



P4

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: November 8, 2010
Contact: Grant Miller
Contact No.: 604.873.7484
RTS No.: 08926
VanRIMS No.: 08-2000-20
Meeting Date: November 16, 2010

TO: Vancouver City Council

FROM: Director of Planning in consultation with the Managing Director of Social Development

SUBJECT: CD-1 Rezoning and Heritage Revitalization Agreement at 2305-2325 West 7th Avenue (Kitsilano Neighbourhood House)

RECOMMENDATION

- A. THAT the application by Sean McEwen Architect on behalf of Kitsilano Neighbourhood House, to rezone 2305-2325 West 7th Avenue (Lots 11, 12 and 13, Block 282, DL 526, Group 1 NWD Plan 1058; PID:008-890-285, 008-890-323, 008-890-366) from RT-8 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the revitalization of two heritage buildings and a four-storey, addition connecting them, to be used for low-income seniors housing and improved space for the Kitsilano Neighbourhood House at a floor space ratio (FSR) of 1.70 and a height of 13 m (42.5 ft.), be referred to a Public Hearing, together with:
- (i) plans received May 12, 2010;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the Public Hearing.

- B. THAT, if the application is referred to a public hearing, the Director of Legal Services be instructed to prepare a by-law, for consideration at the Public Hearing, designating the Vancouver Heritage Register "B" listed building at 2305 West 7th Avenue, and the Vancouver Heritage Register "C" listed building at 2325 West 7th Avenue, as municipally-protected heritage property under a heritage designation By-law.

- C. THAT, if the application is referred to public hearing, the Director of Legal Services be instructed to prepare a by-law, for consideration at the Public Hearing, authorizing the City to enter into a Heritage Revitalization Agreement, generally in accordance with the draft in Appendix G for the Vancouver Heritage Register "B" listed building at 2305 West 7th Avenue, and the Vancouver Heritage Register "C" listed building at 2325 West 7th Avenue, to secure the timely rehabilitation and long-term protection and conservation of the heritage resources.
- D. THAT, Recommendations A, B and C 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services recommends approval of the foregoing.

COUNCIL POLICY

Relevant Council policies for this site include:

- Heritage Policies and Guidelines (April 18, 1991)
- Affordable Housing Policies (May 16, 1991)
- Childcare Design Guidelines (February 4, 1993)
- Rezoning Policy for Greener Buildings (June 10, 2008)

PURPOSE AND SUMMARY

This report assesses an application to rezone the site at 2305-2325 West 7th Avenue from RT-8 (Two-Family Dwelling) to CD-1 (Comprehensive Development) District. The application proposes the restoration and rehabilitation of two heritage buildings and construction of a four storey, mixed use addition connecting them. The proposed development includes improved space for the existing neighbourhood house and childcare, and adds 15 affordable seniors housing units. The retention of existing surface parking spaces accessed off the lane is proposed. A maximum floor space ratio (FSR) of 1.70 and a maximum building height of 13 m (42.5 ft.) are proposed. The purpose of the rezoning is to allow additional height and density than permitted under the RT-8 District, and reduced parking.

This proposal is consistent with Council's housing and heritage policies, and it improves the childcare and neighbourhood house space which are both valuable existing local amenities. As well it will preserve two valuable heritage buildings which will be publicly accessible for the community to enjoy, and will help to buffer the scale of the housing addition in relation to neighbouring buildings. Although an increase in the neighbourhood house space is proposed, the primary purpose for the rezoning is to allow additional density for the development of low-income seniors housing units. The site is well located for this purpose with local conveniences, amenities and services in close proximity. The community is generally supportive of the proposed use although some concerns have been expressed by neighbours about the scale of the addition and impact on local street parking. Subject to a public hearing, staff recommend that the application be approved with conditions outlined in Appendix B.



Figure 1 – Perspective view showing the heritage hall on the right, Hay House on the left and the proposed residential addition in between

DISCUSSION

1. Site and Context

The rezoning site is located at the northwest corner of 7th Avenue and Vine Street and is comprised of three 50-by-120-foot lots. Located on the site are the heritage “B” listed “St. George’s Greek Church” building at the corner (the Hall) and the heritage “C” listed “Hay House” at the west end of the site. Currently, the neighbourhood house occupies both buildings with the exception of a large portion of the ground floor of the Hall which is occupied by the childcare. They are connected by a catwalk, which spans a central yard providing outdoor play space. The properties to the north, south and west are zoned RT-8 and are developed with a range of housing types from single family houses to multiple dwellings. To the east of the site is an RM-4 District, developed with three- and four-storey multiple dwellings (See Figure 2).

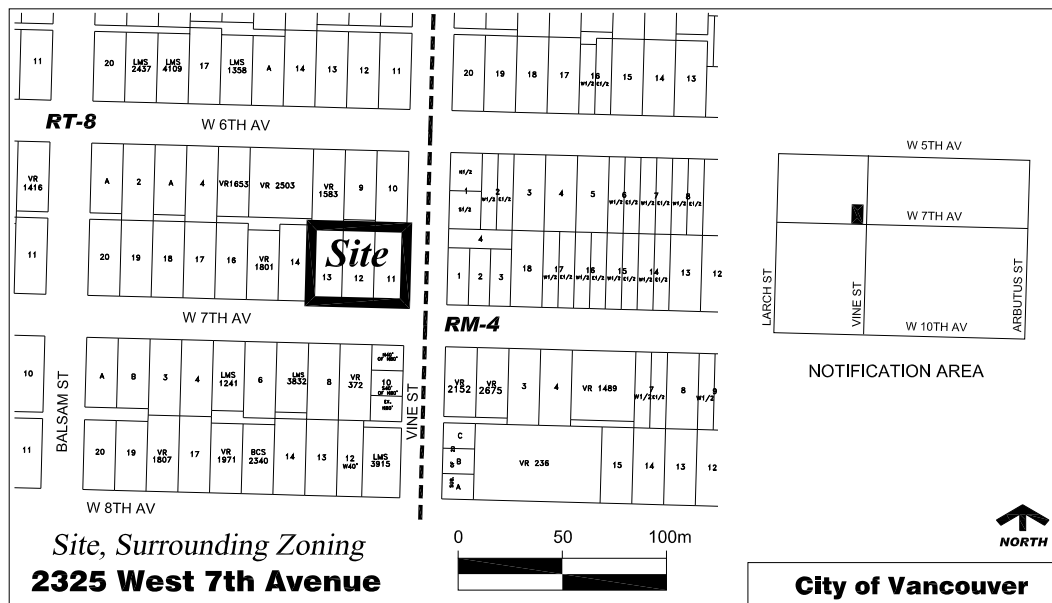


Figure 2 – Site and Surrounding Zoning

2. Relevant Council Policy

The following are Council's affordable housing objectives:

- Maintain and expand housing opportunities in Vancouver for low and moderate income households, with priority being given to Downtown lodging house residents, elderly people on fixed and limited incomes, the physically and mentally disabled, and single-parent families with children
- Encourage the distribution of acceptable housing forms and affordable shelter costs equally among all residential neighbourhoods of Vancouver rather than concentrating them in a few areas.

The proposal in the rezoning to provide 15 affordable seniors housing units is supported by the above housing policies. Further, the Kitsilano Neighbourhood House currently occupies two structures which are listed on the Vancouver Heritage Register. The proposal to rehabilitate, protect and maintain the "C" listed "Hay House" and the "B" listed "St. George's Greek Orthodox Church" is consistent with Council's Heritage Policies and Guidelines.

3. Land Use, Density and Height

The proposal is for a mixed-use development including Dwelling Units, Child Day Care Facility, Community Centre or Neighbourhood House and Accessory Uses. All of these uses are conditionally permitted under the current RT-8 zoning, however, the application proposes an increase in density from the maximum of 0.75 FSR to 1.70 FSR. The proposed density and built form are more in keeping with the adjacent RM-4 zoning (1.45 FSR) located immediately to the east of the site, however the retained heritage buildings at the ends of the project provide a transition to the prevailing densities and built form of neighbouring properties. The location of this site is also advantageous for the proposed density given the easy access to transit, shopping and other conveniences.

The current RT-8 zoning permits a maximum height of 10.7 m (35 ft.). The existing Hall is 13 m (42.5 ft.) tall and it is proposed that the new addition will be limited to that height. To minimize the sense of height at the street, the addition is set back at the fourth floor behind a roof garden. Staff support the proposed height subject to design development conditions noted in Appendix B and described below.

4. Form of Development (Appendix E)

The proposed form of development preserves the two existing heritage buildings at opposite ends of the site and connects them with a simple four-storey flat roofed infill addition. The childcare moves from the basement of the Hall to the Hay House with access to an outdoor play area along West 7th Avenue in front of the infill. Neighbourhood House uses move from the ground and main floor of the Hay House to the main floor of the addition and the Hall.

The approach seeks to create the sense of separation between the three elements to allow the heritage elements to be best preserved. On June 30, 2010, the Urban Design Panel reviewed and unanimously supported the proposal (see Appendix C for the minutes of the meeting). The Panel expressed general support for form and massing, and felt it was a good location for housing for seniors. However, they suggested design development to the connections between the centre block and the heritage buildings, to increase the sense of joint or reveal between new and old with special attention to the materiality and quality of the glazed joint.

Design development conditions (Appendix B) direct the applicant to further refine the proposal through detailed building design. The conditions include:

- a larger setback at the south wall of the glazed entry atrium above the second floor level, to enhance the apparent separation between the new building and the existing Hall;
- further articulation of the three main volumes of the proposal through cladding, window and detail design; and
- provision of a street-facing entry to the childcare facility, located at the inset between the Hay House and the addition.

5. Seniors Housing

This proposal includes development of 15 units of housing for seniors on fixed incomes which is one of the City's affordable housing policy priorities. The density proposed for the site will allow for the development of housing units of a size and configuration which accommodates seniors in a form that is operationally appropriate. The development site and its location are especially well suited for this use and the form of the housing will allow seniors to age in place with numerous local services and amenities within walking distance. The 15 one-bedroom units are funded by BC Housing who would enter into an operating agreement with the Kitsilano Neighbourhood House. The Neighbourhood House would manage these along with 20 other similar units in a new development one block to the south at 8th Avenue and Vine Street. This nearby development, recently approved by Council, will have a small seniors resource centre on its ground floor.

Rents for the project will be based on 30% of income, implemented through an agreement between the Neighbourhood House and BC Housing. Prospective residents will be income tested based on Core Need Income Thresholds as determined by Canada Mortgage and Housing

Corporation (CMHC) and BC Housing. It is the intention of the Neighbourhood House to ensure that 100% of the dwelling units will be occupied by low-income seniors. The objective is to accommodate seniors who receive only basic Canada Pension Plan (CPP) and Old Age Security (OAS), and those who meet the CMHC Core Need Income Threshold levels. There are currently no plans for the Neighbourhood House or the housing units to receive rent subsidies. The Neighbourhood House currently owns the existing land and funding for the redevelopment will be provided via a Federal-Provincial grant. The City has also provided for a \$1.6 million capital contribution to the redevelopment of Kitsilano Neighbourhood House in the 2009-2011 Capital Plan. Approval of a capital contribution by the City is subject to a separate report to Council concerning capital grants. The Neighbourhood House will be obligated to maintain the building, and will govern rents based on building operating and maintenance requirements over the 60-year term of the operating agreement with BC Housing.

Council policy supports rezoning for the development of affordable housing when a minimum of 30% of the total number of units are occupied by persons with incomes below core-need income thresholds, and for which a housing agreement and covenant restricting the use of such units is in favour of the City, and where the owner, if a non-profit organization, is eligible for a government shelter subsidy. The Managing Director of Social Development recommends that the owner enter into a housing agreement and covenant to restrict the use of these units to affordable housing [Appendix B, condition (c) 2].

6. Heritage

Heritage Value – The “St. George’s Greek Orthodox Church” is the hall used by the Kitsilano Neighbourhood House and is a “B” listed building on the Vancouver Heritage Register. The “Hay House” is a “C” listed building on the Vancouver Heritage Register and is currently used for administrative functions. Donald Luxton & Associates Inc. has completed the required Statement of Significance (SOS) (for the full SOS, see Appendix D). An SOS is a document which describes the heritage values and defining features of a building or site.

The SOS confirms that the St. George’s Greek Orthodox Church was built in 1930 and was central to the Greek community in Kitsilano until a new church was built at Valley Drive and Arbutus Street. It is valued as an example of the continuing influence of the Classical Revival style. Designed by William Marshall Dodd (1870-1948), a prolific and talented Canadian architect, the church is an excellent example of his work in Vancouver.

The firm of Nixon and Wright designed and built both the Hay House and the house next door to the west (2335 West 7th Avenue) in 1909. The Hay House is an example of the influence of the Arts and Crafts style in Kitsilano, as seen in its rational space planning, the use of natural materials, and a mix of traditional design elements. The Hay House remains largely intact and retains a great deal of its original integrity. Since the Hay House and the heritage church united to become the Kitsilano Neighbourhood House in 1972, the complex has been a centre of Kitsilano community activities. The Hay House represents the Kitsilano Neighbourhood House, is a familiar local landmark and is compatible with the surrounding residential streetscape.

