



**POLICY REPORT  
DEVELOPMENT AND BUILDING**

Report Date: November 27<sup>th</sup>, 2012  
Contact: Kent Munro  
Contact No.: 604.873.7135  
RTS No.: 9667  
VanRIMS No.: 08-2000-20  
Meeting Date: January 15, 2013

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services in consultation with the Director of Legal Services

SUBJECT: 437 Vernon Drive - Jeremiah McDevitt House and 445 Vernon Drive - Flora McDevitt House - Heritage Designations and Heritage Revitalization Agreement

**RECOMMENDATIONS**

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* by-laws to designate as protected heritage properties the heritage buildings, known as the Jeremiah McDevitt House and the Flora McDevitt House (the “heritage buildings”), at 437 and 445 Vernon Drive (PID’s: 015-365-468 and 015-365-476; Lots 18 & 19, Block 14 of Block A, District Lot 182, Plan 355 (the “site”)).
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for a Heritage Revitalization Agreement to:
  - (i) secure the rehabilitation and long-term preservation of the heritage buildings;
  - (ii) vary the *Subdivision By-law* and the *Zoning and Development By-law* to permit a subdivision of the site into three new parcels and to permit the positioning of each of the heritage buildings within one and the construction of a new One-Family Dwelling and a new Two-Family Dwelling within the other of the new parcels as proposed under Development Permit Applications DE415250, DE415254, and DE415255, and as more particularly described in this report.

- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, and given priority on title to the Lands, to the satisfaction of the Director of Legal Services and the General Manager of Planning and Development Services.
- D. THAT Recommendations A to 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### **REPORT SUMMARY**

The purpose of this report is to seek Council approval to designate as protected heritage properties the two existing heritage buildings located respectively at 437 and 445 Vernon Drive (the “heritage buildings”), both of which are listed in the ‘C’ evaluation category on the Vancouver Heritage Register, and to authorize the City to enter into a Heritage Revitalization Agreement (HRA) in respect of these heritage buildings to ensure their rehabilitation and long-term protection. As incentive and compensation to the owner for this, the proposed HRA will vary the *Subdivision By-law* and the *Zoning and Development By-law* to permit the owner to develop the lands as contemplated in Development Permit Applications DE415250, DE415254, and DE415255, and as described in this report (see the plans in Appendix C and the Technical Zoning, Parking, and Subdivision Summary in Appendix D). The General Manager of Planning and Development Services is prepared to approve the Development Permit Applications should Council approve the recommendations of this report.

### **COUNCIL AUTHORITY**

Pursuant to section 592 of the *Vancouver Charter*, Council, by by-law, may enter into Heritage Revitalization Agreements with the owners of heritage properties which may vary or supplement certain kinds of by-laws and permits, including the *Zoning and Development By-law* and the *Subdivision By-law*.

Pursuant to Section 593 of the *Vancouver Charter*, Council, by by-law, may designate heritage buildings and other heritage resources within the City of Vancouver as being protected heritage properties.

Pursuant to section 595 of the *Vancouver Charter*, Council is required to compensate an owner of property being designated as a protected heritage property for any reduction in market value caused by the designation. Often this, along with additional compensation to offset rehabilitation costs incurred under an HRA, is achieved by way of by-law variations contained in the HRA so as to permit an otherwise impermissible development.

The proposed heritage designation and HRA for the heritage buildings require Council approval at a public hearing and by-law enactment pursuant to Sections 592, 593 and 594 of the *Vancouver Charter*.

The following Council Policies are applicable to the project:

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Building Rezoning Policy (February, 2010)*
- *Interim Rezoning Policy During the Preparation of the Downtown Eastside Local Area Planning Program (March 2012)*

The site is located within the Downtown Eastside Local Area Planning Program area and, therefore, the *Interim Rezoning Policy During the Preparation of the Downtown Eastside Local Area Planning Program* applies to the application. Staff conclude that the HRA may be brought forward for Council's consideration at this time under the policy, and the application has been made available to the Local Area Planning Process Committee (LAPP) for its review.

### **GENERAL MANAGER COMMENTS**

The General Manager of Planning and Development Services supports the recommendations of this report.

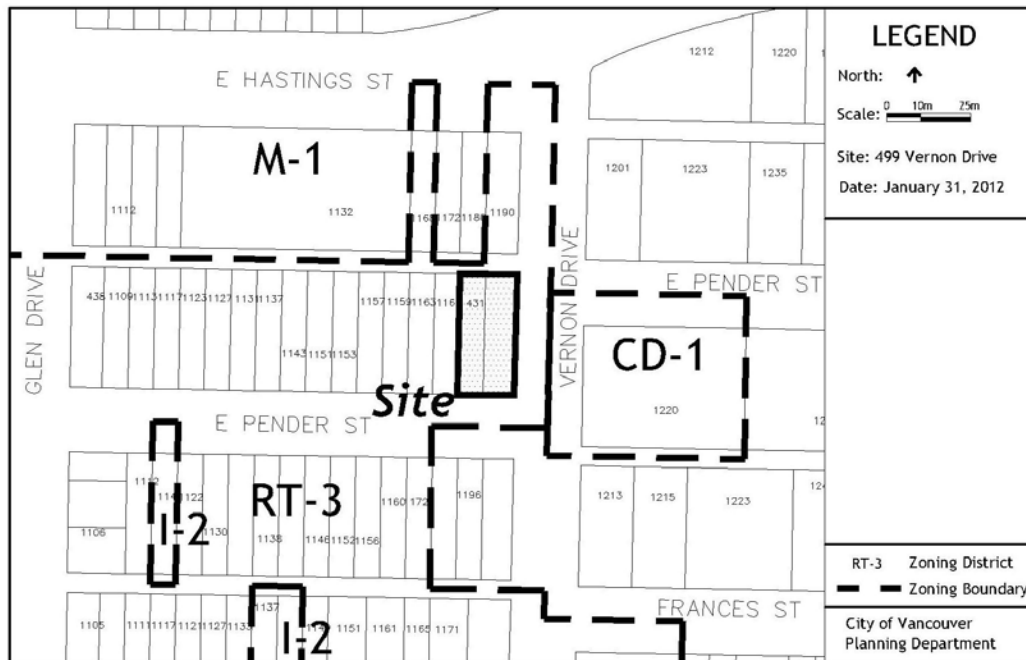
### **STRATEGIC ANALYSIS**

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

The site is located in the Strathcona neighbourhood in an area zoned RT-3 (see Figure 1). The *RT-3 Zoning District Schedule* of the *Zoning and Development By-law* permits One- and Two-Family Dwellings, the conversion of existing buildings into suites, and in some cases new apartment buildings, townhouses, and infill development. Development under the site's existing RT-3 zoning would allow, without Council decision, density up to 0.95 FSR and a site coverage up to a maximum of 50%, as well as one or more new infill buildings.

The site is located on the northwest corner of the intersection of East Pender Street and Vernon Drive, and is comprised of two existing legal parcels with a total area of 639 square metres (6,875 square feet). Three houses exist on the site, as well as several accessory structures (see Heritage Value). A six metre (twenty foot) wide paved lane exists at the rear of the site. The properties to the north and east of the site are zoned M-1, which permits manufacturing and industrial uses.

Figure 1 - 437 and 445 Vernon Drive site and the surrounding zoning



### Heritage Value

The site currently contains three heritage buildings, all of which are listed on the Vancouver Heritage Register (see the photographs in Appendix A). The northernmost building, with the civic address of 431 Vernon Drive, is listed in the ‘B’ evaluation category on the Register. It was built in 1903 by Jeremiah McDevitt. He and his wife Flora were early European pioneers in the City, having arrived in the year of the Great Fire which occurred in 1886. In 1909 they built the other two houses at the civic addresses of 437 and 445 Vernon Drive, which are both listed in the ‘C’ evaluation category on the Vancouver Heritage Register.

