



CITY OF VANCOUVER

POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: September 2, 2008  
Contact: Michelle McGuire  
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RTS No.: 07635  
VanRIMS No.: 08-2000-20  
Meeting Date: September 18, 2008

TO: Standing Committee on Planning and Environment  
FROM: Director of Planning  
SUBJECT: CD-1 Rezoning - 1845 Napier Street

**RECOMMENDATION**

The Director of Planning Recommends:

- A. THAT the application by Brook and Associates Inc. to rezone 1845 Napier Street (Lots 18 & 19, Blk 30, DL 264A, Plans 1077 & 1771) from RT-5 (Two Family Dwelling) District to CD-1 (Comprehensive Development) District to allow the existing building to be used for a vocational school with accessory dormitory units be REFUSED.

**CONSIDERATION**

If Council does not support A, the Director of Planning submits for consideration:

- B. THAT the application by Brook and Associates Inc. to rezone 1845 Napier Street (Lots 18 & 19, Blk 30, DL 264A, Plans 1077 & 1771) from RT-5 (Two Family Dwelling) District to CD-1 (Comprehensive Development) District to allow the existing building to be used for a vocational school with accessory dormitory units, be referred to public hearing, together with:
  - (i) plans, received December 12, 2007, represented in Appendix F;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) conditions contained in Appendix B.

## GENERAL MANAGER'S COMMENTS

If Council does not wish to approve A, Council may wish to consider B, although the General Manager of Community Services does not recommend B.

## COUNCIL POLICY

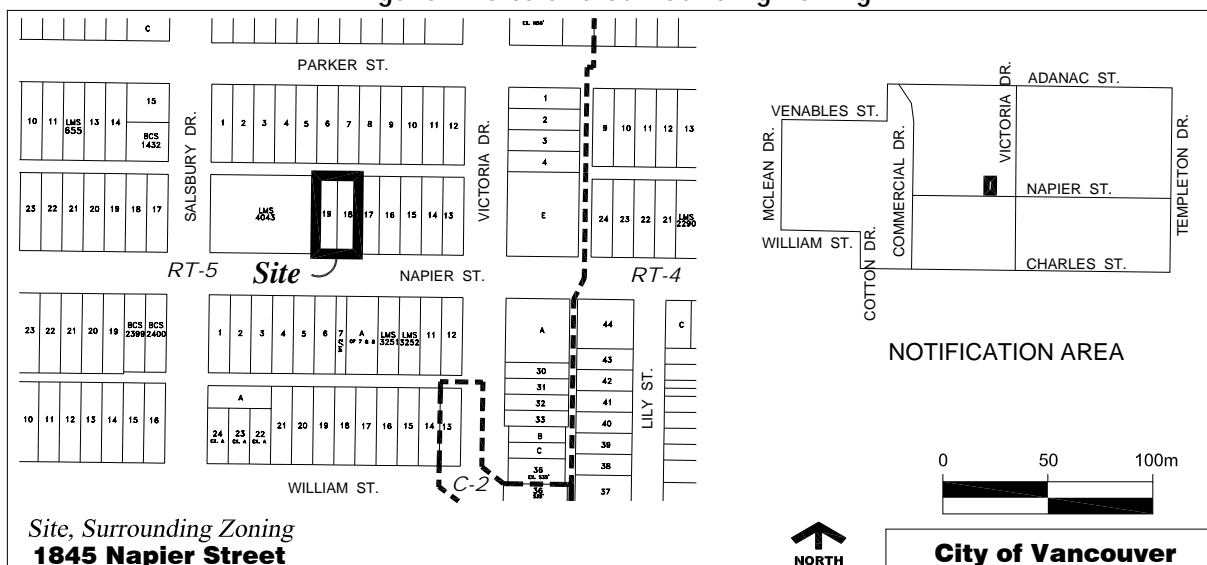
- Grandview Woodlands Area Plan Part I: Grandview Victoria (Single Family, Duplex and Conversion Areas), adopted by Council on June 12, 1979.
- RT-4, RT-4A, RT-4N, RT-4AN, RT-5, RT-5A, RT-5N, RT-5AN & RT-6 Guidelines, adopted by Council on April 10, 1984.

## SUMMARY & PURPOSE

This report assesses an application to rezone 1845 Napier Street from RT-5 (Two Family Dwelling) District to CD-1 (Comprehensive Development) District. The application proposes to allow use of the existing building at 1845 Napier for a vocational school with accessory dormitory units. The application was submitted by Brook and Associates on behalf of Youth With a Mission (YWAM) to allow YWAM to use the existing 4-storey building for their discipleship training school and mission adventures program. As well, the application proposes a reduction in the parking provision that would be required by the Parking By-law for the proposed uses and to regularize non-conformities of the existing building.

The application was evaluated based on analysis of the proposed land use, the proposed parking, and public response to the proposal. Staff have determined that it cannot be supported, based on the use and scale of operation in this residential location. Engineering Services have indicated that they are not supportive of the proposed reduced parking standard. As well, public response to the proposal from immediate neighbours has been largely negative. Staff do not support the rezoning proposal and recommend that the application be refused.

Figure 1: Site and Surrounding Zoning



## DISCUSSION

**Background:** The building at 1845 Napier is currently approved as a Community Care Facility - Class B. Development of the building was approved through a development permit (DE 29994) as a "personal care home" in 1964. Napier Lodge was occupied and operated until early 1998 when the beds were relocated to Renfrew Care Centre. The Southpines Private Hospital subsequently opened at 1845 Napier Street in 1999 and cared for elderly patients with mental and physical disabilities until March 31, 2004. Before closing in 2004, the facility had approximately 20 staff to care and feed the patients. The building has been vacant for the last four years.

A letter of enquiry outlining the rezoning proposal was submitted on June 14, 2007. Staff advised the enquirer that further analysis of the proposal would be needed to determine if it could be supported. Staff also indicated that analysis of the proposal would focus on examination of proposed facility operations including staffing, students, number of beds, and hours of operation for the school, as well as review of the proposed parking and of the response from the public about the proposal. A rezoning application was received on December 12, 2007.