Heritage Designation/Heritage Revitalization Agreement/Section 219 Covenant – As set out in Recommendations B above, the St. George’s Greek Orthodox Church and the Hay House are to be designated as municipally-protected heritage property under Schedule “A” of the Heritage By-law. It is also proposed in Recommendations C above that a Heritage

Revitalization Agreement (HRA) and a Section 219 covenant be entered into to secure the timely rehabilitation and long-term protection and conservation of these heritage buildings.

Vancouver Heritage Commission — At a meeting on July 12, 2010, the Vancouver Heritage Commission accepted the draft SOS and put forward a resolution expressing concern about the addition at the back of the Hay House (see the minutes of the meeting in Appendix C).

Staff are recommending design development conditions for the St. George's Greek Orthodox Church to retain or provide a replacement strategy for the "three-sash" window in the south gable end, to maximize the setback of the south wall of the glazed entry atrium above the second floor level, and to detail how the roof of the atrium intersects with the west wall of the building. Further, the rear addition to the Hay House should be visually differentiated from the existing structure and retention of its existing windows and window openings, including the dormer windows on the east side, and the rear second floor double-hung window should be maximized.

7. Parking, Loading and Circulation

Existing and Proposed Parking — At present, the existing facilities on site make use of five (5) functioning parking stalls which are located at the rear of the site (space for six vehicles is provided, however, for some time, only five have been functional). The application proposes six (6) parking spaces.

The applicant provided a transportation assessment completed by Bunt and Associates Transportation Planners and Engineers. That report puts forward a premise that the existing Neighbourhood House and Child Day Care programs are not expected to change, but will be provided in renovated larger spaces. The consultant's report also asserts that the seniors' housing, consisting of small one-bedroom units occupied by persons below core-need income thresholds, is not expected to generate significant change in traffic or parking demand.

The applicant's transportation assessment concludes that very little additional parking demand will result from the new development. Further, that additional parking demand can be accommodated through a combination of under-utilized existing off-street parking, on-street parking in the immediate area, and travel demand management measures already implemented at the site including bicycle parking, end-of-trip facilities, and employee access to the two Neighbourhood House vans.

Neighbourhood and Staff Concerns and Analysis — Concerns have been raised in the neighbourhood that improvement of the Neighbourhood House will lead to more programs and activities and that that will result in traffic and on-street parking problems. Through further discussion, it appears that the concern is specifically that the improved Neighbourhood House might attract more private evening rentals, which is a time period when on-street parking is in highest demand within the neighbourhood.

Currently, the programs offered are directed to the local community, and the majority of the patrons walk or take transit to the facility. The Neighbourhood House confirms that the capacity of the main room in the Hall will only increase by 20% and that there are no plans to adjust their current rental policies.

Staff recognize that the Neighbourhood House program floor space is increasing in overall area. While the Neighbourhood House has indicated that it does not intend on expanding its

programming, the increased size of the Neighbourhood House, if this development proceeds, does mean that over time activity levels may increase despite current intentions. The Childcare use and the proposed addition of 15 affordable seniors housing units for low-income seniors at this site are not expected to generate a substantial increase in parking demand. In terms of the existing supply of on-site parking, it does appear to City staff that the parking and loading currently provided at the Kitsilano Neighbourhood House are under-utilized.

Recommendation – Neighbourhood Houses often provide limited on-site vehicle parking since their programs serve a localized clientele, many of whom arrive by modes other than by car. Staff feel that if a significant amount of on-site parking were available at this Neighbourhood House, it might actually facilitate the unintended result of encouraging more automobile trips to this facility. Potential demand from expanded Neighbourhood House space can be accommodated through the sharing of childcare spaces not needed in the evening.

Staff, therefore, recommend the following to address the parking needs of the proposed new facilities:

- 1 car share parking space and vehicle
- 3 full-size childcare drop-off spaces
- 2 childcare staff parking spaces
- 2 Class A loading spaces.

This recommendation for eight spaces for parking and loading including provision of a shared vehicle parking space is three spaces more than currently provided, or a 60% increase in the currently available supply of off-street parking. This additional parking addresses the concern raised by some neighbours while upholding the effective travel demand management strategy of reduced parking provision. A rezoning condition has been provided in Appendix B to secure the provision of the shared vehicle and its parking space.

8. Landscape

The proposal functionally expands the corner plaza from an urban design point of view so that the area can be used for special events. The Hall entrance has been highlighted as well as the main atrium with special paving. The grade change to the childcare in the Hay House reduces the height of the play structure and will help to dampen the sound from the children. For the benefit of the residents, a rooftop garden is planned for the fourth floor level.

Design development conditions (See Appendix B) recommend improvement of the public plaza at 7th Avenue and Vine Street and its link to the east side yard, including adding permanent benches, and enhancement of the roof garden for all-season use.

9. Environmental Sustainability

At the date this application was made (May 12, 2010), Council's Rezoning Policy for Greener Buildings required that all rezonings meet a minimum equivalent of LEED® Silver, with a minimum of 3 optimize energy performance points, 1 water efficiency point and 1 stormwater point and LEED® registration. However, as no density is generated through the HRA, the heritage elements of this building are not subject to this requirement. The Sustainability condition (see Appendix B) seeks compliance with this policy. The applicant has submitted a Sustainability Strategy (see Appendix C) indicating that the developer plans to achieve LEED® Gold or Platinum building, surpassing the LEED® Silver requirement.

10. Public Input

Kitsilano Neighbourhood House held several public events prior to making their rezoning application. After the rezoning application was submitted, a City notice was mailed to surrounding property owners within an approximate two-block area and a notification sign was erected on the site.

A public open house was held in the neighbourhood by City staff on June 23, 2010. Attendance at the open house is estimated at 46 and 17 comment forms were returned. The comments were split with 8 respondents being very supportive and 9 indicating a variety of concerns. Those concerned suggested that the proposed parking is insufficient and that the addition is too tall. Specific concerns included the access to the youth programs on the upper level of the Hay House being in conflict with the childcare facility, and the use of the term "Café" to describe the common area in the basement of the Hall, adjacent to a kitchen. Extended discussion between staff and some of the concerned neighbours followed. Since the open house, an additional two e-mails and one phone call have been received opposing the height, density and parking provisions as well as two e-mails opposing changes to the childcare design and operation. Further, a letter from the West Kitsilano Residents Association recognized that the delivery of seniors' housing is a Council priority and provided design development comments and asked that neighbourhood concerns regarding parking be addressed.

In response to some concerns that a "Café" might be operated by the Neighbourhood House, the proposed CD-1 by-law does not include commercial uses. The kitchen is to be used to support the day-to-day activities of the Neighbourhood House and will not be permitted to function as a café.

In response to concerns regarding parking provisions and analysis of parking demand, staff are recommending additional parking spaces beyond what was proposed in the application and provision of a car-share vehicle. Staff acknowledge that many parents using the current day care are disappointed that the current program operator must relocate, however this development will not result in a loss of spaces. See Appendix C for more information regarding the operation of the 25 space day care.

11. Soils

The applicant provided a Site Profile indicating no Schedule 2 activities. A Soils Remediation Agreement is therefore not required.

PUBLIC BENEFITS and SOCIAL IMPLICATIONS

Each element of this proposal (improvement of the neighbourhood house and childcare facility, the rehabilitation and conservation of two heritage buildings, and the addition of low-income seniors housing) is considered a public benefit to the local community.

- **Seniors Housing** – 15 low-income seniors’ housing units are proposed. A minimum of 30% of the total number of units are to be occupied by persons with incomes below core-need income thresholds, and for which a housing agreement and covenant restricting the use of such units is in favour of the City will be required. A housing agreement will restrict the use of these units to social housing [Appendix B, condition (c)2]
- **Heritage Preservation** – The owner has offered to restore, rehabilitate and designate the Hall and the Hay House without compensation. Restoration and rehabilitation is secured through a Heritage Revitalization Agreement, required to be registered on the title of the lands. For more on Heritage, see section 6 above.
- **Development Cost Levies (DCLs)** – Social housing is exempt from payment of DCLs under section 523D (10)(d) of the Vancouver Charter. Further, The Association of Neighbourhood Houses of Greater Vancouver as the owner of the property is exempt from property tax and, therefore, exempt from the payment of DCLs under section 523D (10)(a)
- **Community Amenity Contributions (CACs)** – under the Financing Growth Policies Social housing developments are exempt from payment of CACs

Neighbourhood houses and childcare are important elements of complete, sustainable, communities. Neighbourhood houses respond to the unique population of their neighbourhood offering a range of programs that build individual and community capacity and resilience. Licensed group childcare has been shown to improve children’s readiness to learn in the school environment and contributes to families’ economic stability by supporting labour force participation.

Kits Neighbourhood House has a history of supporting those seniors on the westside who require some support to remain in their community.

FINANCIAL IMPLICATIONS

Approval of the report recommendations will have no financial implications with respect to the City’s operating expenditures, fees, or staffing.

CONCLUSION

The proposed rezoning for 2305-2325 West 7th Avenue, to allow the renovation and improvement of the Kitsilano Neighbourhood House including the retention of two heritage buildings and an addition containing 15 low-income seniors’ housing units, meets Council’s affordable housing objectives and heritage policies. The Director of Planning recommends that the application be referred to a public hearing, together with a draft by-law provisions generally as shown in Appendix A, and together with the proposed Heritage Designation

By-law and Heritage Revitalization Agreement By-law as specified by Recommendations B and C. The Director of Planning also recommends that, subject to a public hearing, the rezoning be approved, subject to the conditions listed in Appendix B, including approval in principle of the form of development as shown in plans included here as Appendix E.

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2305-2325 West 7th Avenue
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Uses

- Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this by-law,
- Community Centre or Neighbourhood House,
- Child Day Care Facility,
- Accessory Uses customarily ancillary to any of the uses listed in this section.

Density

- Maximum floor space ratio of 1.70 FSR.
- For the purpose of computing floor space ratio, the site is deemed to be 1 672 m², being the site size at time of application for rezoning, prior to any dedications.
- Computation of floor space ratio must include:
 - all floors, including earthen floors, 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.
- Computation of floor space ratio must exclude:
 - open residential balconies, sundecks, porches 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 provided residential floor area;
 - patios and roof gardens, provided that 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, heating and mechanical equipment, 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 parking space shall not exceed 7.3 m in length;
 - amenity areas, including recreation facilities and meeting rooms provided that:

- the total area being excluded for amenity areas shall not exceed 10 percent of the permitted floor space;
 - 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;
 - all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
 - 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; and
 - with respect to exterior:
 - wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation; or
 - walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15), the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any exterior wall referred to in subsection (ii) of this section meets the standards set out therein.
- Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:
 - enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - no more than fifty percent of the excluded balcony floor area may be enclosed.

Height

- A maximum of 13.0 m.
- The Director of Planning, at his or her discretion, may permit a height greater than 13.0 m for:
 - architectural appurtenances, such as elevator enclosures, penthouses and stairwells, that:
 - are necessary to give access to a rooftop garden;
 - combined, do not cover more than 10% of the roof area;
 - railings, trellises, screens, planters, and other similar elements that are an integral part of the rooftop garden or of the decks and balconies;

- access and infrastructure required to maintain green roofs or urban agriculture, or roof-mounted energy technologies including solar panels and wind turbines, provided that the Director of Planning considers:
 - their siting and sizing in relation to views, overlook, shadowing, and noise impacts, and
 - all applicable policies and guidelines adopted by Council.

Horizontal Angle of Daylight

- All habitable rooms must have at least one window on an exterior wall which complies with the following:
 - the window shall be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, shall be unobstructed over a distance of 24.4 m; and
 - the plane or planes shall be measured horizontally from the centre of the bottom of the window.
- The Development Permit Board or the Director of Planning, as the case may be, may relax the horizontal angle of daylight requirement of this section provided he first considers all the applicable policies and guidelines adopted by Council and providing that a minimum distance of 3.7 m of unobstructed view is maintained.
- For the purpose of calculation of the horizontal angle of daylight, the following are considered as obstructions:
 - the largest building permitted under the zoning on any adjoining sites; and
 - part of the same building including permitted projections.
- A habitable room referred to in this section does not include:
 - a bathroom; or
 - a kitchen whose floor area is the lesser of:
 - less than 10% of the total floor area of the dwelling unit, or
 - less than 9.3 m².

Parking, Loading and Bicycle Parking

Off-street parking, loading and bicycle parking spaces shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, including those for relaxation, exemptions and reduction, except:

- A minimum of 6 parking spaces shall be provided on site and are made up of the following parking stall provision.
 - 1 car-sharing space;
 - 3 full sized childcare drop off spaces; and
 - 2 childcare staff parking spaces
- A minimum of 2 Class A loading spaces shall be provided on site.

* * * * *

2305-2325 West 7th Avenue
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.

