\$)
<b>Required*</b>	DCL (City-wide)	196,570	187,375 <sup>1</sup>
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
<b>Offered (Community Amenity Contribution)</b>	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		460,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$196,570</b>	<b>\$647,375</b>

**Other Benefits:** (non-quantified components): 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: DCL's do not apply to existing floor area which in this case is 2,000 sq. ft.