**Land Use:** The proposed use is a vocational school with accessory dormitory units. The application submission states that there would be up to 25 students and 24 staff for the facility. The submission materials indicate that the students would be from international locations who would be given lectures and be fed and housed in the building. Also proposed are two staff members who would stay at the facility overnight to chaperone the students.

The application proposes that two programs would be operated in the building - YWAM's discipleship training school and a mission adventures program. The application states that the discipleship training school is a five-month program with three months of lectures in Vancouver and two months overseas teaching English and serving on community development projects. Up to four discipleship training school programs per year are proposed. The mission adventures program would involve training students on site and having them get involved in existing community programs and neighbourhood projects. The activities that are planned for the facility and outdoor areas include feeding and housing the students, lectures, outdoor recreational activities, and music.

The current approved use for the building at 1845 Napier is a 53 bed Community Care Facility - Class B. Community Care Facilities (Class B) are permitted, on a conditional basis, in all residential zones across the City. Any licensed Community Care Facility is one where residents are quite dependent on care. The building was approved through a development permit for a "Personal Care Home" (Community Care Facility - Class B in the current zoning definition) in 1964.

Vocational Schools (as well as Business and Arts and Self Improvement Schools) are restricted to commercial and industrial zones (with the exception of two small mixed use zones in the West End). The level of activity and impacts associated with these service-oriented schools results in them not being permitted in residential zones. The previous use of the building, the provision of long-term care to elderly patients of limited mobility, would have had less of an impact on adjacent residential properties than the proposed use, vocational school with accessory dormitory. The proposal would result in a higher activity level with 24 staff and up to four programs per year with 25 students along with the proposed programming. The scale of operation of the proposed facility, the anticipated intensity of activities and potential impacts are not supportable in this residential area, particularly at this mid-block location.

**Parking:** The application proposes a reduction in the parking that would be required by the Parking By-law. Six parking spaces and one Class B loading space are proposed. For a vocational school of this size the Parking By-law would require 14 parking spaces and one Class B loading space.

At staff's request, Brook and Associates submitted a Transportation Demand Management Plan conducted by MMM Group as part of the rezoning application. The plan focussed on the parking demand for the proposed use of the building. The report used information from YWAM about the proposed number of students (up to 25) and staff (24) and anticipated deliveries. The report indicates that only two parking spaces would be needed by staff as most of the staff would walk or bike to the facility. As well, MMM Group reported that there would be three passenger vans for transporting students. The report by the MMM Group concluded that a maximum of five parking spaces would be needed.

Engineering Services reviewed the application and the report authored by MMM Group. The intent of the Parking By-law requirement is for a vocational school to provide sufficient parking for staff and students. Engineering and Planning Staff have concluded that the proposed parking does not adequately address the demands of the proposed facility. Although the majority of staff for the facility were reported to bike or walk to work there is no way to ensure that in the future staff would not drive. With 24 staff for the proposed facility, the potential parking impacts are too great to be supportable in this residential location where there are existing pressures for on-street parking from existing residential buildings and facilities without the necessary parking.

**Neighbourhood Response:** The application submission states that YWAM canvassed the neighbourhood (approximately a one to two block radius of the site) and received strong support from neighbouring property owners. Submitted with the application were 16 letters of support.

Public consultation and notification since the application was submitted has resulted in a 42 responses from immediate neighbours with concerns regarding the proposal. Because of the number of responses and range of concerns, a public meeting hosted by City staff was held at the Britannia Community Centre on May 7, 2008.

The meeting was attended by approximately 120 people. Response received from neighbouring property owners raised a number of areas of concern including:

- lack of parking and increased traffic;
- use of the rooftop deck (privacy and overlook);
- disruptive activities of people using the building;
- lack of supervision of young people using the building;
- concern about the potential for the facility to be used as an outreach facility in the future if the rezoning were approved; and
- kitchen operation (smell and noise).

As well there have been some responses and comments by immediate neighbours in support of the application that have indicated that YWAM is good neighbour and that if the proposal were approved it would be a benefit to the neighbourhood. Overall the majority of comments and responses received from immediate neighbours have been largely negative. Further information regarding public response to the proposal can be found in Appendix E.

**Property Use Inspection:** Staff were contacted by neighbouring property owners who indicated that YWAM had been using the building without permits. A property use inspection was conducted on February 11, 2008 to check occupancy of the building. The property use inspector spoke with YWAM representatives and they indicated that the building was being used for storage and office not for students or dormitories. The City withheld enforcement due to the rezoning application being in process.

Further complaints were received by staff from neighbouring property owners about use of the building, including the rooftop deck, and activity in the parking area and the lane. Some neighbours indicated that they believed that people were sleeping in the building. A further property use inspection was conducted on April 25, 2008. At the time of the inspection there was no specific evidence of anyone sleeping in the building although there were mattresses, bunk beds, other furniture and musical instruments being stored in the building. YWAM representatives on site indicated that there were not any people sleeping in the building and that it was still only being used for storage and office. The continued use of the building has frustrated some neighbouring residents and a number of complaints have been received by staff.

## **FINANCIAL IMPLICATIONS**

Approval of either the report recommendation or the consideration item will have no financial implications with respect to the City's operating expenditures, fees, or staffing.

## **CONCLUSION**

Staff do not support the proposed rezoning for 1845 Napier to allow use of the existing building for a vocational school with accessory dormitory. This conclusion is based on the use and scale of operation in this residential location. Engineering Services have indicated that they are not supportive of the proposed reduced parking standard. As well, public response to the proposal from immediate neighbours has been largely negative. The Director of Planning recommends that the application be refused. If Council does not wish to refuse the application then Council may wish to instruct staff that the proposed by-law amendments set out in Appendix A be referred to public hearing.

\* \* \* \* \*

## DRAFT CD-1 BY-LAW PROVISIONS

Note: If Council wishes to refer the application, a By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

### Definitions

- Dormitory Unit means a sleeping unit equipped to be used for sleeping and sitting purposes, except that it may contain a sink for washing.

### Uses

- School - Vocational or Trade, that may include accessory Dormitory Units.
- Community Care Facility - Class B.

### Height

- A building shall not exceed 10.7 m in height and shall not have more than 4-storeys.

### Front Yard

- A front yard with a minimum depth of 6.1 m must be provided.

### Side Yards

- A side yard with a minimum width of 1.5 m must be provided.