Over the years the tenants of the buildings have primarily been workers and labourers from different cultural and ethnic backgrounds who held jobs in nearby industries, reflecting the rich history of working class immigration in the neighbourhood over the last century (see photographs 1 and 2 in Appendix A). All three houses are valued for this association, and as surviving examples of modest housing built during the early Edwardian period. The site is also valued as a good example of historic end-of-block development which occurred in the Strathcona neighbourhood during this period. Two small accessory buildings exist on the site. One of these, at the lane, may have originally been a stable (see Map 1 in Appendix A).

### Development Applications and Proposed Incentives

The application proposes to subdivide the site to create three new parcels of land and to retain each of the Jeremiah McDevitt House and the Flora McDevitt House in their current positions on one of the newly created parcels. Staff and the owner concluded that the 1903 house is not viable to retain and has lost much of its original materials, and it is proposed to be demolished (see the discussion on page 2 of Appendix B). The accessory structures on the site are also to be demolished. A One-Family Dwelling and a Two-Family Dwelling (“duplex”)

are proposed to be built the third of the proposed new parcels where the 1903 house is currently located. The houses at 437 and 445 Vernon Drive are to be converted to One-Family Dwellings with Secondary Suites. The applications, therefore, propose a total of seven dwelling units for the site, of which two are secondary suites. The houses at 437 and 445 Vernon Drive are proposed to be named the Jeremiah McDevitt House and the Flora McDevitt respectively to distinguish them (Flora McDevitt is actually noted as the permit holder for both houses, as it was common during this period for wives of developers to act as applicants).

The application proposes to locate the two new buildings on a single parcel for which strata titling may be permitted (see the Technical Zoning, Parking, and Subdivision Summary in Appendix D). Existing buildings located on a site which contains strata title units must comply fully with the Vancouver Building By-law, including rain screen and full seismic upgrades, which impact heritage conservation. Retaining the heritage buildings on fee simple parcels, as opposed to strata titled parcels, assists in heritage conservation in this respect. Staff support the subdivision variances proposed for this reason, and because the proposed new property boundaries do not impact or change the development with respect to form, density, and character compare to that which could be approved under the current RT-3 zoning.

It is proposed that the incentive and compensation to be provided to the owner for the heritage designations and the rehabilitation and conservation of the Jeremiah McDevitt House and the Flora McDevitt House will be in the form of variances to the *Subdivision By-law* and the *Zoning and Development By-law*, including density increases, contained in the proposed HRA, as set forth in Development Permit Applications DE415250, DE415254, and DE415255, and as described below.

The maximum permitted density under the RT-3 zoning for this site is 0.95 floor space ratio (FSR). The proposed overall density is 1.01 FSR for the entire site, which exceeds the maximum permitted density by 6% (see Table A below). Staff consider this to be a nominal increase in density and that this is an acceptable variance to assist in achieving the desired heritage conservation.

**Table A: Summary of Proposed Uses and Density** **Site Area: 639 m<sup>2</sup> (6,875 sq. ft.)**

	Existing	Permitted or Required	Proposed
Total Density for the Site	0.50 FSR 314 m <sup>2</sup> (3,377 sq. ft.)	0.95 FSR for infill development 600 m <sup>2</sup> (6,462 sq. ft.)	1.01 FSR 632 m <sup>2</sup> (6,802 sq. ft.)
Total Dwelling Unit Density for the Site	3 dwelling units	7 dwelling units maximum	7

The minimum site area permitted in the *RT-3 Zoning District Schedule* and the *Subdivision By-law* is 260 square metres (2,797 square feet). The parcels for the heritage buildings are less than this minimum, and a variance of site area is therefore proposed. This variance does not create a form of development which is contrary to the intent of the zoning. The proposed number of dwelling units and the total number of buildings (two retained buildings and two new buildings) are not variances and would be permissible under the regulations and guidelines of the RT-3 zoning.

Staff have considered the results of notification, the compatibility of the development with the zoning, and the financial analysis required for the application, and conclude that the proposal is supportable. The variances proposed, including density, are commensurate with the cost of conservation, including heritage designation and rehabilitation. The General Manager of Planning and Development Services is prepared to approve the Development Permit Applications should Council approve the recommendations of this report.

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

The Intent of the *RT-3 Zoning District Schedule* is to:

*“...encourage the retention of neighbourhood and streetscape character, particularly through the retention, renovation and restoration of existing character buildings. Redevelopment is encouraged on sites with existing buildings of style and form which are inconsistent with the area’s pre-1920 architecture. Emphasis is placed on the external design of additions to existing buildings and new buildings to encourage the preservation of the historic architectural character of the area. Floor area incentives are included to achieve the creation of affordable housing and the rehabilitation of original buildings which are important to the neighbourhood’s character.”*

The project is consistent with the intent of the *RT-3 Zoning District Schedule*. The application proposes the retention and rehabilitation of two heritage buildings, and the new buildings are compatible with the historic character of the area.

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

The heritage buildings at 437 and 445 Vernon Drive are in good condition. Most of the rehabilitation work will consist of repairs and rehabilitation of existing elements and details as few external changes are proposed for either building other than a few new window openings. Staff support the high level of retention proposed for the houses at 437 and 445 Vernon Drive and conclude that the proposal is consistent with the federally adopted Standards and Guidelines for the Conservation of Historic Places in Canada.

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

Fifty-nine surrounding properties were notified of the application. Two responses were received which expressed concerns regarding the size of the proposed parcels, the demolition of the 1903 house, the lack of sufficient differentiation of the new buildings from the heritage buildings, the number of buildings on site, the proposed density, and the potential for the garages to be enclosed for uses other than parking.

The number off-street parking spaces provided complies with the Parking By-law. The two small parcels are proposed to allow for the two retained heritage buildings to be located on separate parcels, and do not set a precedent for other development. Staff and the owner concluded that the retention of the 1903 house is not viable. Staff conclude that the new buildings are sufficiently distinguishable, in terms of design and expression, from the two retained heritage buildings. The number of infill buildings is not restricted in the zoning and the modest density increase proposed is financially supportable. Conversion of accessory parking spaces to other uses would not be permissible under the proposed HRA.

Staff have reviewed the proposed project with respect to the City's *Heritage Policies and Guidelines*, the *RT-3 Guidelines*, and the intent of the zoning, as well as the results of notification, and conclude that the proposal is supportable.

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

On February 13<sup>th</sup>, 2012, the Vancouver Heritage Commission reviewed the application, including the Statement of Significances and the Conservation Plan for the project, and supported the proposal (the resolutions of the Vancouver Heritage Commission are detailed in Appendix E).

### ***Financial Implications***

The value of the on-site density bonus, which will facilitate the preservation and designation of the two heritage buildings, is approximately \$87,500. The site is within the City-wide Development Cost Levies (DCL) District and it is anticipated that the applicant will pay approximately \$9,970 in DCLs should the applications be approved and the project proceed.

### ***Proforma Evaluation***

Real Estate Services staff reviewed the applicant's proforma evaluation in accordance with Council's approved policies. The Director of Real Estate Services advises that the additional density and other by-law variances proposed to offset the costs and compensate for any reduction in land value resulting from the designation and the relocation, rehabilitation and conservation of the heritage building will not result in any undue profit.

### ***Environmental***

The City's "Rezoning Policy for Greener Buildings" applies to the application and requires developments of this scale to achieve BuiltGreen BC™ Gold with a score of EnerGuide 82, or an equivalent achievement in green design. The policy allows for exemptions for heritage components provided reasonable design efforts are made to improve green performance where appropriate, while respecting heritage aspirations and promoting heritage retention. Staff encourage owners for applications such as this to seek registration and certification with BuiltGreen BC™. Conditions of the development application approval will require that the drawings incorporate the proposed sustainable features. The "Green Homes Program" requirements in the Vancouver Building By-law will be applicable to the project as well.