PROPOSED CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Sean McEwan Architect and stamped "Received City Planning Department, May 12, 2010", subject to the following conditions, 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

- 1. a larger setback at the south wall of the glazed entry atrium above the second floor level, to enhance the apparent separation between the new building and the existing Hall (see also Heritage Condition 5 below);
- 2. further articulation of the three main volumes of the proposal, which may be achieved through cladding, window and detail design as follows:
 - a. use of a different cladding material at the west stairwell and east elevator to provide a change in texture;
 - b. provision of smaller scale windows at the stairwells to differentiate them from windows at the residential units at the front and rear elevations;
 - c. provision of windows for the ground floor of the addition larger in scale and designed to express the more public character of the Neighbourhood House use, as differentiated from the residential use above;
 - d. provision of a solid parapet/guardrail at the roof deck at the south elevation to strengthen the reading of the main façade;
 - e. use a different cladding material and/or colour to articulate the window bays;
and
 - f. simplified window design for the residential units consistent with the overall restrained architectural expression.

3. provision of a street-facing entry to the Child Day Care Facility, located at the inset between the Hay House and the addition, and allowing the covered porch at this level to be detached from the base of the Hay House porch;
4. provision of a roof extension over covered parking at the rear to screen parking;

Heritage Conditions regarding St. George's Greek Orthodox Church at 2305 West 7th Avenue

5. maximized setback of the south wall of the glazed entry atrium above the second floor level (El. 137.25 ft.) from grid line 'E', and a large scale detail of how the roof of the atrium intersects with the west wall of the Church building;

Note to Applicant: The setback will enhance the apparent separation between the new building and the existing Church building, but still allow sufficient volume in the space for the stair and entry lobby. At a minimum, the wall should be setback approximately four [4.0] feet north of grid line 'E', i.e., half way between the windows. The large scale detail should show how the roof intersects the building without destroying existing details and materials. The separation between the tops of the arched windows and the wood header boards under the eaves appears in photographs to be much narrower than indicated on some drawings. For example, on Sheet A-14, the separation appears to be several feet, but the photographs indicate that this separation may only be a few inches. The drawings should accurately reflect the existing condition.

6. specification of asphalt shingle roofing as opposed to a standing seam roof;
7. the following regarding doors and windows:
 - a. on the front (south) gable end, the retention and/or replacement strategy for the 'three-sash' window, noting that one sash has been replaced as stated in the Conservation Plan;
 - b. on the east side, removal of the window divisions (mullions or muntins) in the new windows and doors; and

Note to Applicant: The doors and windows in this area are to be indicated as being set back to the plane of the existing basement windows on that façade, presumably with a brick mould detail or the equivalent. Lines indicating trims are to be deleted if trims are not intended. The new well and stairs in front of the doors, i.e., on the east side of the building, should be designed to avoid a guardrail by stepping landings if necessary. If this is not viable, the guardrail is to be metal and painted black.

- c. clarification on the rehabilitation of the front (south) "blocked-in" basement windows, which appear as new windows on some drawings, e.g., Sheet A11, but on other drawings appear retained, which is preferable;

Note to Applicant: Divisions in new windows are generally not required or desirable. An exception would be where an existing window cannot be retained and must be exactly replicated with single glazing, or in the gable end condition noted above where a replication sash, or sashes, may be considered due to that specific condition.

Heritage Conditions regarding the Hay House at 2325 West 7th Avenue

8. rear addition visually differentiated from the existing structure;

Note to Applicant: This may be achieved by setting the addition back from the west wall of the heritage building, reorganizing the circulation and exiting configuration if possible, and/or by a change in material, i.e., to horizontal siding or stucco, and colour.

9. maximized retention of existing windows and existing window openings, including the existing dormer windows on the east side, and the rear second floor double hung window (a new door or French doors may be installed beside this window, which is implied in some drawings), and new windows in new openings on the west side with a proportion more consistent with the craftsman character of the building;

Note to Applicant: Regarding retention of windows, the condition does not apply to areas where demolition is approved to allow for additions, or on the east side at the basement level where glazing need not be wood in that location. The west living room window is noted as being retained but the window drawn on the elevation drawing on Sheet A12 does not resemble the existing window. Also ensure that the "bell-cast" shingle detail is correctly rendered, as the detail does not appear to extend fully down the sides of the house. Regarding new windows, they should generally be of a narrower vertical proportion, e.g., 2440 is a common size, and a single unit per room or two units separated by a "cripple" as opposed to a wider single unit.

10. the following additional changes and details;
- a. a solid guardrail at the front porch, similar to the neighbouring house, unless it is determined that the original would have been a picket type guard;
 - b. details of the front stairs, noting that historically the front stair would likely have had closed risers and been enclosed on the sides with shingle-clad walls; and
 - c. main floor elevation matching the existing (this is implied in the drawings but not noted). As the building is being re-located, if the existing "pony walls" cannot be retained, then the "bell-cast" detail will need to be replicated and is to be described/detailed in the drawings.

Social Development

11. design development to provide security to the interior stairwell of the Child Day Care Facility;

Note to Applicant: The stairs that connect the ground floor to the second floor of the childcare spaces also provide access to the youth program on the top floor. For security reasons, this stair case should only be accessible to the children attending the childcare and staff, so that when moving between spaces they will not encounter people that are not associated with the childcare facility.

12. confirmation that activity spaces are licensable by Community Care Facilities Licensing (CCFL);

Note to Applicant: Consider re-allocating spaces within the complex to ensure childcare activity spaces are adequately sized and located to achieve better operating efficiency and to ensure that the facility can be licensed by CCFL.

13. design development to provide a plan for accommodating anticipated parent drop-off/pick-up, acceptable to the General Manager of Engineering Services;

Landscape Design

14. design development of the landscaping in the public amenity plaza at West 7th Avenue and Vine Street, to link with the proposed east side yard patio, with permanent benches provided for public seating;

15. design development to enhance the fourth floor common outdoor amenity deck for the all-season use of the residents and their visitors;

Note to Applicant: This may be achieved through the provision of a flexible gathering space with weather protection, outdoor furniture, and the potential to practice gardening.

16. provision of a screened outdoor garbage storage enclosure with weather protection;

Note to Applicant: The garbage bins should be provided with a roof for all weather protection, and screened as viewed from the street. Dimensioned illustration details should be provided at a scale of $\frac{1}{2}'' = 1'-0''$.

17. design development to ensure the safe retention of healthy trees located outside the building envelope and within the public realm;

Note to Applicant: The proposal to excavate within close proximity of three [3] retained Black Pines for the sunken patio entry at Vine Street may cause damage to trees. Consult with Glenn Murray, ISA Certified Tree Risk Assessor, about the risks to the health of the trees, and the best method for safe retention, including limit to excavation. Refer also to Condition No. 2.11 below.

Engineering

18. Provision of an adequate manoeuvring aisle for access into the parking space;

Note to Applicant: the aisle width measures 17' on drawing A3. With wider parking stalls, the aisle width can be reduced to a minimum of 20' meeting the parking and loading design supplement.

19. provision of the required number of parking and loading stalls by adjusting the column locations within the parking area, relocating the bicycle parking and reconfiguring the parking stalls;

Note to Applicant: Refer to the Parking and Loading Design Supplement for required parking stall dimensions.

20. The request for on-street pick up and drop off zones on West 7th Avenue, as mentioned in the Traffic Assessment by Bunt & Associates, dated Oct 30, 2009, and shown on Vine Street on Sheet A3, will be reviewed by the City independently of the Rezoning and Development application processes, once the new facility is open and operating. This should be clearly noted on the plans;

21. deletion of the proposed traffic calming devices shown on the plans;

22. Deletion of all of the extraneous public property uses shown on the plans. Patios, street furniture specialty paving and non-standard landscaping should either be deleted or clearly marked as "not part of this application" and should be the subject of a separate application to the General Manager of Engineering Services;

23. Deletion of the proposed steps from city property adjacent to the child care play area on the south side of the site;

24. clarification of the garbage storage area and garbage pick up operations;

Sustainability

25. compliance with and identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least 3 optimize energy performance points, 1 water efficiency point and 1 storm water point.

Note to applicant: Provide a LEED® checklist confirming LEED® Silver equivalency and a detailed written description of how the above noted points have been achieved. Both checklist and description should be incorporated into the drawing set.

PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) That prior to enactment of the CD-1 By-law, arrangements to the satisfaction of the Director of Planning, General Manager of Engineering Services, the Managing Director of Social Development and the Director of Legal Services be made for the following:

Engineering

1. Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for:
 - a. Dedication of the north 10 feet of the site for lane purposes;
Note to Applicant: Delete the portion of covered bike parking structure shown within the future lane dedication area;
 - b. Consolidation of the remainder of the site by way of subdivision plan;
 - c. Provision of one shared vehicle and one shared vehicle parking space. Shared vehicles must be managed by a professional shared vehicle organization and must be located in an area accessible to all members of that shared vehicle organization, who do not reside in the development;
 - d. Provision of a corner bulge at the northwest corner of Vine Street and 7th Avenue;
 - e. Undergrounding of all new utility services from the closest existing suitable service point;

Note to Applicant: All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged.

- f. Provision of adequate water service to meet the fire flow demands of the project;

Note to Applicant: The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the of the General Manager of Engineering Services and the Director of Legal Services will be required.

Housing

Housing

2. Make arrangements to the satisfaction of the Director of Legal Services and the Managing Director of Social Development to enter into a Housing Agreement and Section 219 Covenant for 60 years or the life of the building, whichever is greater, in compliance with the exemption provisions for social housing in the Development Cost Levy By-law;

Heritage

3. The owner(s) of the lands must enter into a Heritage Revitalization Agreement with the City pursuant to the provisions of the *Vancouver Charter* for the rehabilitation and conservation of the "St. George's Greek Orthodox Church" at 2305 West 7th Avenue and of "The Hay House" at 2325 West 7th Avenue.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to include covenants pursuant to Section 219 of the *Land Title Act*.

Prior to enactment of the CD-1 bylaw, the preceding agreements are to be duly noted and registered against title to the lands, in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

* * * * *

2305-2325 West 7th Avenue
ADDITIONAL INFORMATION / COMMENTARY OF REVIEWING BODIES

Comments - General Manager of Engineering Services: The General Manager of Engineering Services has no objection to the proposed rezoning, provided that the arrangements and conditions as shown in Appendix B are satisfactorily concluded.

Parking, Loading and Circulation

Engineering has reviewed the rezoning proposal at Kitsilano Neighbourhood House, located at 2305-2325 West 7th Avenue, and accepts the reduction in the number of parking spaces to 6 with 2 Class A loading spaces being provided on site. This is a site with two heritage buildings with an infill building being built to accommodate 15 affordable seniors housing. As the users of the Neighbourhood House are expected to be local residents who would walk or cycle to the facility, there will be a low demand to drive and look for parking. By limiting the number of parking spaces at Kitsilano Neighbourhood House, large car-oriented functions and events will be discouraged from using the assembly facilities.

The site is one and a half blocks away from the Central Broadway C3-A zoning area, but was considered close enough to have the Broadway C3-A non-residential parking standards apply. One of the parking spaces will be a carshare space and a carshare vehicle will be provided which is equivalent to 5 parking spaces. Two of the remaining parking spaces will be disability spaces, which can be bonused as 4 parking spaces. With the bonusing of the parking spaces, there is an equivalent of 12 parking spaces on site.

Child Care

Currently the Neighbourhood House provides 25 licensed out of school spaces off site and 20 preschool spaces at the Neighbourhood House. In addition, the Neighbourhood House leases space to the Kitsilano Day Care Society who provided an additional 25 licensed spaces for children 3 to 5 years of age. Once renovated the neighbourhood house will continue to provide the off site out of school care, preschool and will directly deliver a 25 space three to five programs. The Kitsilano Day Care Society is currently exploring an alternative site to continue the delivery of its program. Should they be successful, the expansion of the Neighbourhood House would result in an additional 25 spaces of child care for 3 to 5 year olds on the west side of Vancouver. These additional spaces will help offset the shortfall of licensed group care for three to five year olds in the area and is consistent with Council policy.

Urban Design Panel Comments: The Urban Design Panel reviewed this proposal on June 30, 2010 and supported (8-0) the proposed use, density and form of development:

Introduction: Grant Miller, Rezoning Planner, introduced the project, which is a concurrent rezoning and development permit proposal. The project is the Kitsilano Neighbourhood House that sits on the northwest corner of West 7th Avenue and Vine Street. There is an existing program on the site with a day care, two heritage buildings and their proposing an infill that will contain affordable housing for seniors. The proposal is inline with the City wide housing objectives.

Marie Linehan, Development Planner, further described the proposal noting that the site contains three fifty foot lots. The proposal is undergoing a rezoning because of the combination of uses on the site as well as the increase in density. Existing on the site is the heritage hall which contains the Kitsilano Neighbourhood facilities. There is another heritage listed building referred to as the Hay House and was originally a single family home and now houses the admin functions for Kitsilano Neighbourhood House. In the new the proposal it will contain the day care. The heritage hall will be part of a heritage revitalization agreement with the City. Ms. Linehan described the architectural plans for the proposal noting that the bulk of the addition is occurring between the two existing buildings. It will be a four storey building contain 15 units of senior housing over three floors and the ground floor will house the expanded Kitsilano Neighbourhood House admin and service space. The building is intended to read as a separate infill form but will be connected to the existing buildings in order to share exit stairs, elevator and to provide direct access for the seniors units to the services and programs that Kitsilano Neighbourhood House offers.