### Rear Yard

- A rear yard with a minimum depth of 8.5 m shall be provided.

### Floor Space Ratio

- The floor space ratio shall not exceed 1.17.
- The number of beds shall not exceed 27.
- The following shall be included in the computation of floor space ratio:
  - all floors, including earthen floor, to be measured to the extreme outer limits of the building;
  - stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
- The following shall be excluded in the computation of floor space ratio:
  - open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
  - patios and roof gardens, provided the Director of Planning first approves the design of sunroofs and walls;
  - where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

- are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
- are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- areas of undeveloped floors which are located:
  - above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- floors located at or below finished grade with a ceiling height of less than 1.2 m;
- covered verandahs or porches, provided that:
  - the portion facing the street or rear property line shall be open or protected by guard rails, the height of which shall not exceed the minimum specified in the Building By-law;
- the total area of these exclusions, when combined with the balcony and deck exclusions, does not exceed 13 percent of the permitted floor space; and
- where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000.

#### Acoustics

- All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

#### Parking, Loading and Bicycle Spaces

- Parking, Loading and bicycle parking spaces shall be provided and maintained in accordance the Vancouver Parking By-Law, including relaxation and exemption provisions, except that a minimum of 6 parking spaces and one Class A Loading space must be provided.

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## PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

### 1. PROPOSED CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- a) That if Council decides to approve the application the proposed form of development, generally as prepared by Merrick Architecture, and stamped "Received City Planning Department, December 12, 2007", be presented to Council for approval in principle, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development:

- (i) Design development to improve the exterior appearance of the building by painting or stuccoing the exterior wall.
- (ii) Design development to clarify the proposed storage area on the 4<sup>th</sup> floor and show on the elevation drawings.
- (iii) Clarify floor plans to show location of teaching areas and classrooms.

Landscape:

- (iv) Design development to provide a green edge of trees, hedging and shrubs at the site perimeter to serve as a transitional zone, screening the building and lessening the impact of activities.
- (v) Design development to provide passive green space in the side yards between the school usage and the neighbouring residential uses. Except for one access pathway the side yards should be planted.

**Note to Applicant:** These areas should be mostly planted, not paved. School activities should not occur in the side yards.

- (vi) Design development for the front yard to retain existing trees where possible and the front yard should contain a layered planting plan that includes low hedging, shrubs and an additional tree or two.

**Note to Applicant:** The front yard are should mostly be planted not paved. The area that is shown as an outdoor classroom patio space should be deleted.



- (vii) Consideration should be given to relocating the pathway to the centre of the front yard in order to better align with the front door.
- (viii) Design development to provide a one meter landscape setback on each side of the rear yard adjacent to the side property lines in order to screen the cars from the neighbours across the lane. Consideration could be given to providing a trellis structure with vines over part of the parking area.
- (ix) At time of development permit application submission, provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material. Parking spaces should be shown on the Landscape Plan and the amount of hard surface minimized. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. Illustrate and clarify all outdoor surface/paving materials, site furniture, lighting, irrigation, hose bibs, retaining wall treatment, public realm (building edge to the curb, trees, lamp posts, fire hydrants).

CPTED (Crime Prevention through Environmental Design):

- (x) Design development to take into consideration the principles of CPTED.

Facility Management Plan

- (xi) provision of a signed Facility Management Plan prior to development permit issuance, which will include, amongst other conditions, the following requirements:
  - designation of a 24-hour contact person and phone number, to receive and respond to inquiries and concerns about the facility;
  - a system for logging and responding to inquiries and concerns;
  - set hours of usage (not to exceed 9:00 p.m.) and protocols for using the rooftop deck (to be determined in consultation with the neighbourhood);
  - limitation on noise from activities;
  - limitations for non-school related events;
  - commitment to host a regular neighbourhood meeting at which information and concerns may be exchanged (the frequency to be determined in consultation with the neighbourhood); and
  - Commitment to containing activities to inside the building in order to retain the residential quality of the neighbourhood.

**Note to Applicant:** The provisions of the Facility Management Plan will be determined in consultation with representatives from the neighbourhood. The proposal will be subject to a time-limited Development Permit to allow for review of compliance and mitigation of noise, parking and other zoning issues. If the Director of Planning does not renew the Development Permit for a School - Vocational or Trade then he will report back to Council regarding rezoning of the site to RT-5.

## APPLICANT'S COMMENTS

"The building located at 1845 Napier has long served as an institutional facility, servicing and caring for the elderly and those in need.

Youth With A Mission (YWAM) recognized the ability of this vacant building to fit their needs for a new home. These needs not only included their physical needs, but also their need to remain in the community in which they have operated and lived for many years. The first step in the process of making 1845 Napier Street their home was to get out and introduce themselves to the neighbourhood. YWAM members and staff have continued to speak with and work with their neighbours throughout this process and have made every attempt to address any issues they had. It has always been YWAM's intention to be a good neighbour (many of them also live in the neighbourhood). It is extremely unfortunate that a small group of immediate neighbours have refused to work with them.

As for the issue of parking, we felt that this issue could easily be resolved. In a time of rapidly rising gas prices, sustainability and "green living" YWAM has encouraged its staff and members to take alternate forms of transportation to work. To have them provide the full contingent of parking would far exceed their needs and would promote driving to work. If City staff are concerned that future uses would stress the existing parking situation then craft the CD-1 Bylaw in such a way that would ensure future users would be required to provide adequate parking to suit their needs.

We would like to bring attention to the fact that some DIRECT neighbours are also very much in favour of us being there in the neighbourhood.

We disagree with city staffs assessment that the density is too great for a mid block location. At any time we would have a maximum of 25 students and 10 - 15 staff on site (We have 25 staff, but most of the time they are either overseas or in different parts of Canada). The SNRF class B allows for 58 beds plus staff and to my knowledge this includes other uses besides seniors.

If successful with the rezoning process YWAM will prove to both the City and the neighbourhood that they will be an asset to the community."

