
MEMORANDUM

February 21, 2008

TO: Mayor Sullivan and Councillors

CC: J. Rogers, City Manager
J. Andrews, Deputy City Manager
J. Ridge, Deputy City Manager
S. Baxter, City Clerk
J. Forbes-Roberts, General Manager of Community Services
F. Connell, Director of Legal Services
B. Toderian, Director of Planning
M. Flanigan, Director of Real Estate Services
L. Best, Director, Corporate Communications
J. Young, Assistant Director, Corporate Communications
S. Harvey, Managing Director of Cultural Services

FROM: Y. McNeill, Heritage Planner
J. Gijssen, Senior Cultural Planner

SUBJECT: 190 Prior Street (formerly 901 Main Street) -
Heritage Revitalization Agreement Application

At the Public Hearing on Tuesday, February 12, 2008, Council asked several questions relating to the project and requested staff report back on the following items.

(Note: Given the extension of the Public Hearing, the "Blackout Period" for this project has been extended to Thursday, February 21, 2008.)

1. What are the costs to upgrade the building as is, including seismic mitigation?

Based on the owners proforma, if the site was retained as is and for its present use, and the owners choose to pursue upgrading the building to include seismic mitigation, the costs would be at \$1,750,000.

2. Are Artist Studio spaces part of the Metro-Core Jobs and Economy Study?

No specific targets have been identified for artist studios. The intention is to create a diversity of "job spaces," without specifying certain types of jobs. No specific job classifications have been pursued, other than the traditional commercial versus manufacturing uses.

3. Why was FC-1 not included in Metro Core Jobs and Economy Study?

FC-1 is considered a remnant zone that has been impacted by various adjacent area planning programs. North of National Avenue is part of the Downtown Eastside Revitalization Program. The block west of Main Street and to the south is under CD-1 zoning and SEFC zoning. The remaining area will be considered within the False Creek Flats program and as such staff will be looking at increasing and/or maintaining job space. To that extent, FC-1 (while not directly within the Metro Core Study) will be affected by the outcome of the study.

4. Are there vacant City-owned buildings that artists could rent either short- or long-term?

Response back from Real Estate Services staff:

“Currently the City has very few vacancies in any of (it’s) owned properties. The vacancies we have are typically smaller units in a larger multi-tenanted facility, such as individual retail rental units in the Chinatown Plaza. From time-to-time we will experience a vacancy, primarily due to a scheduled lease expiration, or perhaps a tenant abandoning the premises. Generally when we know a building, or space within a building, is going to become vacant we are well advanced in finding a replacement tenant prior to the vacant date. This is especially true in the current “tight” market conditions we enjoy in Vancouver.

The Property Endowment Fund (PEF) often holds properties within our portfolio for other departments, notably Engineering. We strive to keep these tenanted until required. Real Estate Services staff can think of only a couple of vacant situations that are being held for a specific approved use, such as the Drake Hotel on Powell Street. It may be buildings like these that may lead some of the public to believe we have a lot of empty buildings that could be used for the purposes they have in mind.”

5. Where are Artist Studios permitted in Vancouver?

The following zones and Official Development Plans make provision for either artist studio spaces, artist live-work spaces or cultural spaces (of which artist studio and artist live-work spaces could be considered):

RT-3, I-1, I-2, I-3, IC-1, IC-2, IC-3, FC-1, M-1, M-1A, M-1B, M-2, MC-1, MC-2, HA-1, HA-1A, HA-2, HA-3, C-1, C-2, C-2C, C-2C1, C-2B, C-3A, C-5, C-6, C-7, C-8, FCCDD, FCN , DD (various sub-areas), DEOD, CW , CH, SEFC.

It should be noted however, that combining artist “studio” space with another use is restricted under the Vancouver Building By-law. Artist studios are considered an industrial use and as such are NOT permitted in buildings containing either residential units, restaurants, schools, arenas, or hospital uses. Only artist “live-work” spaces are permitted in residential buildings.

Having said that, an owner could apply to the Chief Building Official (COB) to consider an “Alternative Solution” that would permit artist “studio” spaces within a restricted use building. In considering the requested equivalency, the CBO would consider the compatibility of artist studio spaces with the other use.

6. Council requested a link to the City Policies related to Artist Studios:

(Note: The attached Bulletins contain some information on artist studios; however, most is oriented to "live/work," or studios with associated residencies which is not the issue at 901 Main/190 Prior Streets.)