### ***Legal***

The by-law variations contemplated for the proposed HRA will provide for the site an improved development potential. The owner's proposal to rehabilitate and conserve the heritage building in exchange for obtaining the by-law variations needed to get that improved development potential should be appropriately secured as legal obligations contained in various covenants to be registered on title to the site so as to enable the City to enforce those obligations and ensure that they will be fulfilled at the owner's expense. City staff and the owner have negotiated and completed a proposed form of HRA, to be registered on title to the site, which includes rehabilitation and conservation obligations on the part of the owner and enforcement provisions for the City.

Section 595 of the *Vancouver Charter* requires that Council compensate an owner for any reduction in the market value caused by a heritage designation. The Owner has signed the proposed HRA which includes a provision by which the owner explicitly acknowledges that the owner has been fully compensated for the heritage designation and the rehabilitation and conservation obligations contained in the HRA. The HRA is to be registered on title to the site before a development permit for the project may be issued.

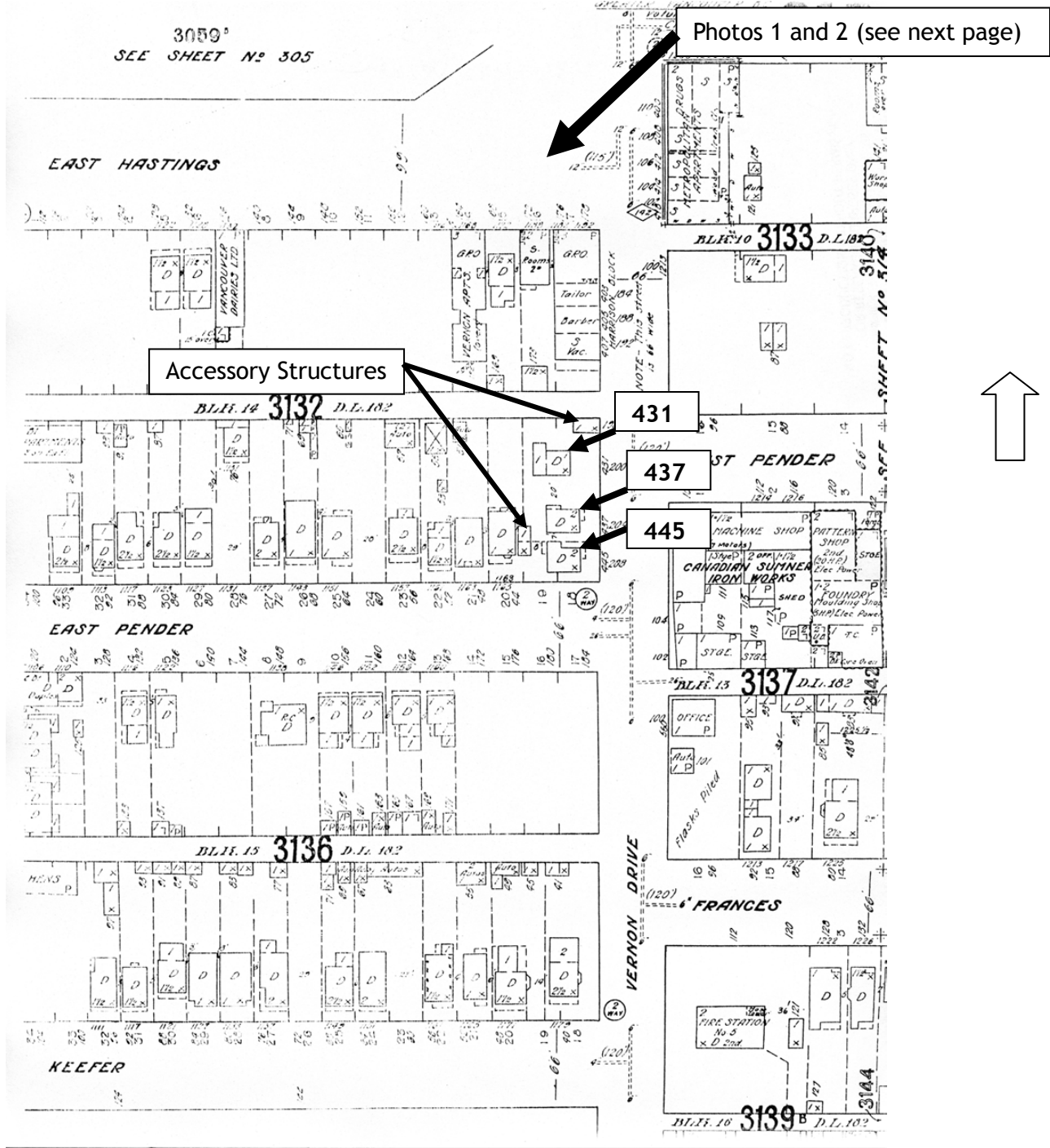
### **CONCLUSION**

The heritage designation of the Jeremiah McDevitt House at 437 Vernon Drive and the Flora McDevitt House at 445 Vernon Drive, and the proposed Heritage Revitalization Agreement, will ensure that two of the three heritage buildings are rehabilitated, conserved, and protected from exterior alterations which affect their heritage value, and from demolition. The proposed Heritage Revitalization Agreement would vary the *Zoning and Development By-law* and the *Subdivision By-law* to allow for the development as proposed, and the owner has agreed to accept the proposed variances as compensation for the designation of the heritage buildings and for their rehabilitation and conservation under the proposed Heritage Revitalization Agreement. Therefore, it is recommended that Council approve the heritage designation of the Jeremiah McDevitt House and the Flora McDevitt House, and the proposed Heritage Revitalization Agreement.