Advice from the Panel on this application is sought on the following:

- Proposed massing;
- Bulk of the addition in terms of its proximity to both existing buildings on the site and how the connecting pieces are handled;
- In terms of the ground floor treatment and front yard public space area, the nature of the day care play area as being a sunken, excavated area;
- Treatment of the elevation of the ground floor of the new building in terms of expressing a more public function and differentiating it from the residential units above;
- The overall materials palette in terms of the use of the more traditional materials for the new infill building.

Mr. Miller and Ms. Linehan took questions from the Panel.

Applicant's Introductory Comments: Sean McEwen, Architect, further described the proposal noting that the intention was to use the heritage buildings as book ends for the project. They plan to retain the existing buildings on the site and the new infill is to have a strong visual connection to the neighbourhood. He described the use for the new building noting that there is to be 15 units for seniors. He said the intent of the massing is to respect the scale of the heritage buildings while keeping the development at three storeys. Mr. McEwen added that there are number of green building policies included in the proposal with plans to certify in the future. There is currently a childcare program and they are intending to relocate it into the Hay House with a play area in front. Mr. McEwen stated that that the proposed parking is for only six stalls as the staff for the most part uses transit.

Randy Sharp, Landscape Architects, described the landscaping plans noting there are some massive red oak trees on the site. They have expanded the corner plaza from an urban design point of view so that the area can be used for special events. They are also planning to create a rain garden in the area. The heritage hall entrance has been highlighted as well as the main atrium with special paving. The grade change to the childcare reduces the height of the play structure and will help to damp the sound from

the children. He added that there will also be a roof top garden and the amenity area will be expanded on the Vine Street side of the site.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Design development to the connections between the centre block and the heritage buildings, increase the sense of joint or reveal between new and old with special attention to the materiality and quality of the glazed joint;
- Consider detail simplification for the senior's housing component;
- Consider the possibility of moving the senior's housing block further north to accentuate the heritage buildings.

Related Commentary: The Panel supported the rezoning as well as the use, density and form of development. However, there were some concerns regarding some of the architectural expressions and thought more work had to be done to make the three pieces work together.

The Panel thought the proposal would be a great amenity for the neighbourhood and agreed that the form was consistent with the area. The Panel had some concern regarding the interface with the neighbours to the north. They also thought the new building would add more shade on the lane although they agreed that there won't be any overlook issues onto the neighbours. Most of the Panel liked the way the buildings were fitted on the site as they thought it reflected the Kitsilano character. They noted that adding a modern building to announce the entrance to the project worked well. The Panel commended the applicant for retaining the Hay House as it adds to the project.

A couple of Panel members had some concerns regarding the treatment to the Hay House suggesting a more ambitious approach could be undertaken as they thought it was somewhat timid. There was also a suggestion that more density could be put behind the Hay House and that the connecting elements needed to be stronger with special attention given to the glazing joints. Although bringing the house forward level with the hall seemed to make sense in terms of creating an over all plan, the massing seemed chunky and squeezed into the middle. One Panel member suggested having a glass roof as there was a considerable amount of shading on the hall. Another Panel member thought the atrium and the glass element with the amount of frontage almost read as another building and thought it worked better in the drawings than on the architectural model.

Most of the Panel members had some concerns with the detailing of the new building noting that the two heritage buildings have a lot of fine details and although emulating that would be a mistake they thought the expression could be simplified. They noted the use of glass handrails on the hall and thought they were out of character with the rest of the site.

The Panel didn't have any concerns with the sunken children's outdoor play area as they felt it would get lots of sunlight.

Applicant's Response: Mr. McEwen thanked the Panel for their comments noting that it is a complex project. They intend to take another look at the detailing and more design development as they continue with the project. He said they plan to continue working with staff to improve the design.

Vancouver Heritage Commission Minutes:

At a meeting on July 12, 2010, the Vancouver Heritage Commission accepted the draft SOS:

2. Conservation Projects

- (a) 2305 West 7th Avenue - St. George's Greek Orthodox Church
VHR B
- 2325 West 7th Avenue - The Hay House
VHR C
- Rezoning/HRA/DE#413905

Applicants: Sean R. McEwen, Sean R. McEwen Architecture and Planning
Donald Luxton, Donald Luxton & Associates
Catherine Leach, Kitsilano Neighbourhood House
Jim O'Dea, Terra Housing Consultants

Staff: James Boldt, Heritage Planner

Staff and the Applicants presented the project and responded to questions.

Issues

- (i) Statement of Significance, Conservation Plan, and heritage colours;
- (ii) the integration of the two heritage buildings into the complex; and
- (iii) designation of both heritage buildings.

MOVED BY Kim Maust

SECONDED BY Charlene Krepiakovich

- A. THAT the Vancouver Heritage Commission supports the Statement of Significance, Conservation Plan and proposed designations at 2305 West 7th Avenue (St. George's Greek Orthodox Church) and 2325 West 7th Avenue (The Hay House) as presented at the July 12, 2010, meeting.
- B. THAT the Commission notes the following, that the new addition on the rear of the Hay House is to be made distinct and consider dropping the addition down in height and incorporate a gap between the Hay House and the new addition and that the plane of the west wall of the addition be set back in order to distinguish the original house volume.

CARRIED UNANIMOUSLY

Processing Centre - Building: Staff have reviewed the architectural drawings prepared by Sean McEwen Architect, dated May 12, 2010. The applicant has received preliminary review comments regarding project conformance to the requirements of the Vancouver Building By-law, and is aware of issues to be resolved at the building permit stage.

Seniors Advisory Committee: At its meeting on September 17, 2010, the Senior Advisory Committee approved the following:

THAT the Seniors Advisory Committee support the rezoning and development permit application for 2305-2325 West 7th Avenue (Kitsilano Neighbourhood House), as presented at the September 17, 2010, meeting.

Sustainability Strategy: Green Buildings: Pillar 1: Green Buildings

Buildings stand for 50-100 years or more and their design greatly determines occupants' energy use, water use, and environmental impacts. Moreover, a building's indoor environment can have profound impacts on residents' health and well-being. Green buildings minimize resource use and environmental impacts; support good health; and minimize operational costs, including spending on energy and other utilities. Green buildings are a critical component of sustainable communities. One of Kits House's greatest opportunities to contribute to community sustainability rests in optimizing green building performance.

Intent

The Kits House redevelopment aims to:

- Minimize energy use.
- Minimize water use.
- Minimize the Life Cycle environmental impacts of building materials.
- Provide a healthy and stimulating indoor environment for Kits House residents, users and staff.
- Quantify performance in the above metrics, to improve understanding of the projects' sustainability performance and inform broader understanding of green building strategies.

Attributes Summary

Attributes	Responsible
Committed	
<ul style="list-style-type: none"> • LEED Gold Certification (4 Optimize Energy Credits; 1 Stormwater Management credit; 1 Water Efficiency credit) 	Architect; Sustainability consultant; mechanical engineer
Aspirational	
<ul style="list-style-type: none"> • High LEED Gold Certification; potentially Platinum • Advanced building envelope 	Full team Architect; mechanical engineer; envelop consultant; structural engineer; contractor
<ul style="list-style-type: none"> • Geo-exchange heating system; hydronic heating; solar augmentation • Solar hotwater pre-heat • Rainwater capture for toilets and irrigation 	Mechanical engineer Mechanical Sustainability consultant; mechanical engineer
<ul style="list-style-type: none"> • Ultra Low-flow water fixture 	Architect/product specifications; mechanical engineer
<ul style="list-style-type: none"> • LCA assessment of pertinent building assemblies • Green & healthy building material specifications 	Sustainability consultant Architect; sustainability consultant; contractor; others
<ul style="list-style-type: none"> • Advanced building commissioning • Green operations and maintenance plan 	Commissioning agent Architect; mechanical engineer (mech system); Kits House staff
<ul style="list-style-type: none"> • Building information feedback systems for building operators and occupants • Extensive green roof • Native, drought-tolerant, and/or edible landscaping 	Mechanical engineer; sustainability consultant Landscape architect Landscape architect

Discussion

Baseline Green Building Performance

Kits House must meet a variety of green building requirements:

- To be eligible for rezoning, the City of Vancouver properties submitting applications before June 30 2010 to meet a minimum equivalent of LEED Silver, register the project with LEED, and achieve a minimum of 3 Optimize Energy Performance credits, 1 Water Efficiency credit, and 1 Stormwater Management credit.
- BC Housing policy requires that projects it funds achieve LEED Gold Certification, including a minimum of 4 Optimize Energy Performance credits.
- The Vancouver Building Bylaw includes a variety of stipulations relating to green building which must be met.

With these requirements in place, the Kits House redevelopment is committed to, **at minimum**, achieving **LEED Gold Certification** with 4 Optimize Energy Performance credits, 1 Water Efficiency Credit, and 1 Stormwater Management credit.

The Kitsilano Neighbourhood House and the design team envision going well beyond the projects' laudable baseline commitments. Kits House can be a model green building. The following subsections lay out sustainability criteria and strategies that the Kits House design team is actively pursuing.

Optimizing LEED Performance

During the Integrated Design Process, the project team conducted an analysis to determine Kits House's potential LEED NC (LEED Canada 1.0) scoring. It was found that the project would likely achieve a high LEED Gold, or potentially even LEED Platinum rating, if various sustainability criteria are pursued. These criteria varied in their likely costs and suitability to the project. Indeed, the team identified a number of instances where achieving LEED credits would actually result in a *less sustainable* building. While LEED remains one of the best generic measures of buildings' sustainability available, it is not sensitive to all contexts – particularly not mid-rise multi-unit residential and mixed-use buildings like Kits House. Text Box 1 provides a further discussion of some of LEED's deficiencies in the Kits House context.

While the project team is not ruling out a LEED Platinum rating, we also recognize **that a LEED Gold building may allow a more sustainable overall project than if a LEED Platinum building is pursued**. This approach allows project resources to be invested in areas that provide the **best sustainability value** - rather than the best LEED score – taking into account social and economic factors as well as environmental performance.

An example of these factors is in the heritage aspects of the existing buildings, which are very important to the community. Incorporating the existing buildings, and respecting and preserving heritage aspects will likely mean some tradeoffs on improving energy efficiency, especially when cost considerations are taken into account; this may limit the achievable LEED score.

As we move towards more detailed design and hone strategies, the team will determine whether the most preferred project design will result in a LEED Gold or Platinum building.

Text Box 1: The Applicability of LEED

LEED™ for New Construction is North America's preeminent green building rating system. At the same time, it is important to recognize that the LEED system does not address all aspects of sustainable development, and does not equally apply to all regional contexts, nor all building typologies. Crucially, LEED scoring:

- **Does not always reward the lowest energy design.** LEED rewards energy performance by measuring the relative difference between the *modeled* energy performance of a building and a *theoretical baseline* equivalent. In practice, this means that LEED rewards projects that incorporate mechanical cooling and ventilation, instead of relying on passive design and natural cooling and ventilation. Mechanical systems add to the baseline energy use, making subsequent percent reductions from more efficient equipment substantial. However, passive design requires even less energy than efficient mechanical systems, but receives fewer LEED credits.
- **Is geared to institutional buildings.** Some requirements are extraneous for multi-unit residential buildings. For instance credits IEQc1 and IEQc2 require CO₂ monitoring in suites and specify ventilation standards. These strategies are usually only appropriate when monitoring large centrally supplied ventilation systems, not apartments.
- **Can encourage unnecessary materials' use.** LEED scoring rewards projects that spend more on green building materials, irrespective of whether their incorporation is necessary. While it is important to use green building materials, incorporating unnecessary materials is wasteful and adds to costs.
- **Is not reflective of BC's electricity context.** LEED only allows the generation of electricity in its credit requirements for renewable energy (EAc2.1 - 2.3). Solar electrical power generation makes sense in many jurisdictions - those with abundant sunlight and high electricity prices. In Vancouver, however, we are supplied by very low-carbon, low-price power, and sun levels are low. Investing in solar PV makes little environmental nor economic sense.

The US and Canada Green Building Councils have recognized these shortcomings and are working to improve LEED in future iterations.

Building Energy Systems

The Architect, Mechanical, and Sustainability consultants have developed building envelope and mechanical system design concepts to minimize energy use and source energy renewably. Systems would feature:

Passive Building Design Strategies

- Better-than-code envelope performance in the new seniors housing building, including high performance windows; optimal insulation levels; advanced framing techniques to minimize thermal breaks and material use; and attention to air-tight construction.
- Enhanced building envelope in the Community Hall and Heritage House building, where improvements will not excessively sacrifice the heritage value of the buildings. Storm windows and insulation curtains are being considered for both heritage buildings to retain heritage windows. Insulation will be added to walls to enhance thermal resistance.
- A green roof on the new seniors housing building (both 'intensive' garden amenity space and 'extensive' sedum planted roof that will not be accessible), providing enhanced thermal resistance and summertime cooling.
- Extensive south facing windows on the new seniors housing building to maximize solar heat gain. Increased window area would take advantage of the buildings' southern exposure for winter time heating; 7th Avenue's mature deciduous trees would supply summertime passive shading. Greater window area would be consistent with the City of Vancouver's Passive Design Guidelines.
- Operable windows for natural summertime ventilation and improved air quality. Heat Recovery Ventilation systems will be used for heating season ventilation.