ARTIST STUDIOS IN INDUSTRIAL DISTRICTS

STRATA TITLE CONVERSION GUIDELINE

Adopted by City Council September 10, 1996

<http://internal.vancouver.ca/commsvcs/guidelines/A008.pdf>

DOWNTOWN DISTRICT AND IC-3 DISTRICT

POLICIES AND PROCEDURES FOR LOW

COST RENTAL ARTIST STUDIOS

Adopted by City Council September 10, 1996

<http://internal.vancouver.ca/commsvcs/guidelines/D004.pdf>

ARTIST STUDIO GUIDELINES

Adopted by City Council September 10, 1996

Amended March 21, 2006

<http://internal.vancouver.ca/commsvcs/guidelines/A007.pdf>

Regards,



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Heritage Planner

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Attachment: Above-referenced Bulletins



City of Vancouver *Land Use and Development Policies and Guidelines*

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ARTIST STUDIOS IN INDUSTRIAL DISTRICTS STRATA TITLE CONVERSION GUIDELINE

Adopted by City Council September 10, 1996

Application and Intent

This guideline applies to strata title conversions of artist studios in all I, IC, M and MC Districts, **with the exception of the IC-3 District.**

Strata Titling Artist Studios In Industrial Districts

Council will not entertain any applications to convert previously occupied buildings which have been converted to artist studio use to strata title ownership, with the exception of buildings listed on the Vancouver Heritage Register, which are located in 'let go' industrial areas.



ARTIST STUDIO GUIDELINES

*Adopted by City Council September 10, 1996
Amended March 21, 2006*

EXPLANATORY NOTE

Artist studio developments exceeding 1.0 FSR are generally not favoured in the IC-1 and IC-2, I and M districts where artist studios are limited to 1.0 FSR.

In the IC-1, IC-2, I and M zones:

- strata titling of artist studios is not permitted.

In the I and M zones:

- only artist studio - class B is permitted.

1 Application and Intent

These guidelines are to be used in conjunction with a district schedule of the Zoning and Development By-law or the official development plans, which permit artist studios - class A, artist studio - class B and the associated residential units. These guidelines should be consulted in seeking approval for these conditional uses.

The intent of these guidelines is to encourage functional, liveable, affordable and safe artist “live/work” studios.

Wherever guideline provisions refer to artist studios:

- (a) they refer to both artist studio - class A and class B, unless otherwise noted; and
- (b) they refer to the residential unit associated with the artist studio.

Discretion may be used, and exemption may be considered in the application of the neighbourhood character or amenity space guidelines in the following situations:

- (a) the development is small in scale (less than 12 studios) with few artist “live/work” studios;
- (b) the use of the site is clearly for a short interim period (i.e., 5 years or less);
- (c) the provision of low cost rental artist studios is proposed;

- (d) renovation of an existing building is proposed; and
- (e) a heritage building will be preserved.

2 General Design Considerations

2.1 Neighbourhood Character

Community development plans have been approved for several areas of the City, including the Mount Pleasant and Strathcona neighbourhoods. The Mount Pleasant Pedestrian Walkway, which follows the historic Brewery Creek, is an example of an area-wide initiative recommended in a community development plan. New artist studio developments, including renovations, should make significant contributions to the objectives outlined in approved community development plans. They should enhance the overall character of the neighbourhood.

New developments, including renovations, should contribute to objectives contained in the City's green policies. New developments should provide street trees adjacent to the site, if Engineering and Park Board assess them as feasible. Landscape buffers required by by-laws or other guidelines should be provided. Alternative measures such as screening can be proposed in renovations where it may not be physically possible to provide landscape setbacks.

2.2 Street Character

Artist studios on the ground floor of developments are generally not encouraged on pedestrian-oriented streets in commercial, historic and comprehensive development districts. Where it can be shown that retail continuity will not be interrupted or reduced, artist studios should incorporate or retain design elements that reinforce their scale as shopping streets. Pedestrian interest should be maintained by retaining storefronts and windows. Windows should not be blocked and should allow for viewing work underway in the studio. Window displays should be used to present works of art.

Artist studios on the ground floor of developments located on pedestrian-oriented streets in commercial, historic and comprehensive development districts should retain existing entrances, where possible. Buildings containing artist studios that exceed a 15.3 m frontage should contain more than one entrance. Ancillary galleries and other uses on the ground floor should have their own entrance.

The residential unit associated with the artist studio should be visually screened so that it cannot be viewed from the street. It should generally not be located adjacent to the ground floor front wall of the building.