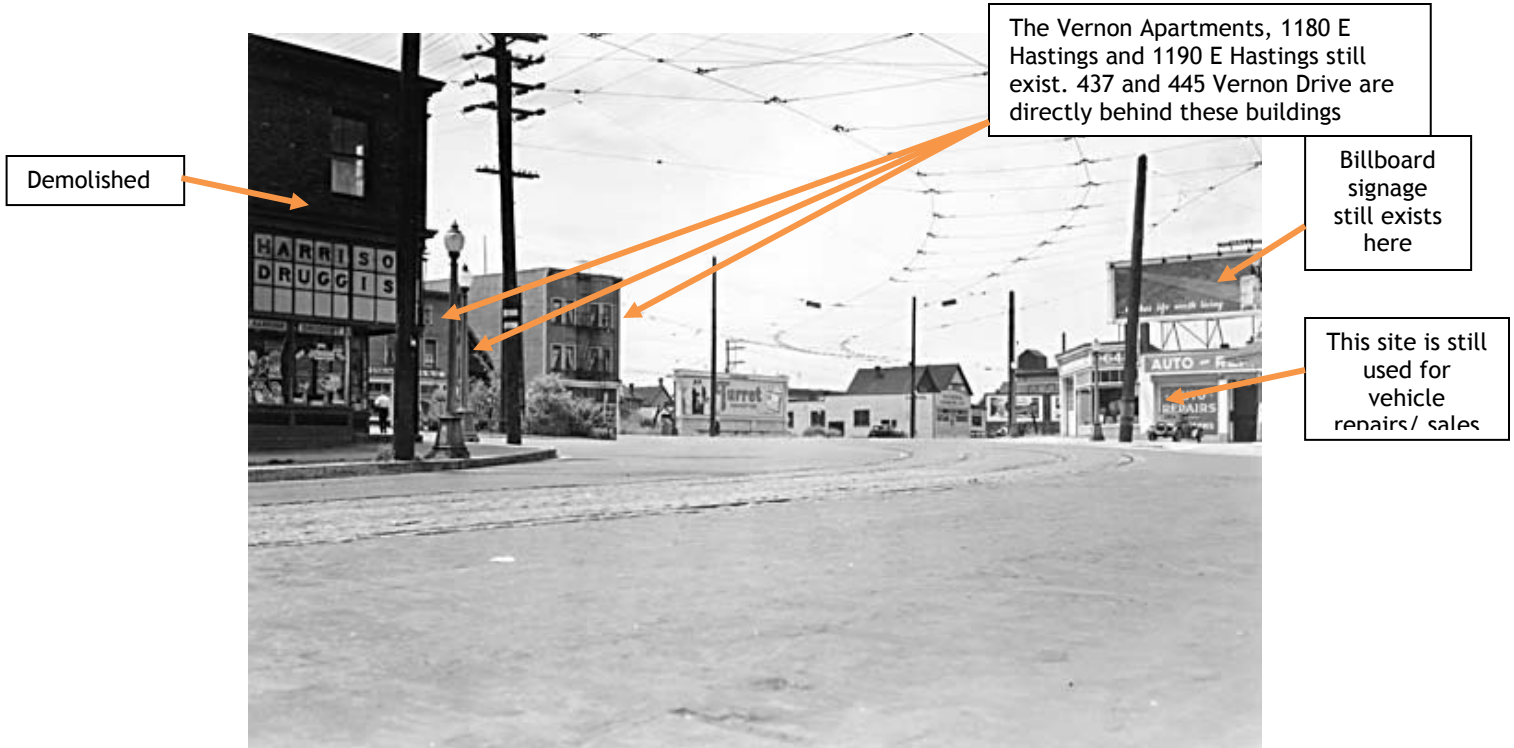
\* \* \* \* \*



437 and 445 Vernon Drive  
MAPS AND PHOTOGRAPHS



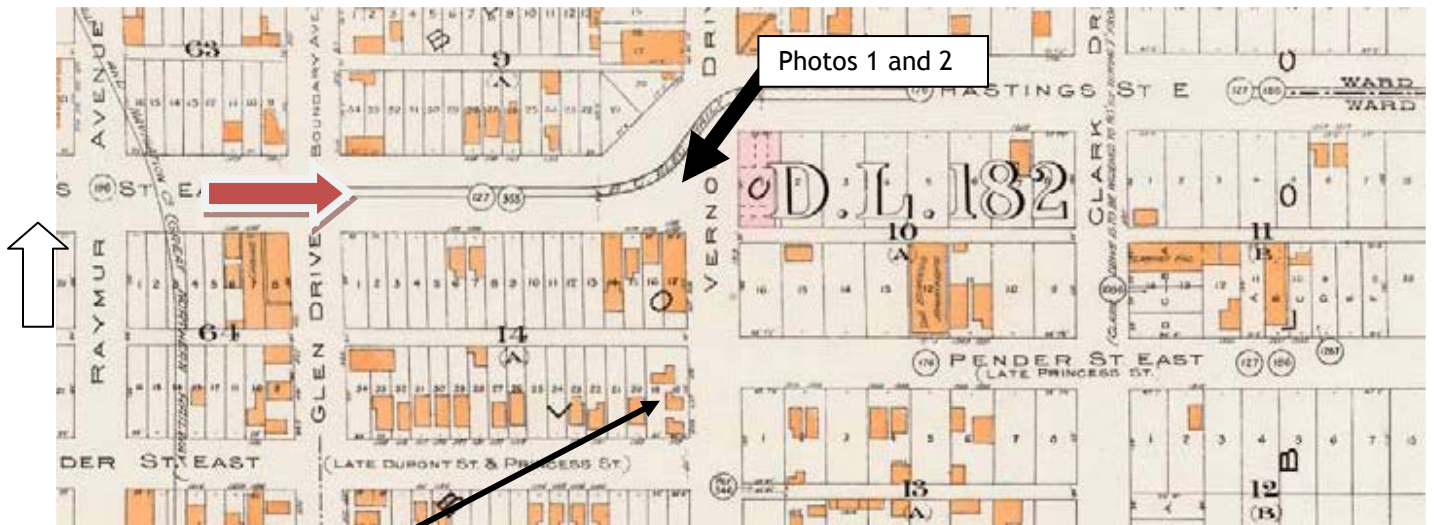
Map 1: Fire Insurance Map - circa 1930



**Photo 1:** Old photographs of 431 - 445 Vernon Drive have not been found, but the photograph above captures the character of the area about 20 years after the houses were built. The view is of East Hastings Street and Vernon Drive, just north of the 400 block of Vernon Drive, circa 1932, looking south-west (see Map 1 and Map 2 of this Appendix). Note the mix of commercial, industrial, and residential uses, as well as the streetcar tracks. The three buildings noted above have survived and the mixed land-use character of the area still exists today.

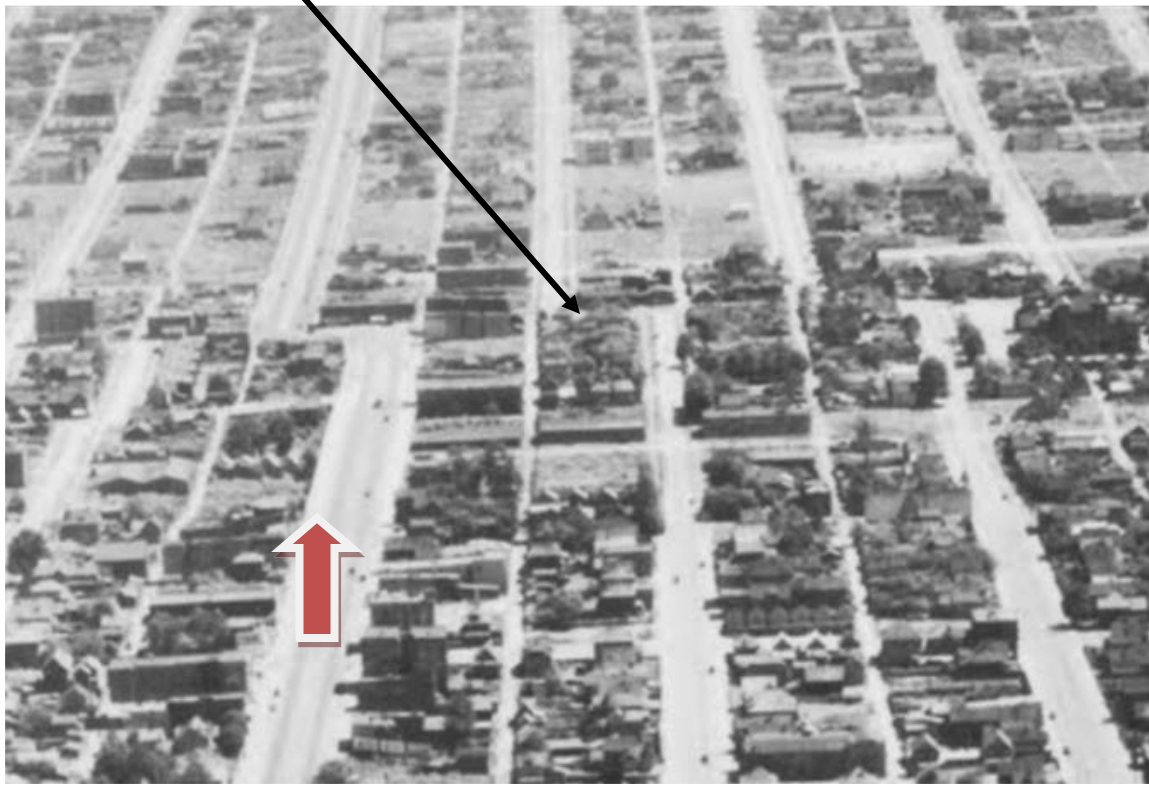


**Photo 2:** same view as in Photo 1, circa 1928



Site

Map 2: Fire Insurance Map (1912)



**Photo3:** The photograph above (looking east) is a crop of a much larger aerial view dated 1931. The Vernon Drive houses are just barely visible (marked "Site"). The arrow corresponds with the arrow in Map 2 above showing the direction of the view. Note the amount of vacant land east of Vernon Drive.



**Photo 4:** 437 and 445 Vernon Drive (2011) from Vernon Drive looking south-west



**Photo 5:** View of the south side of 445 Vernon Drive, looking north (2011)



**Photo 6:** Front of 445 Vernon Drive, looking west (2011)



**Photo 7:** Rear porch of 437 Vernon Drive (2011)

437 AND 445 Vernon Drive  
BACKGROUND ON THE 1903 HOUSE



**Photo 8:** The 1903 House at 431 Vernon Drive (circa 1986), looking west from Vernon Drive. The view also shows the accessory building at the rear of the site.