## ADDITIONAL INFORMATION

**Site, Surrounding Zoning and Development:** This 748 m<sup>2</sup> (8,052 sq. ft.) site is located mid-block on the north side of Napier Street between Salisbury Street and Victoria Drive. The site is zoned RT-5 and has a 4-storey concrete building with a rooftop deck on it. The building has been approved as a Community Care Facility - Class B since 1964. The building was constructed prior to a 1960's zoning change that rezoned the area from RM-3 (Multiple Dwelling) District to RT-2 (Two Family Dwelling) District (the area was later rezoned to RT-5). The rezoning site has a frontage of 20.1 m (66 ft.) along Napier Street and a depth of 37.2 m (122 ft.).

Properties in all directions are zoned RT-5 (Two Family Dwelling) District and are developed with primarily residential buildings. There is a variety of housing types in the area, ranging from single-family and two-family dwellings to row housing and apartment buildings constructed prior to the 1960's zoning change.

**Comments of the General Manager of Engineering Services:** The General Manager of Engineering Services does not support the proposed parking for this rezoning application.

**Processing Centre - Building:** Staff reviewed the architectural drawings submitted on December 12, 2007. The applicant has a code consultant that submitted a report with the rezoning application. Building staff reviewed the application and their preliminary comments indicate that the proposal would require a full upgrade of the building for the proposed change of major occupancy from residential to vocational school with dormitory.

The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. If Council decides to approve the application, then the applicant should consider the options available to assure Building By-law compliance in consultation with Processing Centre - building staff. Written confirmation that the applicant has read and has understood the implications of staff's preliminary commentary is required prior to submitting a development permit application.

**Landscape Review Comments:** Staff have reviewed the landscape plans and rationale submitted with the application on November 6, 2008. Landscape Review staff have indicated that they are not supportive of the proposal for outdoor activity areas. If the application were approved, staff recommend that the front and side yards be mostly planted (not paved) and that a one metre landscaped setback be provided adjacent to the proposed parking area (for more information see Appendix B).

## PUBLIC INPUT

**Public Input:** On January 25, 2008, a notification letter was sent to 670 nearby property owners within the notification area (shown on Figure 1 on page 2 of the report) and one rezoning information sign was posted on the site on February 1, 2008. Approximately 25 phone calls, 88 letters and e-mails and three in-person visits to the Rezoning Centre have been received by staff regarding the proposal. As well, a petition with 60 signatures in opposition to the proposal was received by staff on June 24, 2008.

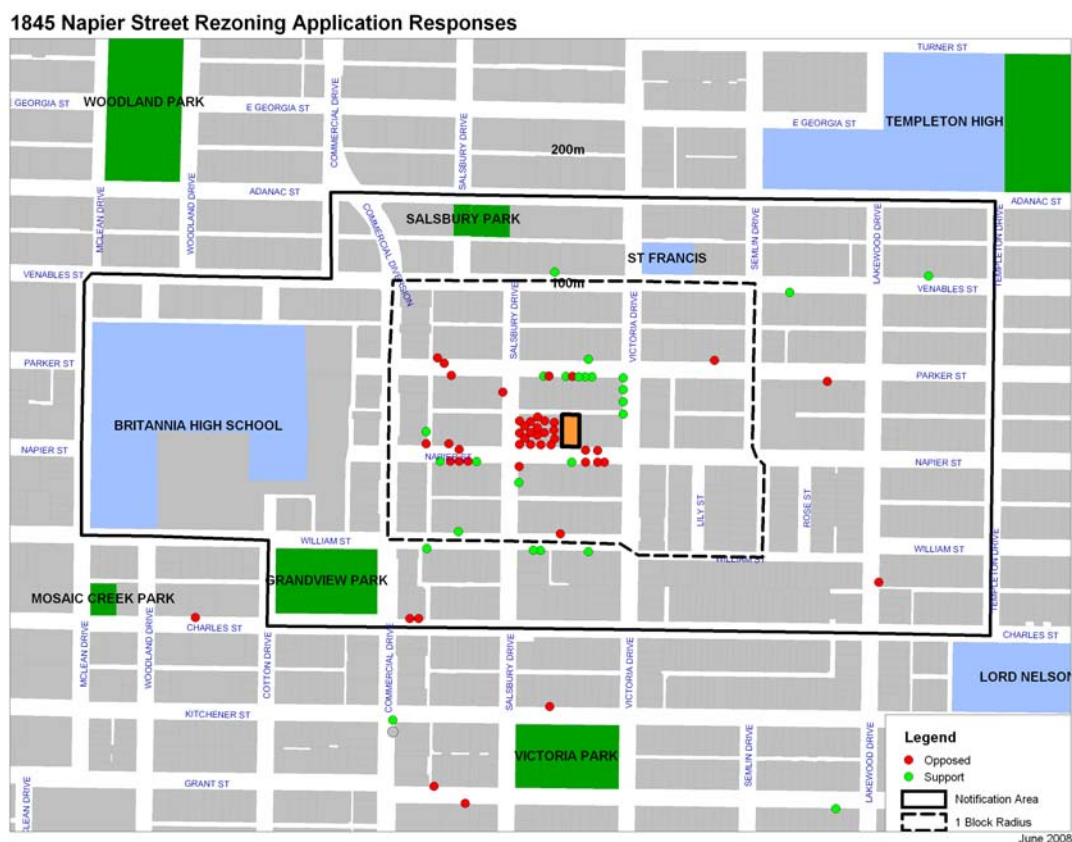
Staff hosted an open house at the Britannia Community Centre on May 7, 2008. The meeting was attended by over 120 people. There was an opportunity for the public to speak about and ask questions regarding the proposal. As well, comment feedback forms were provided and 41 were filled out and returned.