2.6 Light and Ventilation

Adequate light is needed for the production of art. The residential unit, when located to the rear of the studio, can borrow light through the production area. Consideration should be given to other guidelines (e.g., specific guidelines for District Schedules).

3 Uses

3.1 Land Use Compatibility in the IC-3 District

The compatibility of artist studios with existing or proposed uses will be a concern when adjacent uses generate noise (vibrations) or odours that could impact on residential livability in the studios. In the IC-3 district, the applicant may be asked to demonstrate through a report from a qualified professional (e.g., acoustical or environmental engineer) that there are no impacts on residential livability or that the impacts can be mitigated through appropriate design.

3.2 Time Limited Development Permits

In the I, M, IC-1 and IC-2 districts a development permit that will be limited in time may be required for the use and occupancy of an artist studio in cases where the scale of the proposed development (12 studios or more) or increased parking may impact on the viability of surrounding industrial activities. In all cases, landowners and businesses will be consulted. The advice of a panel of artists will also be sought prior to approving the studios.

3.3 Limits on Occupancy

The two-person limit on the occupancy of artist “live/work” studios may be relaxed to accommodate families in cases where:

- the relaxation only applies to Artist Studio - Class A;
- amenities such as on-site open space is provided;
- it meets the requirements of the High-Density Housing for Families with Children Guidelines; and
- bicycle parking equivalent to the standard for multiple residential use is provided.

3.4 Artist Studio - Class A Live-Work

There are two use options in the Zoning and Development By-law that permit Artist Studio - Class A use in live-work premises – Live-Work Use and “Residential Unit associated and integrated with an Artist Studio”. An applicant’s choice of option should be made with an awareness of the differences as discussed below.

- (a) Under Live-Work Use, occupants including artists are permitted to have employees and walk-in trade in their units. As noted in the Live-Work Use Guidelines, Live-Work units need to comply with Vancouver Building By-law requirements for both residential and non-residential occupancies.
- (b) Under “Residential Unit associated and integrated with an Artist Studio”, occupants are limited to the production of art only, and employees and walk-in trade are not permitted. The Vancouver Building By-law allows these units to be designed as a residential occupancy, provided they comply with certain sprinklering and structural floor load requirements (i.e., generally the building code requirements are less onerous under this option).

There are separate zoning regulations and guidelines for each of these live-work uses. For Live-Work Use refer to the Live-Work Use Guidelines.

4 Guidelines Pertaining to the Regulations of the Zoning and Development By-law and Parking By-law

4.9 Off-street Parking and Loading

Loading bays should be adjacent to a direct route to an elevator.

Reduced parking and loading requirements may be considered in the case of a renovation of an existing building which cannot accommodate all the required parking or loading spaces and for low cost rental studios secured through a legal or housing agreement.

6 Internal Design and Facilities

6.1 Internal Design

Wide-doors to studio units and over-size elevators that can carry heavy loads are encouraged to facilitate moving larger works of art. Access and corridors between the loading bay and the elevator should be designed to permit the moving of large works of art.

6.2 Facilities

An amenity room should be provided in developments with 12 or more artist studios. The amenity room can be used for (among other functions): meeting space, an exercise facility or a display area for art work.

The separate common workshop should be provided in developments with 12 or more artist studios. It should provide a mechanical ventilation unit with associated ducting sufficient for the safe use of noxious or toxic materials and a 220 volt service for machinery. The common workshop is a facility separated from individual artist studios and associated residential units.

In cases where artist studio - class B (studios involving industrial processes or toxic materials or generating noise impacts) is proposed, plumbing should be located to permit the easy installation of a slop sink in each studio.



City of Vancouver *Land Use and Development Policies and Guidelines*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060

planning@vancouver.ca

LIVE-WORK USE GUIDELINES

Adopted by City Council on March 21, 2006

Note: These guidelines are organized under standard headings. As a consequence, there are gaps in the numbering sequence where no guidelines apply.

1 Application and Intent

These guidelines are to be used in conjunction with a District Schedule of the Zoning and Development By-law or the Official Development Plans which permit Live-Work Use. These guidelines should be consulted in seeking approval for this conditional use. As well as assisting the applicant, the guidelines will be used by City staff in the evaluation of development applications.

The intent of the guidelines is to encourage functional, liveable, and safe Live-Work units and developments.

Discretion may be used, and exemption may be considered, in the application of these guidelines in cases where a heritage building will be preserved.