**Photo 9:** The 1903 House, 431 Vernon Drive (2011) looking north, on-site

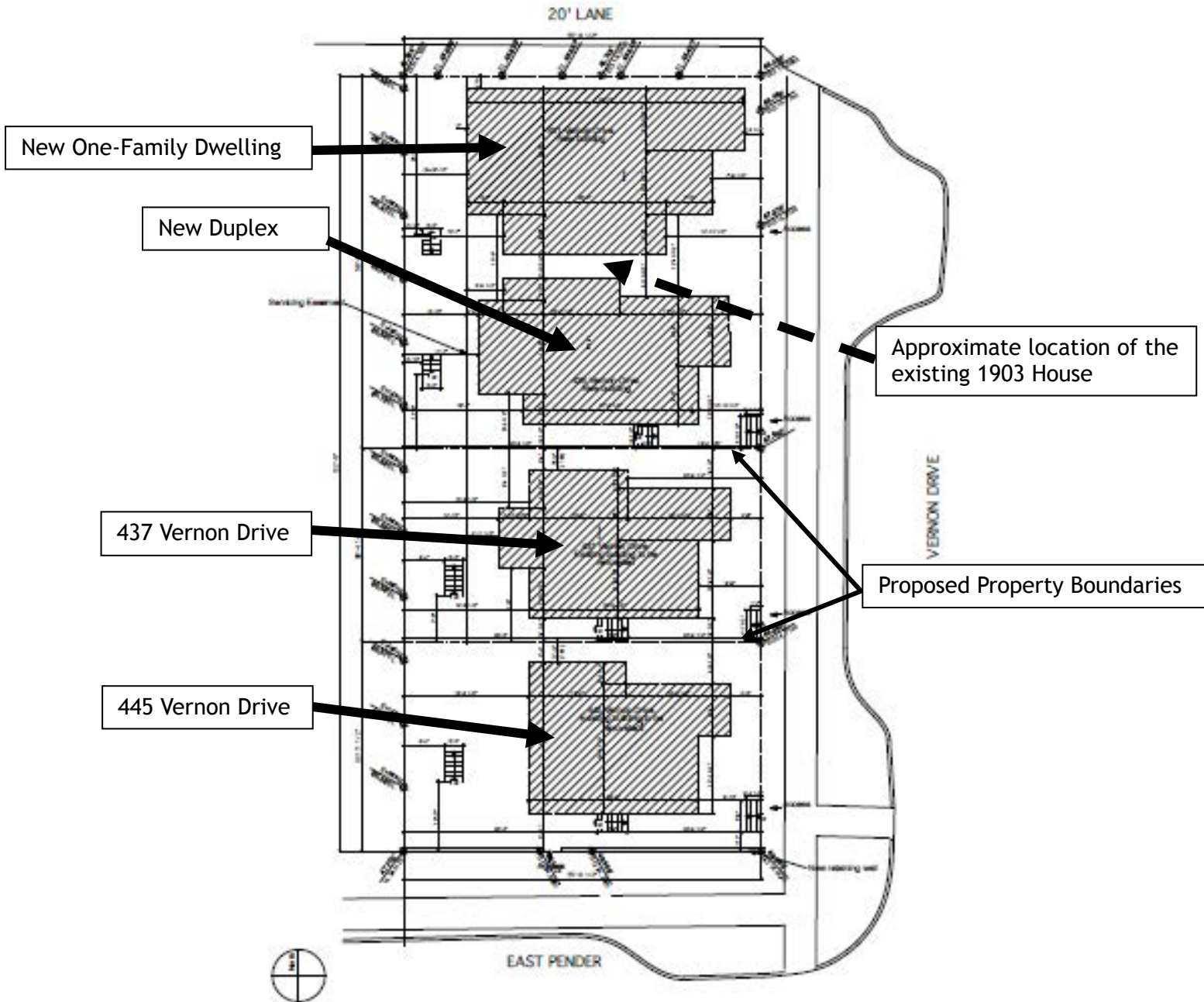
### **Retention of the 1903 House at 431 Vernon Drive**

In early reviews the proposal it was concluded that the proposed demolition of the 'B' listed building at 431 Vernon Drive ("the 1903 house") could be considered as part of the current Development Permit Applications, which propose the rehabilitation and long term protection of the other two 'C' listed buildings on the site. The reasons for this are:

- The 1903 house has been modified over the last couple of decades and has lost much of its original materials and details, other than its original form;
- In order to allow for reasonable infill development on the site, either as proposed or if developed under the zoning without variances, the 1903 house would have to be moved, which would impact the viability of its conservation; and
- The very small size of the house makes it difficult to achieve reasonable development without significant additions and alterations to the building, which would diminish its surviving characteristics.

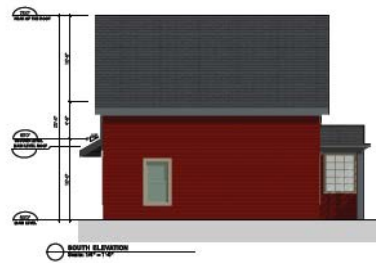
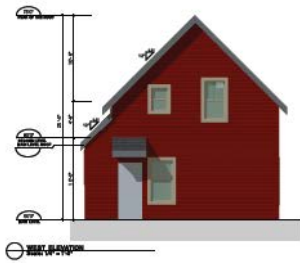
The General Manager of Planning and Development Services has concluded that in return for the conservation of the two 'C' listed buildings, the demolition of the 1903 house would be approved as part of the approval of the Development Permit Applications, subject to Council approval of the proposed heritage designation and the HRA.

437 and 445 Vernon Drive  
DRAWINGS

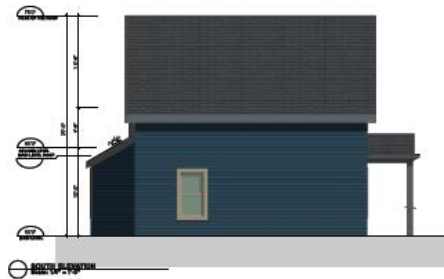
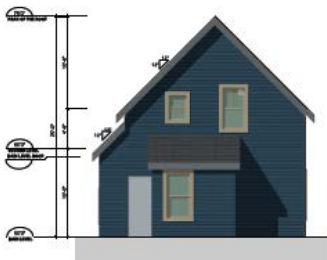
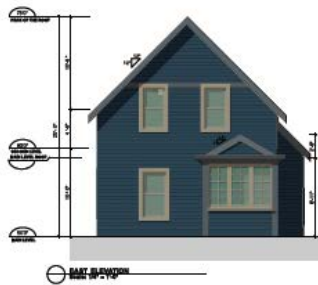


Site Plan

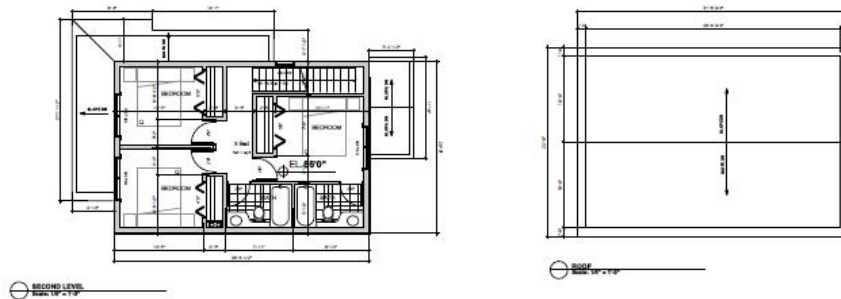
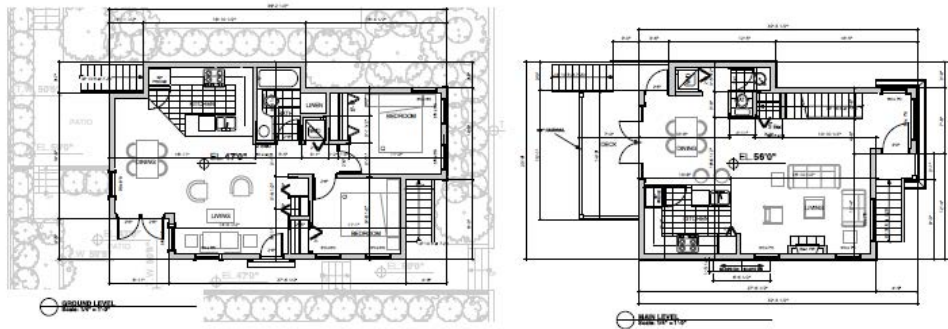