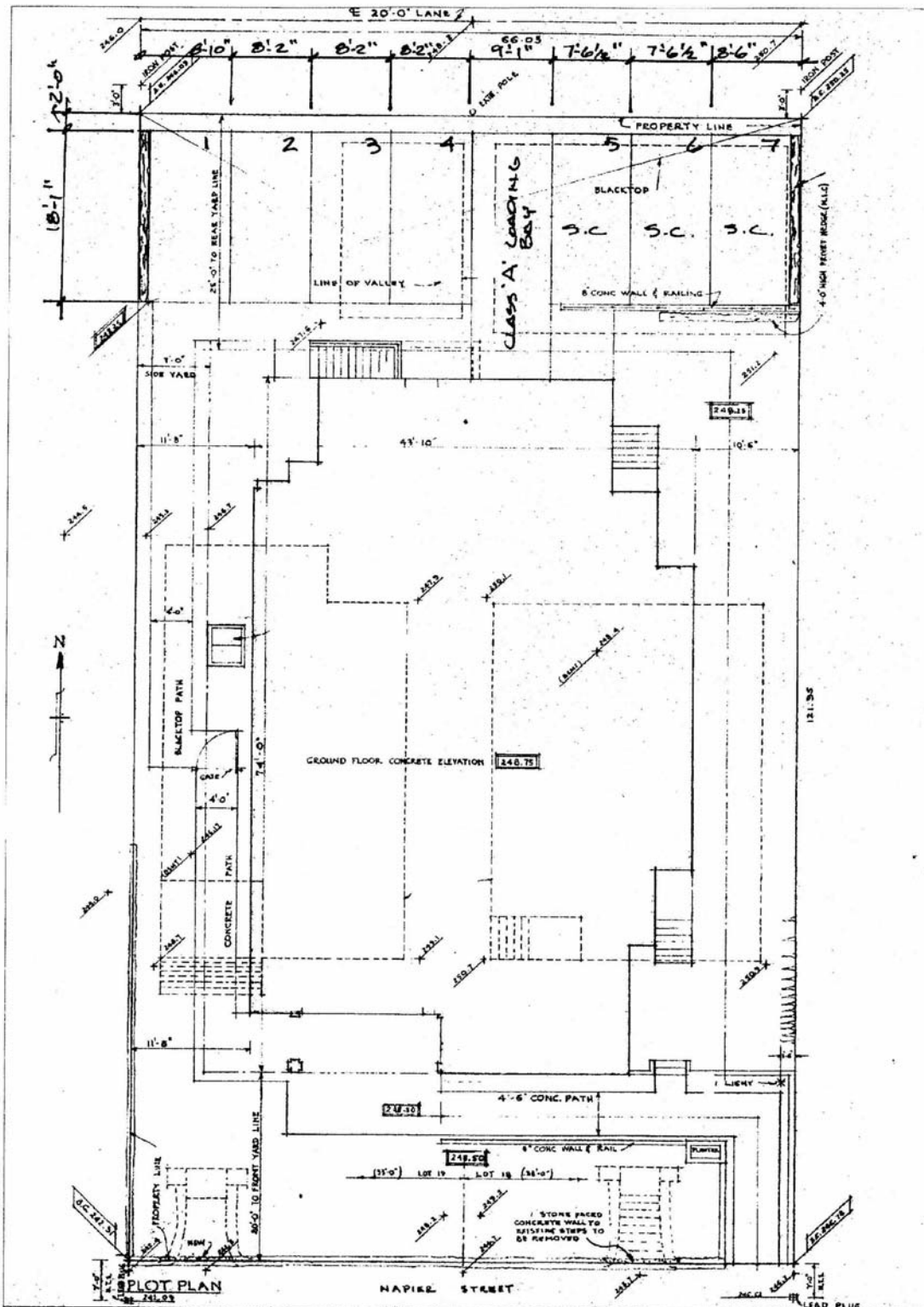
All responses to the proposal were mapped and included in Table 1 and Figure 2 below.

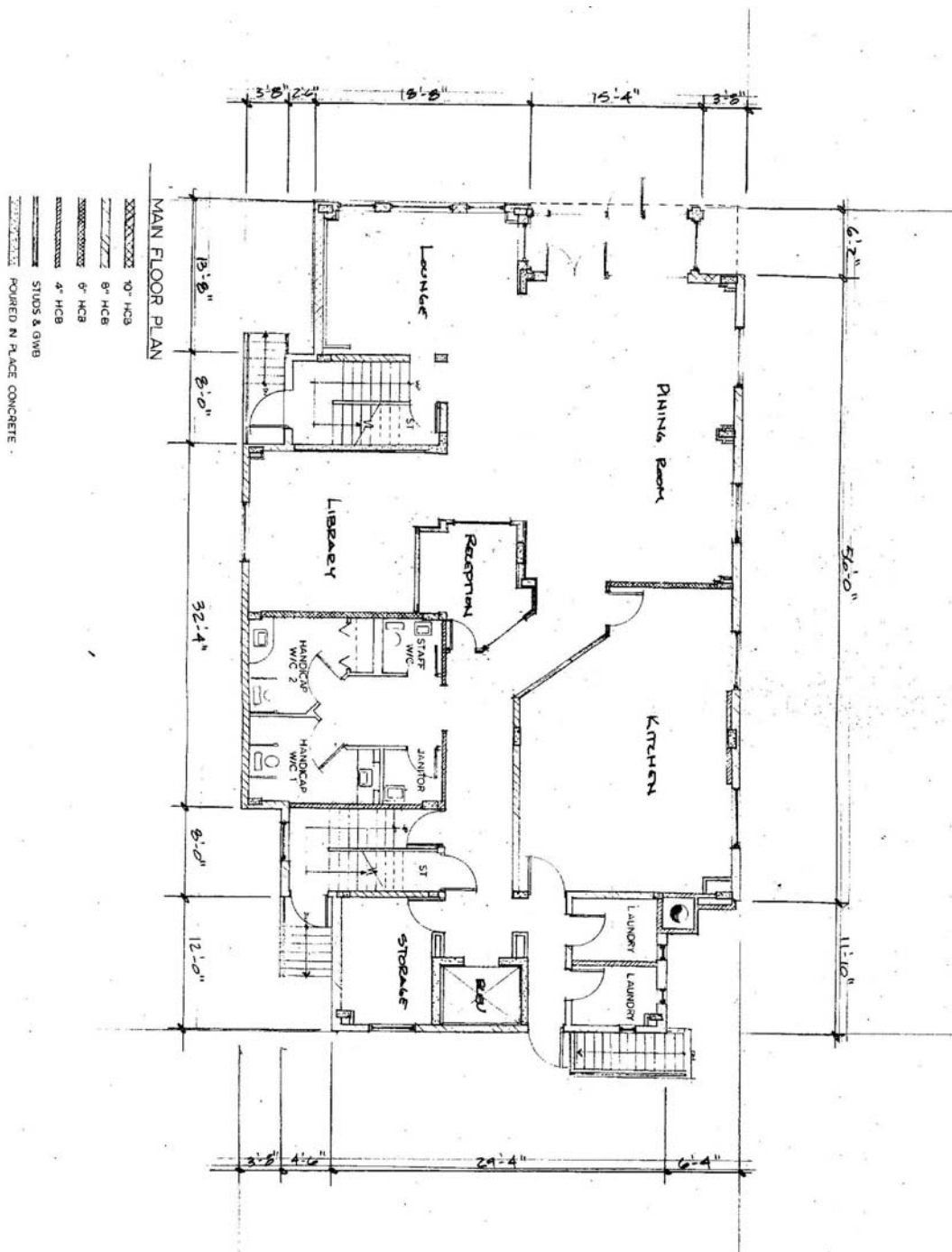
**Table 1: Public Responses to Rezoning Proposal**