Heritage Conservation - Energy Tradeoffs and Opportunities

The Community Hall and Heritage House renovations will be subject to the heritage requirements in the Canadian Standards and Guidelines for Conservation, as well as City of Vancouver heritage requirements. At the same time, Kits House aims to minimize the buildings' energy use. Heritage conservation may limit the energy savings possible (while providing social and historical values, and materials conservation). An efficient and renewable supply of energy, such as a geexchange heating system, will limit the energy impacts of heritage conservation.

Efficient, Renewable Energy Supply

- A hydronic (water based) heat delivery system servicing all three buildings.
- A geo-exchange system supplying heat to the hydronic system, with the potential to supply cooling in the future. The geo-exchange system will utilize heat from the soil to condition the building, using a fraction of the energy that would be required using natural gas or electric baseboard heating. The geo-exchange system may be augmented by a solar thermal heat collectors heat for space conditioning in the spring and fall, and re-charging ground heat during the summer.
- Solar thermal panels for augmenting hot water supply.
- Efficient lighting and electrical equipment, based on detailed energy modeling.

Water Systems

The Architect, Landscape Architect, and Sustainability Consultants have developed low water demand design concepts, including:

- Extensive rainwater capture from building roofs, which could be stored and reused for toilet flushing and irrigation for the rooftop garden. Composting toilets are also being investigated for appropriate washroom facilities, respecting the special sanitation and accessibility issues facing children and seniors users.
- Washroom faucets, showerheads and kitchen faucets with lower flow than required by code.
- Local and appropriate planting, to eliminate irrigation requirements on the majority of the site.

Materials Impacts

Building materials have a variety of environmental and health impacts. Materials must be extracted, manufactured, transported, and ultimately disposed of. At each of these stages, different materials have different 'life cycle' environmental impacts. Measures of 'life cycle' impacts include 'embodied' energy and greenhouse gas emissions; various other forms of pollution; and resource depletion.

When incorporated into a building, materials can impact occupants' health. Many materials include chemicals which 'off-gas', impacting indoor air quality. Some building materials contain known carcinogens or have other toxic properties impacting human health.

It is important to consider not just materials, but the total systems design and assemblies. The building's design and construction can both limit:

- The total amount of materials used, and thereby their life cycle impacts, and
- Occupant exposure to potentially harmful building materials, when their use is unavoidable.

The Kits House design team intends to maximize the environmental and health performance of its building materials, within the context of limited budget and markets for sustainable materials¹. At this stage of the project design, few materials have been specified, nor costed. While it is difficult to know precisely what materials will be included in the building, the design team also possesses a great opportunity to plan to minimize the negative environmental and health impacts. The design team and contractors should follow the following guidelines when practicable:

Materials

- Use Life Cycle Analysis to minimize the embodied energy and other environmental implications of building materials. Strategies to minimize life cycle impacts frequently (but not necessarily) include using recycled materials, reused materials, and biobased/renewable materials. The design team is considering using the Athena Impacts Estimator™ to quantify and compare the embodied energy of different major building components and assemblies.
- Develop clear product specifications, explicitly forbidding known chemical or materials of concern when alternatives are available on the market. Make use of the Pharos Materials Library, the Perkins and Will Precautionary List, the Living Building Challenge Red List, and the LEED checklist to help specify healthy and environmentally appropriate materials. Materials to be especially mindful of during specification include:
 - Insulation
 - Carpet
 - Textiles
 - Wires and cables
 - Plumbing pipe
- Use Forest Stewardship Council certified wood or re-used wood for specific building components where cost effective.
- Divert more than 75% of wastes from landfill, and reuse as much material from the Community Hall and Heritage House as practical.

Systems Design

- Design systems to minimize material requirements, lessening environmental impacts.
- Specify advanced framing methods to minimize wood requirements and improve thermal performance.

¹ All members of the design team are encouraged to learn more about the challenges and opportunities to reduce the health and environmental impacts of systems. Helpful references include: The Pharos Project. <http://www.pharosproject.net/> ; The Perkins and Will Precautionary List. <http://transparency.perkinswill.com/default.aspx> ; and Jennifer Atlee. "Chemistry for Designers: Understanding Hazards in Building Products". *Environmental Building News*. March 2010. Vol 19. N. 3.

Monitoring, Verification and Feedback

Design cannot maximize a buildings' sustainability alone. Construction, occupants, and building management also play a role. Sustainable buildings require:

- Proper installation of equipment and assembly construction.
- 'Commissioning' testing whether building systems have been installed and are operating properly.
- Regular maintenance, including ecologically sound and healthful building cleaning.
- Occupant awareness and sustainable behavior, such as turning off lights when not in use, using programmable thermostats, and closing windows during the heating season.

Kits House will use building monitoring and testing at various stages to ensure optimal performance. Additionally, Kits House will couple this information with communications strategies to encourage more environmentally friendly behavior amongst residents, building users, and staff. Anticipated strategies include:

Commissioning

- Achieve LEED NC EA credit 3 - Best Practice Commissioning, to provide oversight and testing of design and construction.
- Test new suites and renovated buildings for air-tightness.

Operations and Maintenance

- Develop a Building Operations and Maintenance Guidebook, including detailed instructions on optimal management of mechanical systems.
- Install real-time feedback on building energy and water resource consumption in suites and public areas. Pulse Energy™ building energy monitoring hardware, software and interfaces are being considered.
- Adhere to a 'green housekeeping' LEED Innovation credit, making use of healthy and environmentally friendly cleaning products and practices.

User Information and Behaviour

- Interpretive displays, 'tenant kits', and other strategies to foster resource efficient behaviour. The ANH is submitting a Real Estate Foundation grant proposal, to develop a comprehensive program of building systems information for occupants and community members.
- Publicize Life Cycle Analysis and Building Energy Analysis, to provide a richer understanding of how to minimize building resource use.



Sunset Community Centre, Vancouver. Photo: Bing Thom Architects.

Comments of the Applicant: The applicant has been provided with a copy of this report and has provided the following comments:

"We have reviewed the report and are in agreement with the recommendations and conditions."

* * * * *

Kitsilano Neighbourhood House Conservation Plan

3.0 STATEMENT OF SIGNIFICANCE

3.1 THE HAY HOUSE

Description of Historic Place

The Hay House is a one and one-half storey Arts & Crafts style house located on West 7th Avenue in the Kitsilano neighbourhood of Vancouver. Notable features include its front-gabled roof and distinct triple-arched front verandah. The Hay House exists as part of a cluster of historic houses along West 7th Avenue, including the adjacent house at 2335 West 7th Avenue, which is the built to the same design. Since the 1970s, the Hay House has been part of Kitsilano Neighbourhood House.

Heritage Value

The Hay House is significant as an example of the type of housing built in the Kitsilano neighbourhood prior to the advent of World War One. In the early part of the twentieth century, Vancouver experienced a residential housing boom that lasted until the general financial depression in 1913 and the start of the First World War in 1914. The firm Nixon & Wright designed and built both the Hay House, located at 2325 West 7th Avenue, and the house next door (2335 West 7th Avenue) in 1909. Nixon & Wright were prominent Vancouver contractors, who were prolific during Vancouver's boom years of the early 1900s, designing and building a number of residential buildings in the Kitsilano neighbourhood. The first resident of the house was Charles Hay (1843-1924). Hay was in the real estate business in Vancouver having moved from Scotland to Canada in 1908. He lived in the house for fourteen years, until his death in 1924 at the age of 81. Gerald Sinclair Hay (1887-1950) took ownership of the house following the death of his father. He was a customs officer, and occupied the house with his wife, Jessie Isabel Hay, until 1930. The Hay House is representative of the type of housing built in the Kitsilano neighbourhood in the early 1900s.

The Hay House is additionally valued as an example of the influence of the Arts and Crafts style, as seen in the rational space planning, the use of natural materials and a mix of traditional design elements that were inspired by the Arts and Crafts movement. The style was popularized through countless periodicals and plan books, expressing both the traditional aspects of the Arts and Crafts movement as well as modern lifestyles. This house was possibly based on a pattern book design, and features a front-gabled roof with exposed scroll cut rafter tails, wood shingle cladding and a triple-arched front verandah typical of the Arts & Crafts style.

The Hay House is valued locally as part of the Kitsilano Neighbourhood House, originally established in 1894 as an orphanage known as the 'Alexandra Orphanage'. In 1938 the orphanage was renamed 'Alexandra House', and in 1968 the Hay House at 2325 West 7th Avenue was purchased to replace Alexandra House as it was better located to serve the Kitsilano population. St. George's Greek Orthodox Church, built in 1930, had established the area of West 7th Avenue and Vine Street as the centre for Greek community and activity in the Kitsilano neighbourhood; as a result the area proved to be the ideal location for the Kitsilano Neighbourhood House. Since the Hay House and St. George's Greek Orthodox Church became united as the Kitsilano Neighbourhood House in 1972 the complex has been the centre of Kitsilano community activity. The Hay House represents the Kitsilano Neighbourhood House; it is a familiar landmark in the Kitsilano community and is compatible with the residential streetscape.

Kitsilano Neighbourhood House Conservation Plan

Character-Defining Elements

Key elements that define the heritage character of the Hay House include its:

- location as part of a consistent streetscape of houses of similar style and age in Vancouver's Kitsilano neighbourhood
- residential form, scale and massing as exemplified by its one and one-half storey plus full basement height and front-gabled roof
- Arts and Crafts features including cedar shingle cladding, triple-arched front verandah, bell-cast roof over the front porch, and scroll cut exposed rafter tails
- internal brick chimney
- variety of wooden-sash windows including multi-paned wooden-sash casements, some with stained glass panels, and double-hung 1-over-1 wooden sash windows

3.2 ST. GEORGE'S GREEK ORTHODOX CHURCH

Description of Historic Place

St. George's Greek Orthodox Church is a one-story masonry structure, with an interior mezzanine and full basement, located on the corner of West 7th Avenue and Vine Street in the Kitsilano neighbourhood of Vancouver. The main façade is characterized by its brick construction and round-arched window openings. The church building is located to the east of a 1909 Arts and Crafts style house; both structures exist today as part of the Kitsilano Neighbourhood House.

Heritage Value

Constructed in 1930, St. George's Greek Orthodox Church is valued for its association with the establishment of the Greek community in the city of Vancouver during the early part of the twentieth century. The first wave of Greek settlers arrived in Vancouver in the late 1800s, many driven out of Greece by the violent Iliinden Uprising of 1903. Indeed, one of the largest groups of non-British immigrants at the turn of the twentieth century was comprised of people from the Balkans. By the 1920s and 1930s there were many Greek owned businesses in Vancouver, including fish markets, restaurants, and bakeries; by 1927 the Greek population in the city had grown to over 2,000 people. On June 13, 1927 the Greek community established itself as 'The Hellenic Community'; it was formally incorporated in 1930. St. George's Greek Orthodox Church was opened in the spring of the same year. It was constructed for \$18,000, with the help of money raised by the Womens' Auxiliary. The establishment of the church and the Hellenic Community contributed significantly to the stability of the Greek community in Vancouver, and by the 1950s it had come together around the St. George's Church, transforming Kitsilano into the predominant Greek area of the city. The church was consecrated on October 28, 1951. Following a wave of Greek immigrants to the city after the end of WWII and the Greek Civil War (1947-1949), St. George's Church was too small to serve the growing Greek community and a new, larger church was constructed in the Arbutus Ridge neighbourhood. St. George's Greek Orthodox Church continues to serve the Kitsilano neighbourhood as a venue, hall, and the headquarters of the Kitsilano Daycare Society, part of the Kitsilano Neighbourhood House complex. The Greek presence in, and contribution to, the Kitsilano community is celebrated annually on Greek Day, a street fair showcasing Greek food and culture that began in 1974.