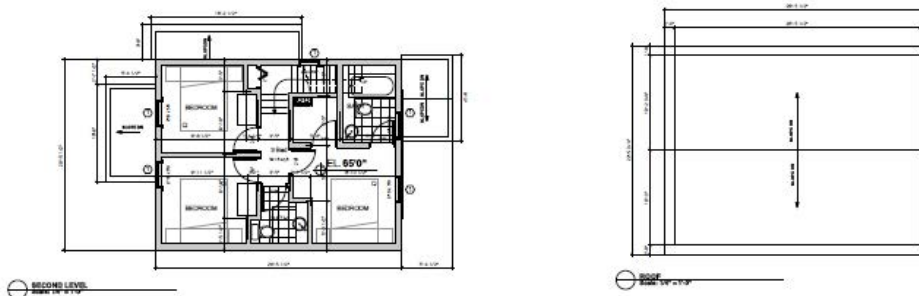
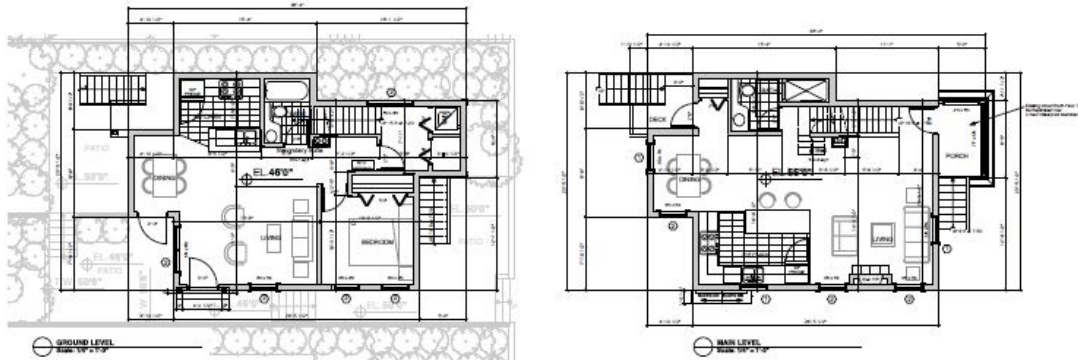
445 Vernon Drive - Existing Elevations



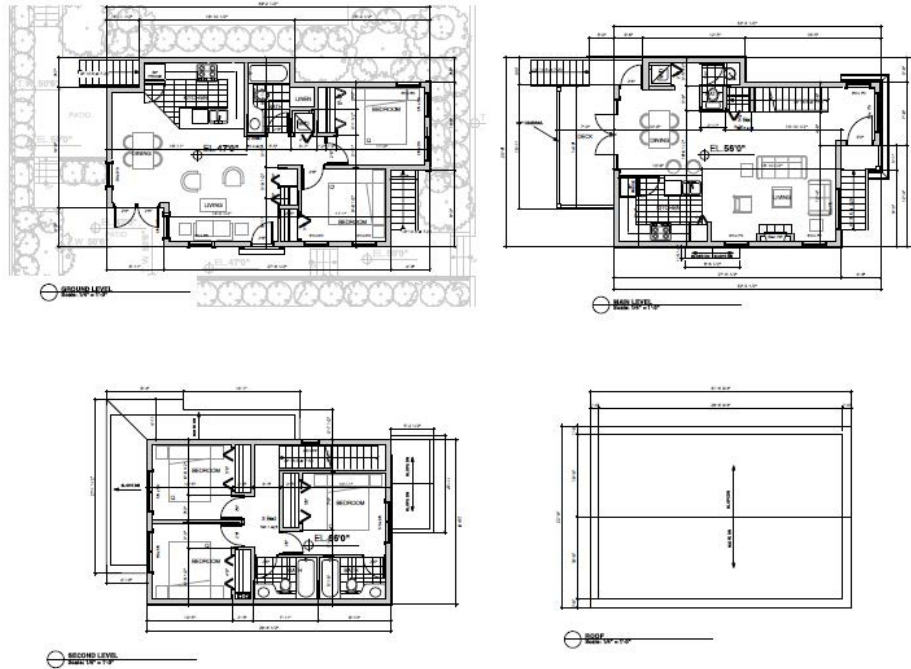
437 Vernon Drive - Existing Elevations



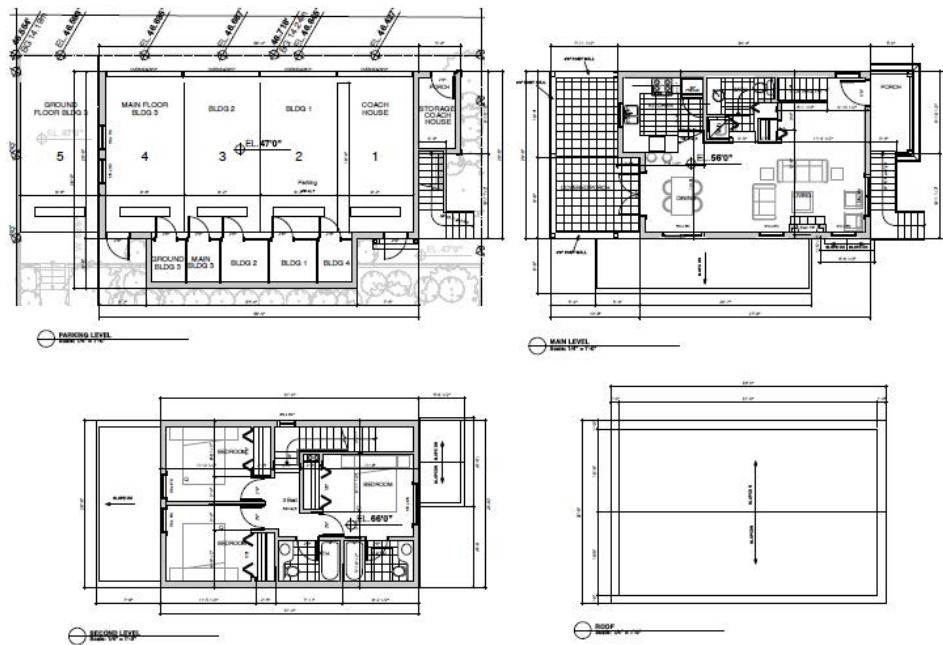
**445 Vernon Drive - Proposed Floor Plans**