Area (see Figure 2)	Support	Opposed
1 Block Radius	16	38
Notification Area	23	42
Outside Notification Area	49	9

**Figure 2: Public Response to Rezoning Proposal**

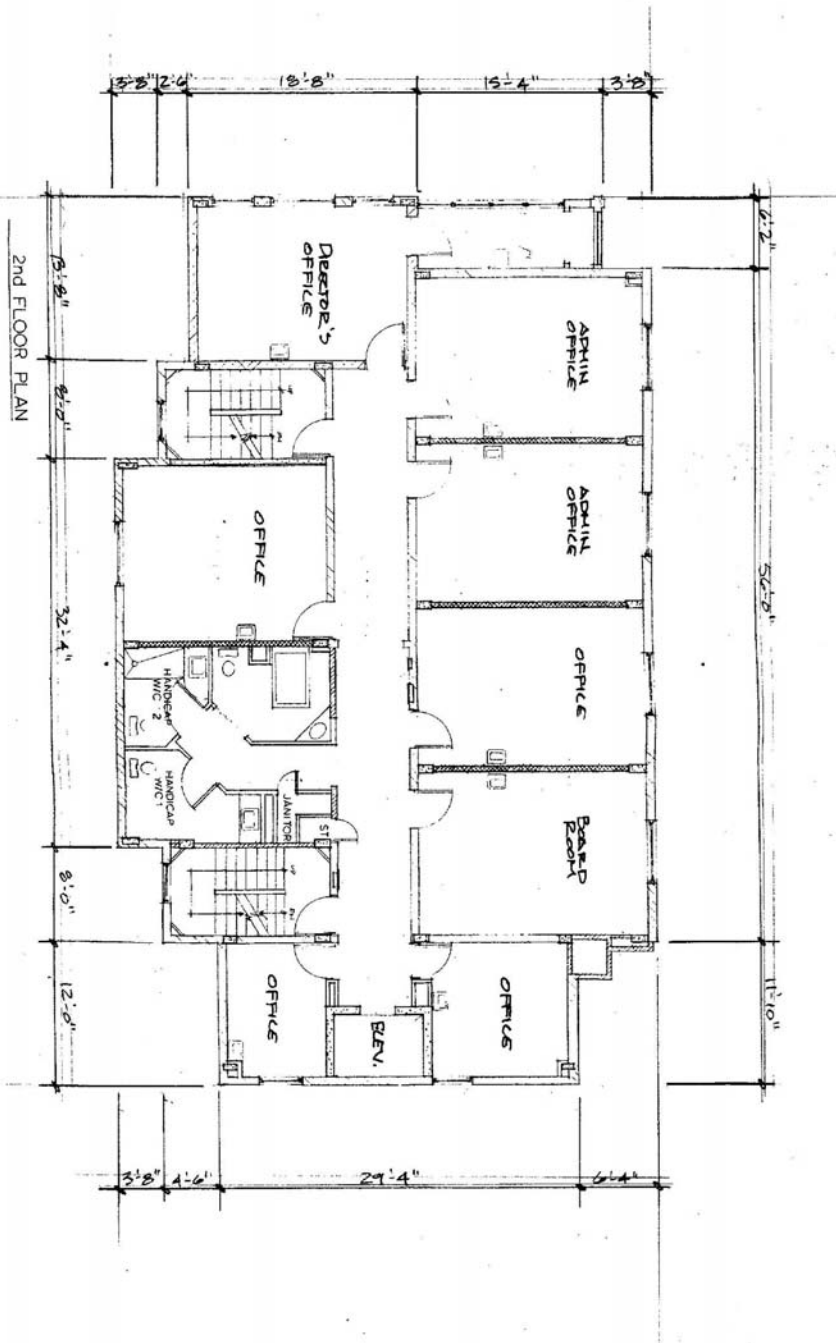