St. George's Greek Orthodox Church is additionally significant for its association with prolific Canadian architect, William Marshall Dodd (1872-1948). Born in Almonte, Ontario on January 29, 1872, he went on to study architecture through apprenticeships and courses and later worked in several professional offices. By 1896, he had begun to move west, working in Winnipeg before settling in Calgary, and by

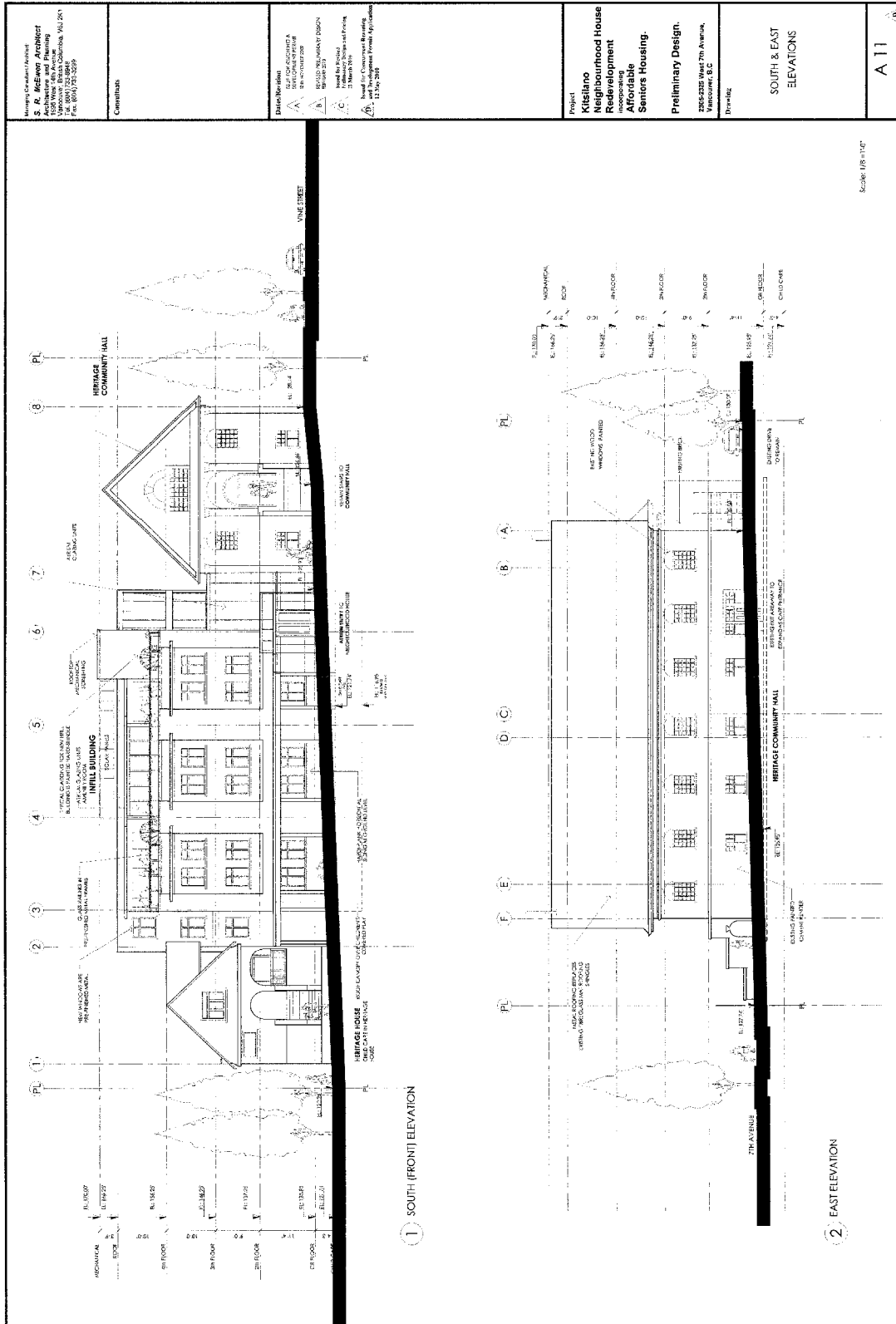
Kitsilano Neighbourhood House Conservation Plan

1900 he had established his own firm in Calgary, which grew into one of the largest in Canada. Dodd is credited with introducing the Classical Revival style of architecture to Calgary and patented 'Dodd's Interlocking Brick' in five countries. Due to poor health, Dodd continued to move westward, arriving in Vancouver in 1911 where he continued to design many buildings, including apartment blocks, houses, and numerous commercial structures. St. George's Greek Orthodox Church is an excellent example of Dodd's work in Vancouver and remains a unique building in the city.

Character-Defining Elements

The key elements that define the heritage character of St. George's Greek Orthodox Church include its:

- location as part of a residential streetscape in the Kitsilano neighbourhood of Vancouver
- institutional form, scale and symmetrical massing as exemplified by its one storey plus full basement height, interior mezzanine and front-gabled roof
- Classical Revival features including masonry construction with patterned brick around the arched windows, stucco cladding and louvers in the gable end, brick pilasters, and arched front entranceway accessed by a central front staircase
- projecting rear apse with pyramidal hipped roof and large over-hanging closed eaves at the rear of the building
- variety of wooden-sash windows including; multi-paned wooden-sash casements, some with stained glass panels, with round arched single-light transoms
- double leaf paneled wooden front entry doors



Architect/Designer/Architect
S. R. McEWAN ARCHITECT
 155 West 14th Street, Suite 100
 University Park, Pennsylvania 16801
 Phone: (717) 853-1234
 Fax: (717) 853-1235

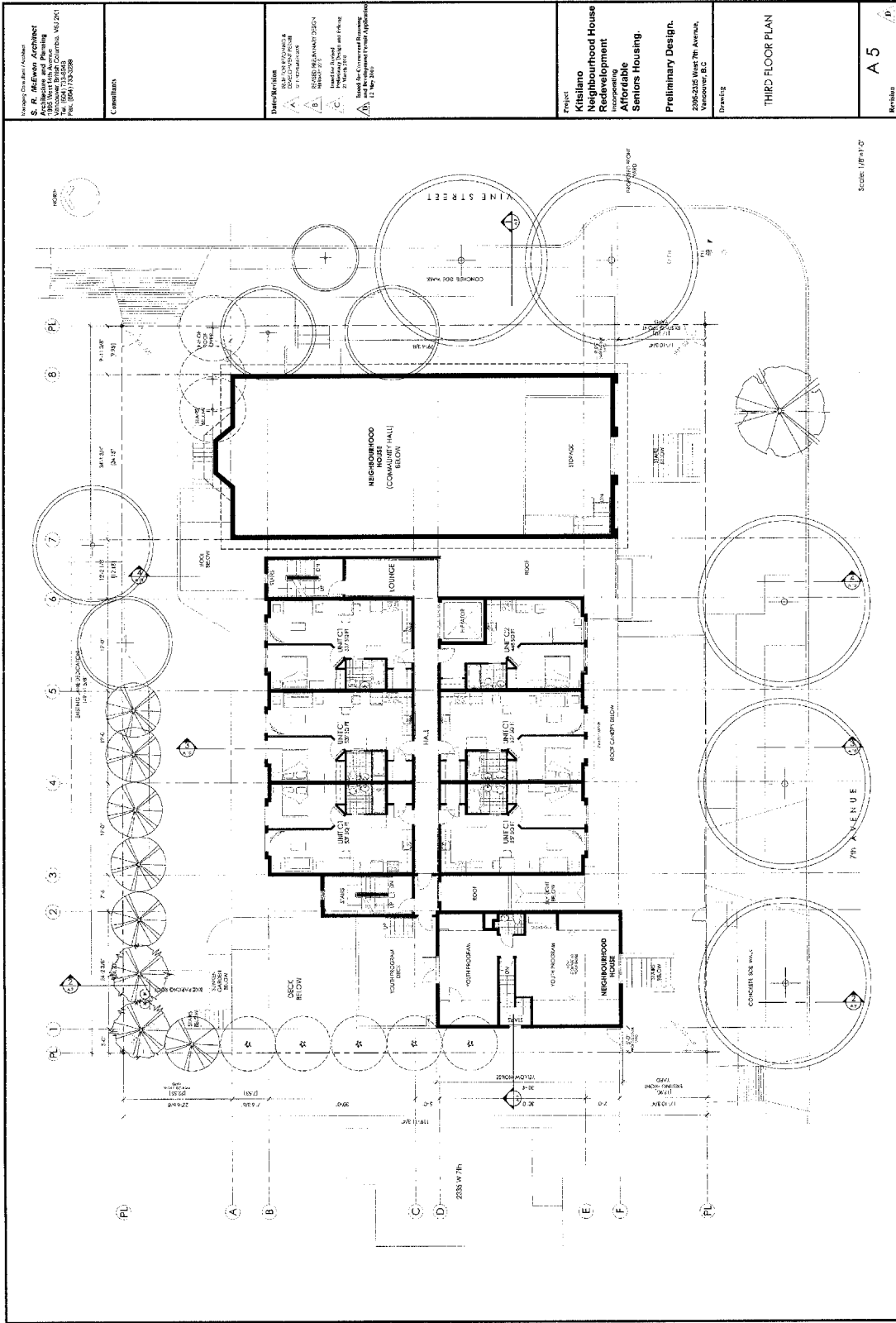
Comments

Date/Revision
 A 01/20/2020
 B 02/10/2020
 C 03/10/2020
 D 04/10/2020
 E 05/10/2020
 F 06/10/2020
 G 07/10/2020
 H 08/10/2020
 I 09/10/2020
 J 10/10/2020
 K 11/10/2020
 L 12/10/2020

Project
**Kittilano
 Neighbourhood House
 Redevelopment
 Incorporating
 Affordable
 Seniors Housing.**
 Preliminary Design.
 206-2205 West 7th Avenue,
 Vancouver, B.C.
 Drawing

Sheet
A 11

Revision



Company: Chaswell Architects
S. R. McEwen Architect
 1800 West 14th Avenue
 Vancouver, BC
 Tel: 604.273.8484
 Fax: 604.733.0386

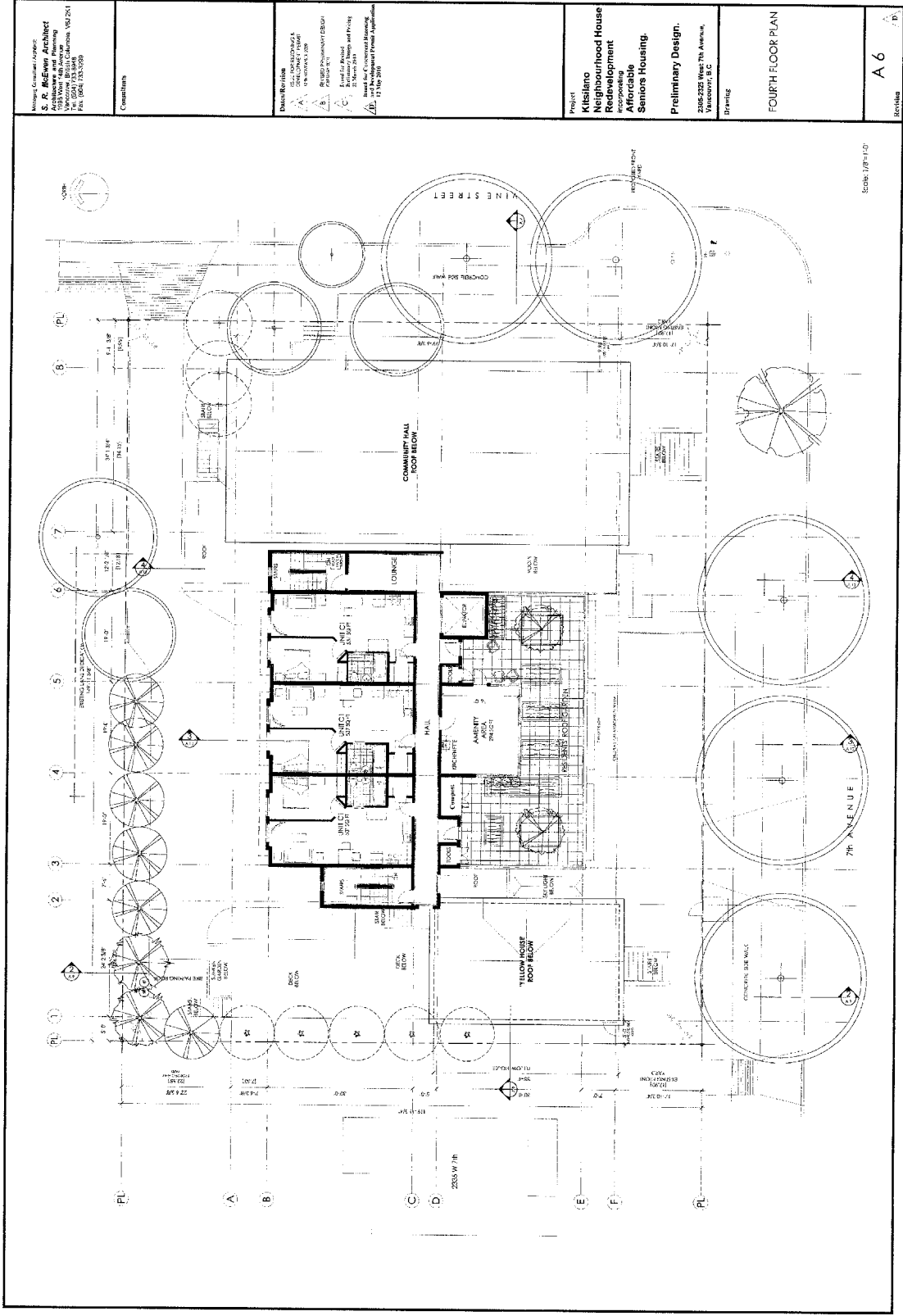
Client:
 Kislilano Neighbourhood House

Project:
Kislilano Neighbourhood House Redevelopment
 Incorporating Affordable Seniors Housing.
 Preliminary Design.
 2333-2415 West 7th Avenue, Vancouver, B.C.

Revision: **A 5**

THIRD FLOOR PLAN

Scale: 1/8" = 1'-0"



Project:
**Kheslino
Neighborhood House
Redevelopment
Incorporating
Affordable
Seniors Housing.**

Preliminary Design.
2306-2328 West 7th Avenue,
Vancouver, B.C.