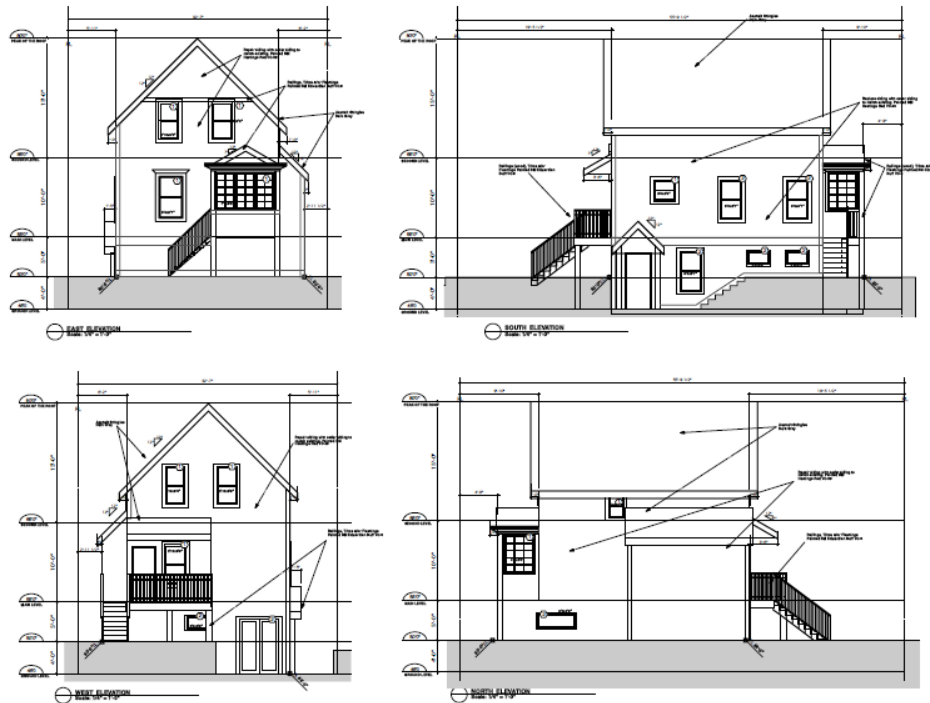
**437 Vernon Drive - Proposed Floor Plans**



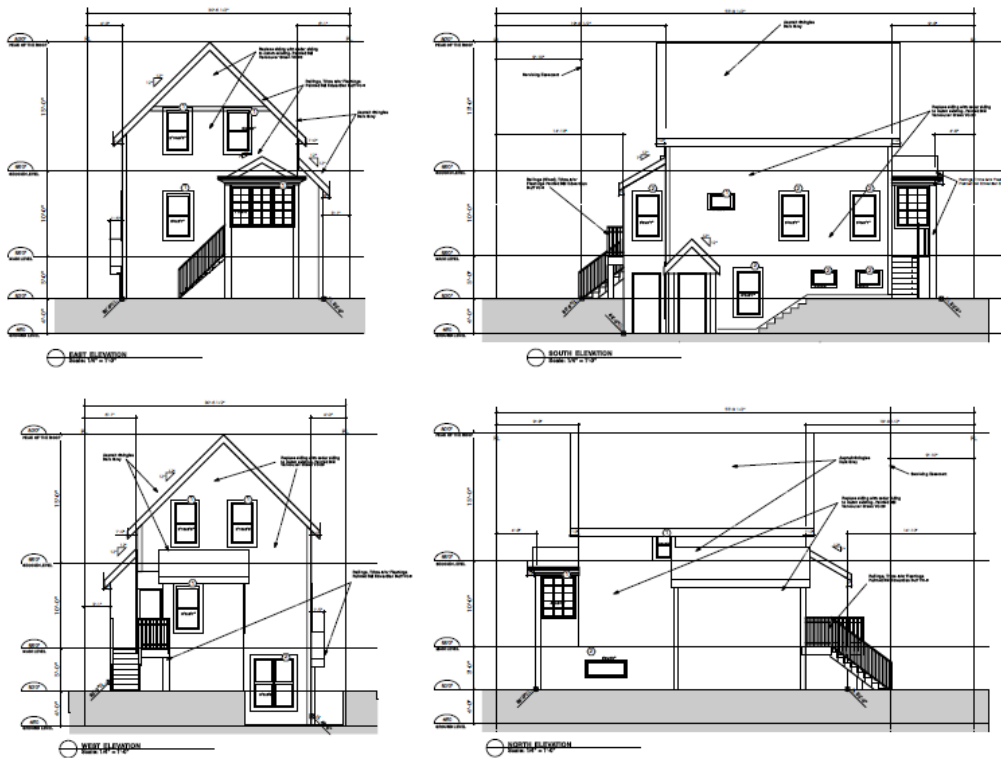
**New Duplex - Proposed Floor Plans**



**New One-Family Dwelling (at lane) - Proposed Floor Plans**



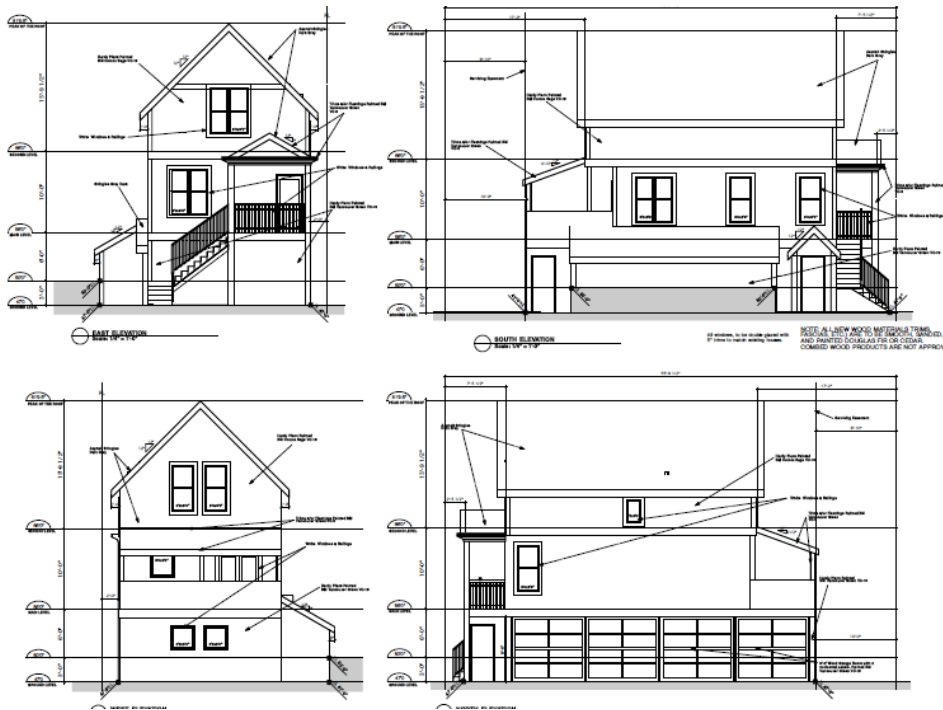
**445 Vernon Drive - Proposed Elevations**



**437 Vernon Drive - Proposed Elevations**



**New Duplex - Proposed Elevations**



**New One-Family Dwelling (at lane) - Proposed Elevations**



Streetscape Drawings

The top view is of Vernon Drive, looking west. The bottom view is of the rear of the site, looking east.

**437 and 445 Vernon Drive  
TECHNICAL ZONING, PARKING, AND SUBDIVISION SUMMARY**

The Zoning applicable to the site is RT-3. The existing site area is 639 square metres (6,875 square feet). A zoning and parking summary are provided below in Tables 1 to 3. Variances to be granted by the proposed HRA are noted. Other variances would be at the discretion of the General Manager of Planning and Development Services.