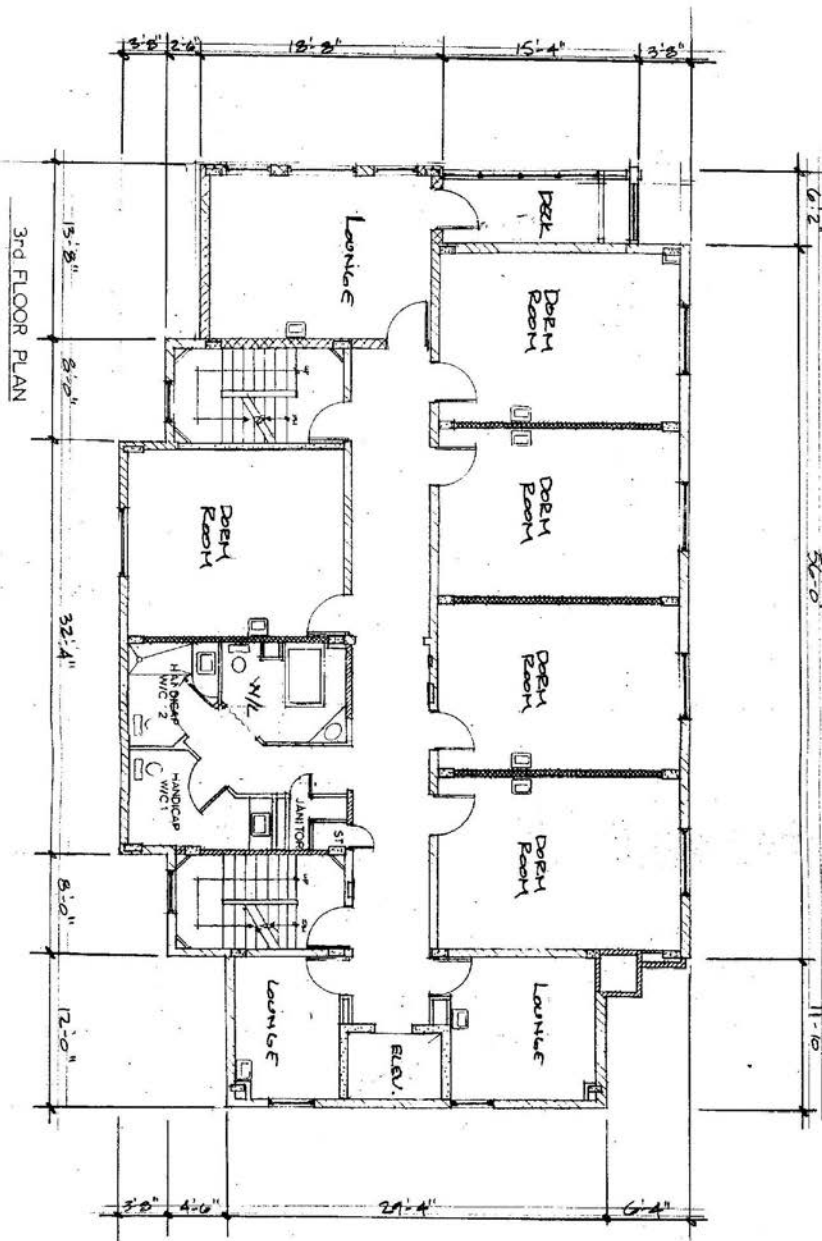
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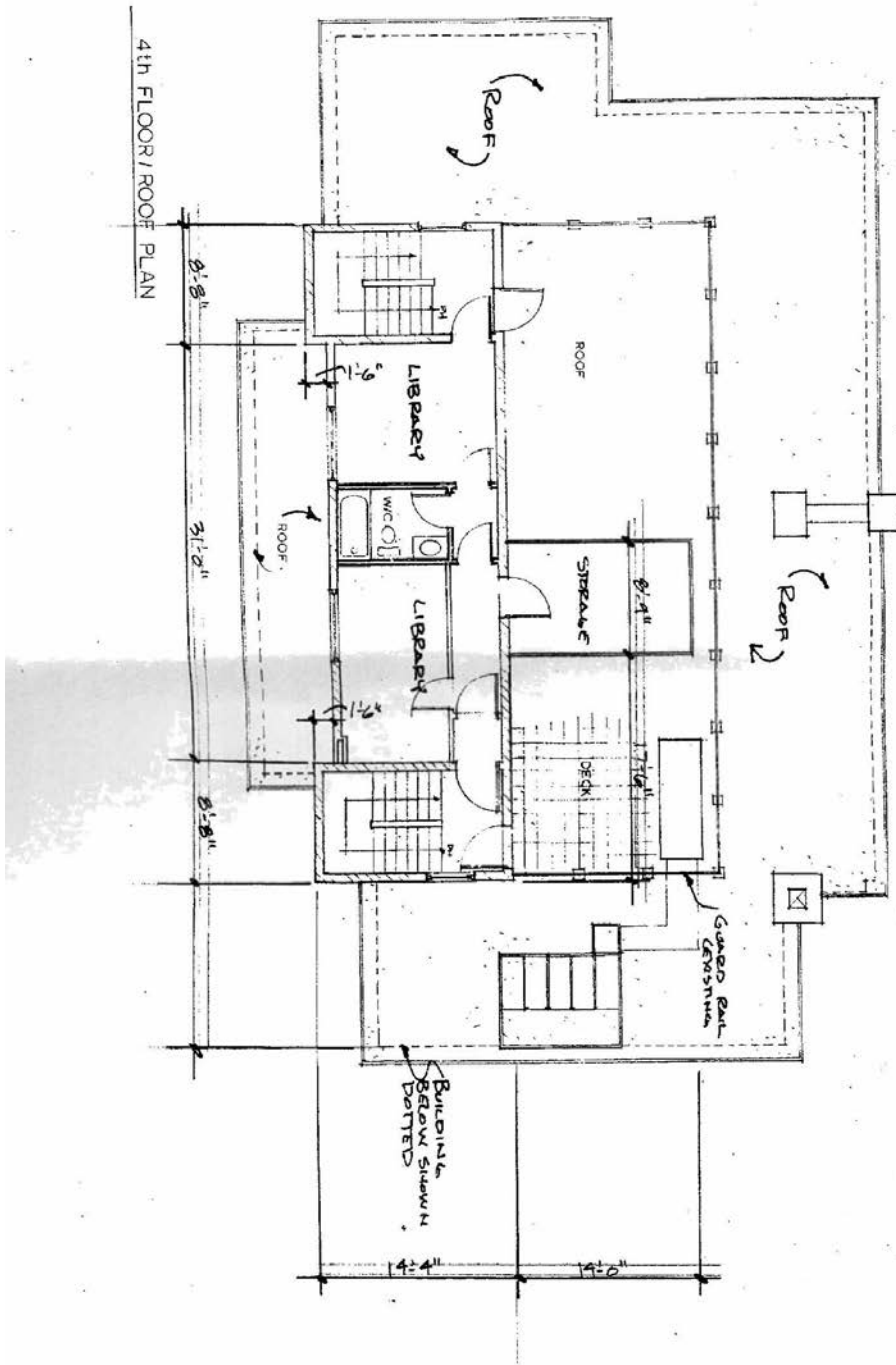
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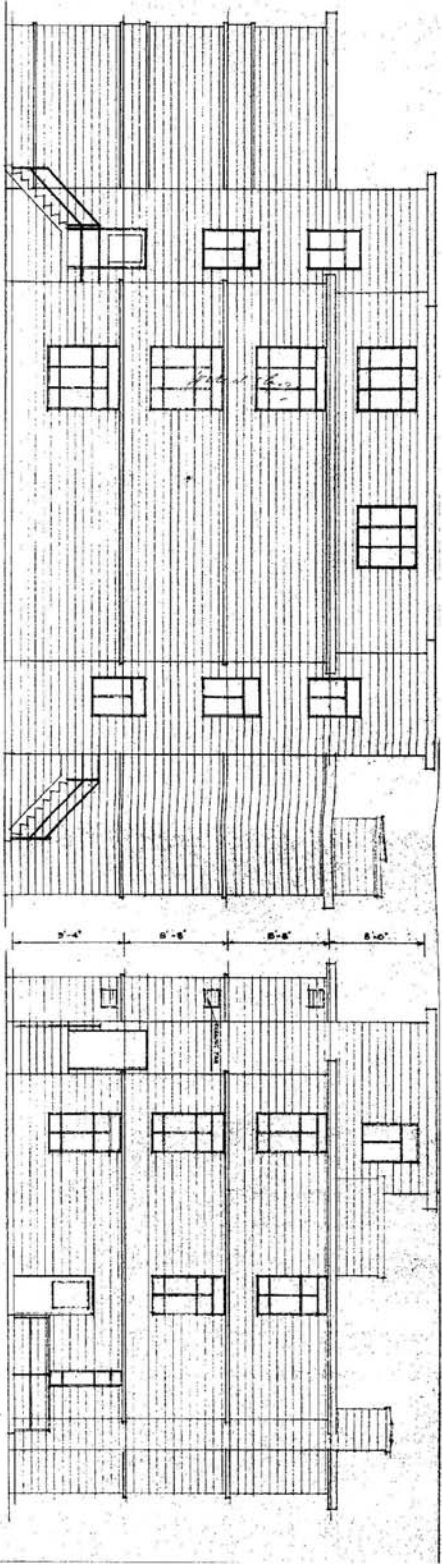