Drawn by:
S.R. McEwen
Checked by:
S.R. McEwen

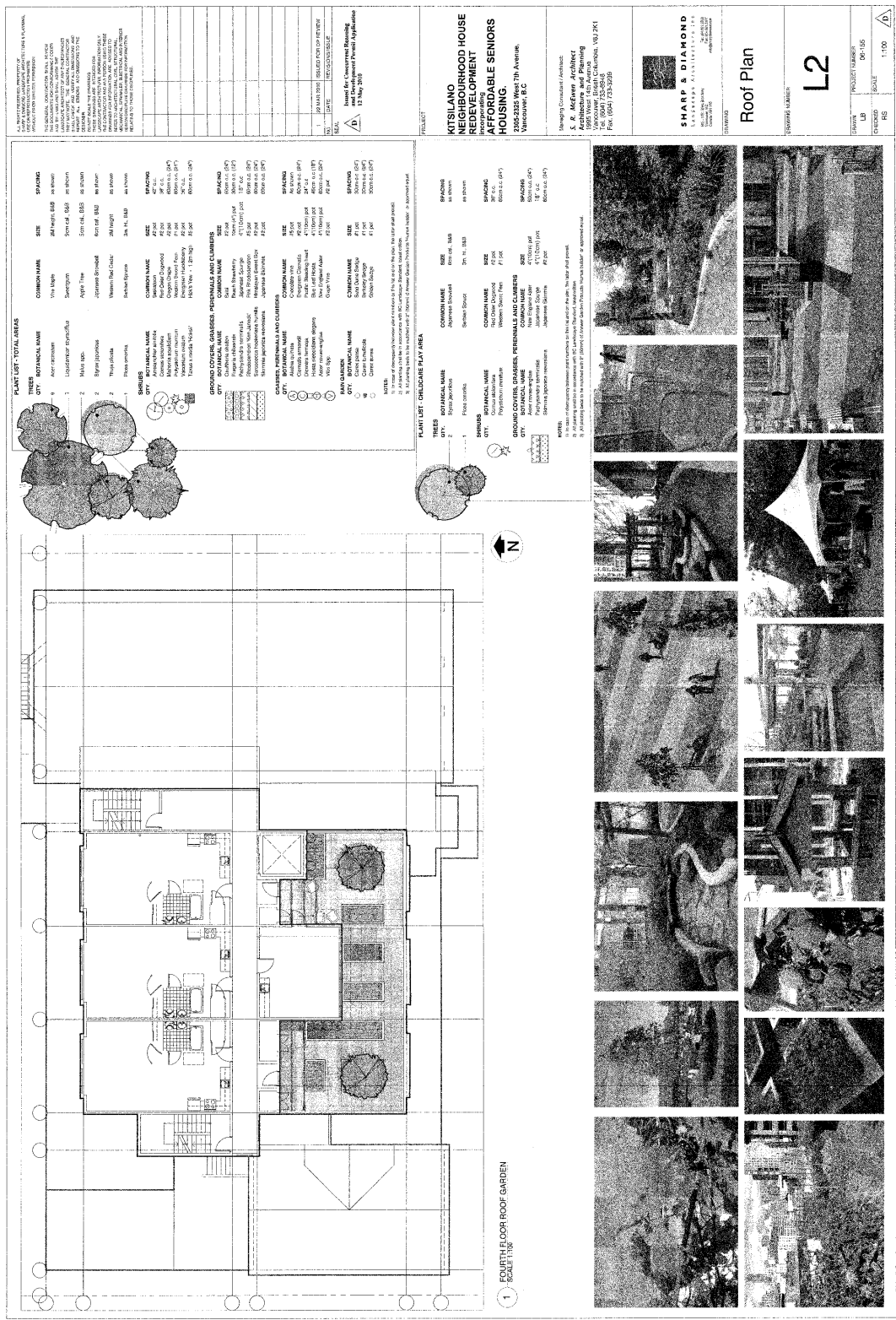
DATE: 04/15/2014
SCALE: AS SHOWN
PROJECT NO.: 14-001
DRAWING NO.: 4.01

FOURTH FLOOR PLAN
Scale: 1/8" = 1'-0"

A 6

Rev: 00

14-001-4.01-FLOOR PLAN-FOURTH FLOOR



2305 - 2325 West 7th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	2305 - 2325 West 7th Avenue
Legal Description	Lots 11, 12 & 13; Block 282; DL 526; Group 1 NWD Plan 1058
Applicant	S. R. McEwen Architect
Architect	S. R. McEwen Architect
Property Owner	The Association of Neighbourhood Houses of Greater Vancouver
Developer	The Association of Neighbourhood Houses of Greater Vancouver

SITE STATISTICS

	GROSS	DEDICATIONS	NET
SITE AREA	1 672 m ²	139 m ²	1 533 m ²

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT	RECOMMENDED DEVELOPMENT
ZONING	RT-8	CD-1	as proposed
USES	Dwelling, Cultural and Recreational, and Institutional Uses	Dwelling Units in conjunction with Community Centre or Neighbourhood House and Child Day Care Facility	as proposed
DWELLING UNITS	12	15	as proposed
MAX. FLOOR SPACE RATIO	0.75	1.70	as proposed
MAXIMUM HEIGHT	10.7 m (35 ft.)	13 m (42.5 ft.)	as proposed
PARKING SPACES	Parking by-law	6	6
LOADING SPACES	Parking by-law	0	Including 1 car-share 2

2305 - 2325 West 7th Avenue
DRAFT HERITAGE REVITLIZATION AGREEMENT

LAND TITLE ACT
FORM C

(Section 233)

Province of British Columbia

GENERAL INSTRUMENT - PART 1 (This area for Land Title Office Use) Page 1 of 155 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Signature of Agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

(LEGAL DESCRIPTION)

SEE SCHEDULE

3. NATURE OF INTEREST:*

DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

[] D.F. No.

(b) Express Charge Terms

[XX] Annexed as Part 2

(c) Release

[] There is no Part 2 of this

instrument

A selection of (a) includes any the Additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharge as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

ASSOCIATION OF NEIGHBOURHOOD HOUSES OF GREATER VANCOUVER

6. TRANSFEREE(S):* (including postal address(es) and postal code(s))*

CITY OF VANCOUVER, 453 West 12th Avenue, Vancouver, B.C., V5Y 1V4

7. THE ADDITIONAL OR MODIFIED TERMS:*

N/A

LAND TITLE ACT
FORM D
EXECUTIONS CONTINUED

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)	Execution Date			Party(ies) Signature(s)
	Y	M	D	
<hr/> <p>Bruce T. Quayle Solicitor 453 West 12th Avenue Vancouver, BC, V5Y 1V4 Tel: 604-873-7714</p>				<p>CITY OF VANCOUVER by its authorized signatory:</p> <hr/>

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on the Additional page(s) in Form D.

LAND TITLE ACT
FORM E
SCHEDULE

Enter the Required Information in the Same Order as the Information Must Appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)	(LEGAL DESCRIPTION)
008-890-285	Lot 11 Block 282 District Lot 526 Plan 1058
008-890-323	Lot 12 Block 282 District Lot 526 Plan 1058
008-890-366	Lot 13 Block 282 District Lot 526 Plan 1058

LAND TITLE ACT
FORM E
SCHEDULE

Enter the Required Information in the Same Order as the Information Must Appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

3. NATURE OF INTEREST:*

DESCRIPTION	DOCUMENT REFERENCE (page and paragraph)	PERSON ENTITLED TO INTEREST
Section 219 Covenant	Article 2, page 8	Transferee
Statutory Right of Way	Article 3, page 12	Transferee
Equitable Charge	Article 5, page 12	Transferee

TERMS OF INSTRUMENT - PART 2

Heritage Revitalization Agreement
2305 West 7th Avenue

WHEREAS:

A. The Owner (as defined below herein) is the registered owner of the lands and premises located at 2305 West 7th Avenue in the City of Vancouver, which have the legal description shown in item 2 of the Form C - General Instrument - Part 1 portion of this document (the "Lands").

B. There are two buildings, known as the "St. George's Greek Church" and the "Hay House", situated on the Lands which are considered to be of heritage value (the "Heritage Buildings").

C. The Owner wishes to develop the Lands by restoring and rehabilitating the Heritage Buildings and constructing between and connected to them a four storey, mixed use addition containing 15 affordable seniors housing dwelling units, a group child care facility and a community centre (the "Addition"), and for that purpose has applied to the City for a development permit under development permit application no. DE413905.

THEREFORE, pursuant to Section 592 of the *Vancouver Charter*, the parties agree as follows:

ARTICLE 1
DEFINITIONS

1.1 Definitions. In this agreement, unless explicitly used differently elsewhere herein, the terms defined in this section have the meanings given to them here:

- (a) "Addition" has the meaning given in recital C above herein;
- (b) "City" means the municipal corporation continued pursuant to the *Vancouver Charter* and "City of Vancouver" means the City's the geographic location and area;
- (c) "City's bank of record" means the main bank or other financial institution the City uses for its banking activities;
- (d) "Conservation Plan" means a written plan and guidelines, as may be modified or supplemented from time to time with the prior written consent of the Director of Planning, prepared by and/or under the supervision of a Heritage Consultant, and explicitly accepted by the City, for the rehabilitation and conservation of the Heritage Buildings;

- (e) "Development" means the project described above in the recitals hereto to restore and rehabilitate the Heritage Buildings and construct the Addition pursuant to the DP Application;
- (f) "Development Permit" means any development permit(s) issued by the City in respect of the Development as such permit(s) may be modified or amended from time to time, including, without limitation, all final reports, plans, drawings and specifications relating thereto;
- (g) "Director of Planning" means the chief administrator from time to time of the City's Planning Department and his or her successors in function and their respective nominees;
- (h) "DP Application" means the Owner's development permit application to the City numbered no. DE413905 in respect of the Lands and the Development;
- (i) "DP Date" means the date upon which the City grants and issues the Development Permit;
- (j) "Heritage Buildings" has the meaning set out above in recital B hereto;
- (k) "Heritage Consultant" means an independent, heritage buildings rehabilitation and conservation expert knowledgeable and experienced in and duly qualified for planning and supervising rehabilitation and conservation work for heritage buildings;
- (l) "Heritage Designation" means the City designating the Heritage Buildings as protected heritage properties pursuant to section 593 of the *Vancouver Charter*;
- (m) "*Land Title Act*" means the *Land Title Act*, R.S.B.C. 1996, c.250;
- (n) "Lands" has the meaning set out in recital A of this agreement;
- (o) "Owner" means the registered owner(s) of the Lands;
- (p) "rehabilitate" "rehabilitation" means the planning and carrying out of building restoration, rehabilitation, construction and conservation work to restore, upgrade, improve and conserve the structure, support and heritage characteristics and features of a heritage building or other heritage resource so as to revitalize it, extend its life and conserve it as such;
- (q) "Rehabilitation Work" has the meaning set out below in Article 2 hereof;
- (r) "*Vancouver Charter*" means the *Vancouver Charter*, S.B.C. 1953, c.55, as amended from time to time, and any and all replacements thereof or

any statute enacted in substitution thereof and all regulations applicable thereto and any amendments, replacements and substitutions thereof;

**ARTICLE 2
SECTION 219 COVENANT
REHABILITATION AND CONSERVATION
OF HERITAGE BUILDINGS**

2.1 Pursuant to Section 219 of the *Land Title Act*, the Owner covenants and agrees, as a covenant and agreement running with, charging and binding the Lands, that:

- (a) the Owner, at its expense, within 24 months after the DP Date, and to the satisfaction of the Director of Planning, will rehabilitate or cause the rehabilitation of the Heritage Buildings in accordance with this agreement, the Development Permit and the Conservation Plan (the "Rehabilitation Work");
- (b) the Owner, at its expense, and to the satisfaction of the Director of Planning, will ensure that a Heritage Consultant supervises all heritage aspects of the Rehabilitation Work;
- (c) the Owner, at its expense, and to the satisfaction of the Director of Planning, will ensure that at all times during the carrying out of the Rehabilitation Work the Heritage Buildings are secure from occupation by squatters and vandalism;
- (d) at all times after this agreement is registered on title to the Lands, the Owner, at its expense, will keep the Heritage Buildings insured to their full replacement value against all perils, including, without limitation, damage or destruction by earthquake;
- (e) on completion of the Rehabilitation Work as required by this agreement, the Owner, at its expense, will cause a Heritage Consultant to submit to the Director of Planning, in form and content to his or her satisfaction, a signed statement stating explicitly that the Rehabilitation Work has been completed in accordance with the Conservation Plan;
- (f) the Owner will not and will not suffer or permit any other person to in any way use or occupy either of the Heritage Buildings or the Addition or any part of any of them at anytime after the DP Date, unless and until:
 - (i) the City has issued an occupancy permit(s) for such building(s); and
 - (ii) the Rehabilitation Work has been completed; and