There are guideline documents for some District Schedules and Official Development Plans, such as design guidelines for the Downtown (DD), Gastown (HA-2), Chinatown (HA-1 and HA-1A), and Downtown-Eastside/Oppenheimer (DEOD) districts. The Guidelines for Live-Work should be used in conjunction with the approved guidelines for the relevant District Schedule or Official Development Plan.

1.1 Vancouver Building By-law Requirements

For the range of uses allowed under Live-Work Use, development will need to comply with Vancouver Building By-law requirements for both residential and non-residential occupancies. In cases where there is difficulty meeting a requirement, an applicant has the option of proposing an equivalent solution which meets the intended performance level and objectives of the Building By-law.

Projects receiving development permit approval for Live-Work Use will need to follow through with meeting Building By-law requirements for both residential and non-residential occupancies, including accessibility requirements for persons with disabilities, so that units may be used for both live and work purposes. Applicants are encouraged to consider consulting a building code professional early in the development process, notably in cases where an existing building is proposed to be rehabilitated, to ensure that Building By-law issues are identified and considered at the design stage.

2 General Design Considerations

2.6 Light and Ventilation

Provision of sufficient daylight access for living and work areas in live-work units may be difficult especially in existing buildings originally constructed for non-residential purposes. The use of “borrowed light” may be necessary.

- (a) Where direct access to daylight cannot be provided to a living or work area, when located at the rear of a unit, daylight may be borrowed from exterior wall windows through a living or work area adjacent to these windows. Where it is proposed to enclose a living or work area that does not have direct access to daylight, at least one wall of the enclosed area with primary exposure to the building’s exterior wall windows should be located no more than 7.6 m (25 ft.) back of the building’s exterior wall windows and of no less than 60% transparent or translucent glazing.
- (b) Mechanical ventilation of live-work space should be exhausted at a location having the least impact on residential livability. This should ideally be at the roof in a location that does not affect air quality for open space or air intake units.

2.10 Safety and Security

Safety and security provisions in live-work development can present some challenges, particularly because occupants, employees, and clients are likely to share underground parking, lobbies, elevators, hallways, etc.

- (a) Live-Work development should take into consideration the principles of Crime Prevention Through Environmental Design (CPTED). In addition, the safety sections of guidelines related to a District Schedule or Official Development Plan should be supplemented with the following considerations:
 - (i) Public access to floors above the ground level should be limited to established business hours and restricted by intercom and pass-code systems or equivalent security solutions;
 - (ii) Each unit, including ground level units, should have secure internal access through a corridor to parking, garbage, and mailbox areas. For ground level units, additional security features such as electronic security systems should also be considered. Standard window security grill bars would not be supported on building elevations that flank the street; and
 - (iii) Live-work parking should be separate and secure, similar to security provisions for separating residential parking from commercial parking.
- (b) A security report by a licensed security professional addressing the treatment of security issues, including parking area security, should be provided for developments that include more than one other use (e.g. dwelling use and commercial use) in addition to live-work use.

3 Uses

3.1 Artist Studio - Class A Live-Work

There are two use options in the Zoning and Development By-law that permit Artist Studio - Class A use in live-work premises – Live-Work Use and “Residential Unit associated and integrated with an Artist Studio”. An applicant’s choice of option should be made with an awareness of the differences as discussed below.

- (a) Under Live-Work Use, occupants including artists are permitted to have employees and walk-in trade in their units. As noted in Application and Intent above, Live-Work units need to comply with Vancouver Building By-law requirements for both residential and non-residential occupancies.
- (b) Under “Residential Unit associated and integrated with an Artist Studio”, occupants are limited to the production of art only, and employees and walk-in trade are not permitted. The Vancouver Building By-law allows these units to be designed as a residential occupancy, provided they comply with certain sprinklering and structural floor load requirements (i.e., generally the building code requirements are less onerous under this option).

There are separate zoning regulations and guidelines for each of these live-work uses. For “Residential Units associated and integrated with an Artist Studio” refer to the Artist Studio Guidelines.

4 Guidelines Pertaining to the Regulations of the Zoning and Development By-law and Parking By-law

4.9 Off-Street Parking and Loading

Loading bays should be adjacent to a direct route to an elevator, and access and corridors between a loading bay and an elevator should be designed to accommodate larger, work-related products.

6 Internal Design and Facilities

6.2 Facilities

An amenity room for the use of occupants in live-work development is encouraged, similar to residential developments. The amenity room can be used for, among other functions, meeting space or an exercise facility.

7 Open Space

Private and/or semi-private open space is desirable to provide an amenity. Open space should be provided consistent with the open space guidelines for residential development related to the relevant District Schedule or Official Development Plan.