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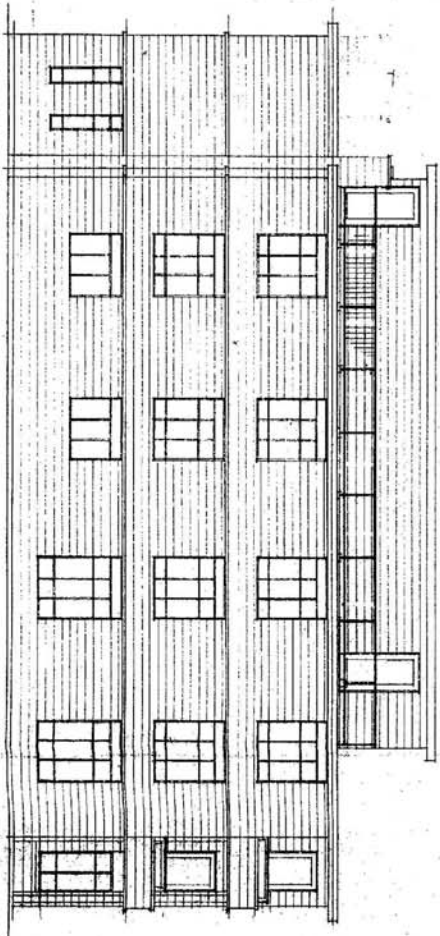


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	DRAWN C.W.L. CHECKED G.W.C.	DATE 1/28/88		
4th FLOOR PLAN Vancouver, B.C.				

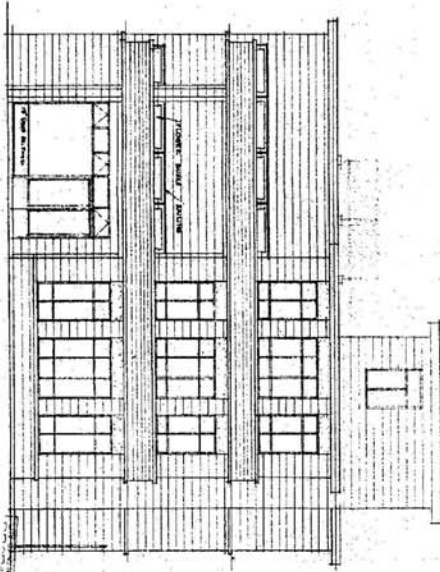


EAST ELEVATION

NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

DATE: 08/14/12  
 08/14/12 11:58 AM  
 314 WEST 10TH STREET, SUITE 101, PASADENA, CA 91105

ELEVATIONS	DATE
NAVER-PERSONAL CARE HOME	12/11/11
FOR - THE MAPPER	12/11/11
PERSONAL CARE HOME LTD.	12/11/11

APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	1845 Napier Street
Legal Description	Lot 18 & 19, Blk 30, DL 264A, Plans 1077 & 1771
Applicant	Brook and Associates Ltd.
Architect	Merrick Architecture
Property Owner	Napier Land Inc.

SITE STATISTICS

	GROSS	DEDICATIONS	NET
SITE AREA	748 m <sup>2</sup> (8,052 sq. ft.)	n/a	748 m <sup>2</sup> (8,052 sq. ft.)

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	EXISTING DEVELOPMENT	PROPOSED DEVELOPMENT
ZONING	RT-5	RT-5	CD-1
USES	Dwelling Uses, Office, Institutional and Service Uses	Community Care Facility - Class B	School - Vocational or Trade with accessory dormitory units, Community Care Facility - Class B
MAXIMUM FLOOR SPACE RATIO	0.6 FSR or 0.75 FSR for certain uses	1.17 FSR	1.17 FSR
MAXIMUM HEIGHT	10.7 m (35.1 ft.)	10.7 m (35.1 ft.)	10.7 m (35.1 ft.)
MAXIMUM NO. OF STOREYS	2½	4	4
PARKING & LOADING SPACES	14 parking spaces and one loading space	6 parking spaces and one Class B loading space	6 parking spaces and one Class B loading space
MINIMUM FRONT YARD	7.3 m (24.0 ft.)	6.1 m (20.0 ft.)	6.1 m (20.0 ft.)
MINIMUM SIDE YARD	1.5 m (4.9 ft.)	West - 3.2 m (10.5 ft.) East -3.6 m (11.8 ft.)	West - 3.2 m (10.5 ft.) East -3.6 m (11.8 ft.)
MINIMUM REAR YARD	10.7 m (35.1 ft.)	8.5 m (28.0 ft.)	8.5 m (28.0 ft.)