- (iii) the City has given the Owner an written notice or confirmation by which the City explicitly accepts or confirms that the Rehabilitation Work has been completed;
- (g) the Owner will not and will not cause, suffer or permit anyone to apply for or take any other action to compel the City, and, notwithstanding that all other conditions and City by-law requirements in respect thereof may have been fulfilled, the City will be under no obligation to issue any occupancy permit for either of the Heritage Buildings or the Addition, or any part of any of them, until:
 - (i) the Rehabilitation Work has been completed;
 - (ii) the Owner, as required above herein, has submitted or caused to be submitted to the Director of Planning, in form and content to his or her satisfaction, a signed written statement prepared by a Heritage Consultant stating explicitly that the Rehabilitation Work has been completed in accordance with the Conservation Plan; and
 - (iii) the City has given the Owner an written notice or confirmation by which the City explicitly accepts or confirms that the Rehabilitation Work has been completed;
- (h) after the Rehabilitation Work is completed, the Owner:
 - (i) at its expense, and in accordance with the Conservation Plan and to the satisfaction of the Director of Planning, will at all times do all things reasonably necessary to conserve the Heritage Buildings as rehabilitated under this agreement and, in any event, to keep the Heritage Buildings in good condition in all respects as would a reasonable and prudent owner thereof;
 - (ii) will not do anything at anytime and will not suffer or permit anyone else to do anything at anytime that will renovate, alter or reconfigure the Heritage Buildings, or either of them, or any part of either of them, except as may be permitted by this agreement, the Development Permit, the Conservation Plan or any heritage alteration permit issued by the City; and
 - (iii) will not at any time and will not suffer or permit anyone else to at anytime do anything that will obscure, deface or remove any heritage related commemorative plaque the City, at its expense, may attach to the Heritage Buildings pursuant to the statutory right of way granted to it herein;
- (i) if at any time for any reason the Heritage Buildings are or either of them is damaged in any way or destroyed, the Owner, at its expense, and to the City's satisfaction, will repair or replace with a replica

building(s) the damaged or destroyed Heritage Building(s), as the case may be, unless to do so would be uneconomical, in which case, and if for that reason the Owner wishes to demolish the damaged Heritage Building(s) or wishes not to replicate the destroyed Heritage Building(s), as the case may be, the Owner, at its expense, and in consultation with and to the satisfaction of the City, will prepare an economic analysis therefor, taking into consideration only land related economic factors, such as, for example, and without limitation, the estimated cost to repair or replicate the Heritage Building(s), as the case may be, and the anticipated market value of the repaired or replica Heritage Building(s), as the case may be, and the incentives given by the City for this agreement and the Heritage Designation designation, upon which analysis the City and the Owner, together, will determine whether in the circumstances it would be uneconomical to repair or replicate the Heritage Building(s), as the case may be, failing which the matter in all respects will be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act* RSBC 1996 c. 55, except that regardless of the outcome of any such arbitration the Owner will pay the City its costs of the arbitration, and If the Owner and the City agree or if in arbitration it is determined that it would be uneconomical for the Owner to be required to repair or replicate the Heritage Building(s), as the case may be, then the City, at the Owner's expense, within a reasonable time of the Owner's request, and to the extent and as the City reasonably considers to be appropriate, will execute and deliver a modification or a partial or full discharge of this agreement to reflect such change in circumstance; and

- (j) the Owner acknowledges and agrees that, notwithstanding that this agreement and the Heritage Designation will result in restrictions with respect to the future use and development of and therefore may affect the value of the Heritage Lands, the Owner has received full and fair compensation for entering into this agreement and accepting the Heritage Designation and the Owner hereby waives and renounces any and all claims for any further or other compensation by reason of this agreement and/or the Heritage Designation and acknowledges and agrees that the requirements of Section 595(1) of the *Vancouver Charter* SBC 1953 c.55 have been fully satisfied, and the Owner hereby releases the City and its officials, officers, employees and agents from any liability for any loss, injury, damage or expense of any kind the Owner may suffer, incur or experience and the Owner will indemnify the City for any loss, injury, damage or expense the City may incur, suffer or experience and for any complaint, demand, claim, action, suit or judgment for any loss, injury, damage or expense anyone else may suffer, incur or experience arising out of or in any way connected this agreement and/or the Heritage Designation.

2.2 Notwithstanding the occupancy restrictions set out above in respect of the Heritage Buildings and the Addition, the City, in its discretion, may issue occupancy

permits for them, or any of them, prior to the time that the Rehabilitation Work is completed in accordance herewith, if:

- (a) the Owner duly applies to the City for an occupancy permit(s) and pays all fees required therefor;
- (b) this agreement has been fully registered in the Land Title Office to the City's satisfaction;
- (c) the City has issued a building permit in respect of the Rehabilitation Work;
- (d) all legal requirements for occupancy permits for the Heritage Buildings and/or the Addition, as the case may be, have been fulfilled;
- (e) the Owner has provided to the City a letter of credit in the amount equal to one hundred and twenty percent (120%) of the then estimated cost to complete the Rehabilitation Work, with such estimate to be made in writing by the Consultant and explicitly accepted in writing by the City;
- (f) the Owner, at the time of application for any such occupancy permit(s) is not in breach of any of its obligations under this agreement or any other agreement between the City and the Owner with respect to the Lands or any part of them; and
- (g) the City is satisfied that the Rehabilitation Work is being carried out diligently.

2.3 The City may revoke at anytime any occupancy permit(s) issued for the Heritage Buildings or the Addition or any of them prior to completion of the Rehabilitation Work, unless such occupancy permit(s) was obtained in accordance with this agreement, and in such circumstances the Owner, on reasonable notice from the City, will ensure that anyone occupying any part of any of the Heritage Buildings or the Addition vacates it or them, as the case may be, immediately on such revocation of occupancy permit(s), and if anyone continues to occupy any portion of any such building in contravention of such revocation, this agreement and any applicable City bylaws, the City may pursue all remedies available to it, including, without limitation, injunctive relief, to ensure that the Heritage Building and/or Addition, as the case may be, is or are vacated and unoccupied in accordance with this agreement.

2.4 All letters of credit required by this agreement will be issued by a Schedule I Canadian chartered bank and will be unconditional, irrevocable and self-renewing and otherwise in a form and content which is acceptable to the City and will be provided for a period of one (1) year with a provision for an automatic renewal or extension without amendment from year to year until the Owner has, to the City's full satisfaction, completed all of its obligations under this agreement.

2.5 The City may call upon the letter or letters of credit provided to it pursuant to the preceding paragraphs herein and apply the proceeds therefrom for any purpose and in any manner it may choose, if:

- (a) the bank issuing the letter of credit refuses to extend or renew the expiry date of the letter of credit;
- (b) the Owner becomes insolvent or commits any act of bankruptcy or becomes bankrupt or takes the benefit of any act or legislation that may be enforced for bankrupts or insolvent debtors;
- (c) the Owner, in the City's opinion, has not been diligently carrying out the Rehabilitation Work; or
- (d) the City undertakes all or any part of the Rehabilitation Work pursuant to this agreement.

2.6 If at anytime, in default under this agreement, the Owner fails to carry out the Rehabilitation Work or to conserve, repair or replace the Heritage Buildings as required hereby, and if the Owner fails to rectify any such default after 30 days notice from the City to do so, the City, on the Owner's behalf and at the Owner's expense, may, but will be under not be obligated to, rectify the Owner's default.

ARTICLE 3 STATUTORY RIGHT OF WAY

3.1 Pursuant to Section 218 of the *Land Title Act*, the Owner hereby grants to the City, effective at all times from and after the DP Date, a statutory right of way to enter, be and move about on the Lands to install, maintain, repair and replace on the exterior of the Heritage Buildings, at the City's expense, and in consultation with the Owner as to location, a commemorative plaque regarding the Heritage Buildings and, in the event the Owner is in default of any of its obligations under this agreement, to carry out any such obligations of the Owner hereunder as the City may choose.

3.2 The statutory right of way granted in this Article 3 is necessary for the operation and maintenance of the City's undertaking.

3.3 Notwithstanding any other provision of this agreement, nothing herein obligates the City to exercise any of the rights granted to it by way of the statutory right of way contained herein to rehabilitate, conserve or replace the Heritage Buildings.

ARTICLE 4 DEBTS OWED TO CITY

4.1 If the City, pursuant to this agreement, enters upon the Lands to carry out any of the Owner's obligation hereunder to carry out any of the Rehabilitation Work or to conserve or replace the Heritage Buildings:

- (a) there will be no express or implied warranties as to the quality of any work the City may so carry out or the suitability of the materials for the purposes for which they are put; and
- (b) the Owner will pay to the City, forthwith on demand, the full amount of all costs the City incurs to rehabilitate, conserve or replace the Heritage Buildings, plus 20% of such costs as fair compensation for the City's overhead, and any such amounts the Owner does not pay or fails to pay to the City forthwith on demand will bear interest, until paid in full, at the prime lending rate of the City's bank of record, plus 2%, calculated monthly and not in advance.

ARTICLE 5 EQUITABLE CHARGE

5.1 The Owner hereby grants to the City an equitable charge over the Lands, which charge will run with, charge and bind the Lands, for the payment of all sums (including all interest thereon) which may at any time be payable by the Owner to the City under the terms of this agreement or otherwise at law.

5.2 The equitable charge the Owner has granted to the City herein may be enforced by the appointment of a receiver for the sale of the Lands.

ARTICLE 6 NOTICES

6.1 Any notice, request or communication required or permitted to be given hereunder will be in writing and will be deemed to have been duly given if delivered to the party or mailed in Canada by prepaid registered post addressed to the party as follows:

- (a) if to the Owner:

to its address as shown in the Land Title Office records
- (b) if to the City:
City of Vancouver
453 West 12th Avenue
Vancouver, British Columbia
V5Y 1V4

Attention: City Clerk and Director of Legal Services;

or to such other address in Canada as any party may specify in writing to the other parties, provided that if and when the owner of the Lands should change, then to the address as set out in the State of Title Certificate for the Lands, and such notice will be deemed to have been received, if delivered, on the date of delivery, and if mailed as

aforesaid within Canada then on the third business day following its mailing, provided that if mailed, should there be between the time of the mailing and the actual receipt of the notice, a mail strike, slowdown or other labour dispute which might affect delivery of such notice, then such notice will only be effective if and when actually delivered.

ARTICLE 7 GENERAL

7.1 Joint and Several Liability. If the Owner is more than one party, such parties shall be jointly and severally liable to the City for the performance and observance of the Owner's obligations in this agreement.

7.2 Priority of Registration. The Owner, at its expense, after execution of this agreement, shall do or cause to be done all things and acts necessary to ensure that this agreement is registered against title to the Lands with priority over all other encumbrances on title to the Lands as the City may require.

7.3 Perfection of Intention. The parties hereto will do such things and execute such further and other documents and instruments and do such further and other acts as may be reasonably necessary to implement and carry out the provisions and intent of this agreement and to ensure timely and effective registration in the Land Title Office.

7.4 Waiver. No failure on the part of the City to exercise and no delay in exercising any right under this agreement will operate as a waiver thereof nor will any single or partial exercise by the City of any right under this agreement preclude any other or future exercise thereof or the exercise of any other right. The remedies herein provided will be cumulative and not exclusive of any other remedies provided by law and all remedies stipulated for the City herein will be deemed to be in the Addition to and not, except as herein expressly stated, restrictive of the remedies of the City at law or in equity.

7.5 Time of Essence. Time will be of the essence in respect of this agreement.

7.6 Enurement. This agreement shall enure to the benefit of and be binding upon the Owner and its successors and trustees, and this agreement shall charge and run with the Lands and with any parcel, lot or part into which the Lands may be subdivided or consolidated and shall enure to the benefit of and be binding upon the Owner's successors in title and trustees and successors and all parties claiming through such owners.

7.7 City's Other Rights and Obligations. Nothing contained or implied in this agreement will derogate from the obligations of the Owner under any other agreement with the City or prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Vancouver Charter* and the rights, powers, duties and obligations of the City under all other laws, which may be, if the City so elects, as fully and effectively exercised in relation to the Lands as if this agreement had not been executed and delivered by the Owner and the City.

7.8 Headings. The division of this agreement into articles, sections and paragraphs and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this agreement.

7.9 Number. Words contained herein importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.

7.10 Governing Law. This agreement will be governed by and construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable therein.

7.11 Severability. All provisions of this agreement are severable in that if any court or other lawful authority having jurisdiction to decide the matter finds for any reason that one or more of them is void or unenforceable, then such void or unenforceable provisions will be severed from this agreement and all other provisions herein will continue to be binding and enforceable.

7.12 City Approvals. In this agreement, where City "approval", "acceptance", "consent" or similar authorization or agreement is required, unless provided for otherwise in this agreement, such "approval", "acceptance", "consent" or similar City agreement or authority must be provided in writing, by the City departments, employees, officers or designates, as the case may be, that are authorized to provide such "approval", "acceptance", "consent" or similar authorization or agreement. Any purported "approval", "acceptance" "consent" or similar authorization or agreement provided by a City department, employee, officer or designate, as the case may be, that is not authorized to provide the same, shall be of no force or effect.

IN WITNESS WHEREOF the parties have executed this Agreement on Form C which is a part hereof.

END OF DOCUMENT