**Table 1: Overall Density Proposed**

	Existing	Permitted or Required	Proposed
Total Density for the Lands	0.50 FSR (3,377 sq. ft.)	0.95 FSR for infill sites maximum (6,462 sq. ft.)	1.01 FSR** (6,802 sq. ft.)
Total Dwelling Unit Density for the Lands	3 dwelling units	7 dwelling units maximum	7 (including 2 secondary suites)
Off Street Parking	0	5 minimum (not required for the two Secondary Suites proposed)	4 (see below)

**Table 2: New Parcel for 445 Vernon Drive**

	Existing	Permitted or Required	Proposed
Use	One-Family Dwelling	One-Family Dwelling with Secondary Suite Permitted	One-Family Dwelling with Secondary Suite
Site Area	6,875 sq. ft.	2,798 sq. ft. minimum	1,870 sq. ft.**
Height	31 feet	35 feet maximum	31 feet
Density	0.97 FSR (1,810 sq. ft.)	0.95 FSR for infill sites maximum (1,776 sq. ft.)	0.97 FSR** (1,810 sq. ft.)
Total Dwelling Unit Density for the Lands	1	2 maximum	2
Off Street Parking	0	1 minimum (not required for Secondary Suite)	0

**Table 3: New Parcel for 437 Vernon Drive**

	Existing	Permitted or Required	Proposed
Use	One-Family Dwelling	One-Family Dwelling with Secondary Suite Permitted	One-Family Dwelling with Secondary Suite
Site Area	6,875 sq. ft.	2,798 sq. ft. minimum	1,705 sq. ft.**
Height	31 feet	35 feet maximum	31 feet
Density	1.11 FSR (1,891 sq. ft.)	0.95 FSR for infill sites maximum (1,620 sq. ft.)	1.11 FSR** (1,891 sq. ft.)
Total Dwelling Unit Density for the Lands	1	2 maximum	2
Off Street Parking	0	1 minimum (not required for Secondary Suite)	0

**Table 4: New Parcel for Proposed New Buildings**

	Existing	Permitted or Required	Proposed
Use	-	One-Family Dwelling with or without Secondary Suite Permitted	One-Family Dwelling with Secondary Suite and a One-Family Dwelling
Number of Principal Buildings on a Site	-	More than one principal building may be permitted in the RT-3 Zoning	2**
Site Area	6,875 sq. ft.	2,798 sq. ft. minimum	3,286 sq. ft.
Height	-	35 feet maximum	34.8 feet (highest point)
Density	1.11 FSR (1,891 sq. ft.)	0.95 FSR for infill sites maximum (3,121 sq. ft.)	0.96 FSR** Total (3,177 sq. ft.)
Total Dwelling Unit Density for the Lands	1	3 maximum	3
Off Street Parking	0	2 minimum (not required for Secondary Suite)	4

\*\* Variances to be granted under the proposed HRA.



The complete list of the by-law variances proposed as provided for in the proposed HRA are noted below for reference.

### BY-LAW VARIATIONS

The “Lands” are defined as: PID: 015-365-468, Lot 18, Block 14 of Block A, District Lot 182, Plan 355, and PID: 015-365-476, Lot 19, Block 14 of Block A, District Lot 182, Plan 355.

#### General

1.1 Section 9 of the City’s *Subdivision By-law* is hereby varied in respect of the Lands to permit a minimum parcel size of 1,700 sq. ft. for each of the 437 Vernon Drive Parcel and the 445 Vernon Drive Parcel.

1.2 The *Zoning and Development By-law* is hereby varied so that Section 4.17 of the RT-3 District Schedule thereto does not apply to the Lands in respect of the Development.

1.3 Section 10.7.1(a) of the *Zoning and Development By-law* is hereby varied for the Lands in respect of the Development so that the Director of Planning may allow steps in any side yard thereon.

1.4 Section 10.7.1(b) of the *Zoning and Development By-law* is hereby varied for the Lands in respect of the Development so that the Director of Planning may allow eaves, gutters, sills, chimneys and other similar projections to project into any required or permitted yard thereon.

1.5 Section 10.15.1 and Section 10.15.13 of the *Zoning and Development By-Law* is hereby varied for the Lands in respect of the Development so that the Director of Planning may allow floors thereon to exceed the dimensions prescribed in those sections.

1.6 Section 10.16.3 and Section 10.16.4 of the *Zoning and Development By-Law* is hereby varied for the Lands in respect of the Development so that the Director of Planning may allow fences thereon to exceed dimensions prescribed in those sections.

1.7 Sections 11.1 and 11.2 of the *Zoning and Development By-Law* are hereby varied for the Lands in respect of the Development so that they do not apply thereto.

#### 437 Vernon Drive Parcel

1.8 The RT-3 District Schedule to the *Zoning and Development By-Law* is hereby varied as follows for the Lands in respect of the 437 Vernon Drive Parcel and the 437 Vernon Drive Heritage Building:

- (a) Section 4.1.1 is hereby varied to permit a minimum site area for the 437 Vernon Drive Parcel of 1,700 sq. ft.;
- (b) Section 4.3.1 is hereby varied to permit the 437 Vernon Drive Heritage Building to consist of a maximum of 3 storeys;

- (c) Section 4.4.1 is hereby varied to permit a minimum front yard depth of 4.66 feet;
- (d) Section 4.5.1 is hereby varied to permit minimum side yard widths of 3.0 feet;
- (e) Section 4.6.1 and Section 4.6.2 are hereby varied to permit a minimum rear yard depth of 14.83 feet; and
- (f) Section 4.7.1 is hereby varied to permit a maximum total building floor area for all floors combined of 1,892 sq. ft.

#### **445 Vernon Drive Parcel**

1.9 The RT-3 District Schedule to the *Zoning and Development By-Law* is hereby varied as follows for the Lands, in respect of the 445 Vernon Drive Parcel and the 445 Vernon Drive Heritage Building:

- (a) Section 4.3.1 is hereby varied to permit each of the New Buildings to consist of a maximum of 3 storeys;
- (b) Section 4.4.1 is hereby varied to permit a minimum front yard depth of 4.75 feet;
- (c) Section 4.5.1 is hereby varied to permit minimum side yard widths of 2.9 feet;
- (d) Section 4.6.1 and Section 4.6.2 are hereby varied to permit a minimum rear yard depth of 19.4 feet; and
- (e) Section 4.7.1 is hereby varied to permit a maximum total building floor area for all floors combined of 1,810 sq. ft.;

#### **Non-Heritage Parcel**

1.10 The RT-3 District Schedule to the *Zoning and Development By-Law* is hereby varied as follows for Lands in respect of the Non-Heritage Parcel in respect of the New Buildings:

- (a) Section 4.1.1 is hereby varied to permit a minimum site area for the 437 Vernon Drive Parcel of 1,700 sq. ft.;
- (b) Section 4.3.1 is hereby varied to permit the each of the New Buildings to consist of a maximum of 3 storeys;
- (c) Section 4.3.3 is hereby varied so that it does not apply;
- (d) Section 4.4.1 is hereby varied to permit minimum front yard depths of 2.5 feet;
- (e) Section 4.5.1 is hereby varied to permit minimum side yard widths of 2.0 feet;

- (f) Section 4.6.1 and Section 4.6.2 are hereby varied to permit minimum rear yard depths of 9.0 feet; and
- (g) Section 4.7.1 is hereby varied to permit a maximum total building floor area of 1,892 sq. ft. for all floors combined for both New Buildings together; and
- (h) Section 4.19 is hereby varied to permit two principal buildings in the form of the New Buildings as contemplated by the DP Application.

**437 and 445 Vernon Drive  
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS**

On February 13<sup>th</sup>, 2012, the Vancouver Heritage Commission reviewed the applications for 437 and 445 Vernon Drive and resolved the following:

THAT the Vancouver Heritage Commission while regretting the loss of the B listed house at 431 Vernon Drive, and noting its numerous interventions, the Commission supports the restoration application for 437 and 445 Vernon Drive, and the infill building as presented at the February 13, 2012, meeting.

FURTHER THAT the Commission asks the applicant to provide staff with further design development related to the raising of the resorted buildings.

FURTHER THAT the Commission supports the Statement of Significance and subdivisions as proposed.

CARRIED UNANIMOUSLY

Staff comments:

Conditions of the Development Permit Applications will require that the raising of the existing buildings (to provide for the proposed suites in the basements) be limited as much as possible while ensuring that the basement units are livable. The drawings shown in the Appendices of this report, where noted as “proposed”, have not been adjusted yet in this regard, but will be prior to final permit approvals.

**437 and 445 Vernon Drive  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

Rehabilitation of two heritage buildings, and construction of new dwellings at the rear of the property

**Public Benefit Summary:**

The project would result in the conservation and long-term protection of two heritage resources.

	Current Zoning	Proposed
Zoning District	RT-3	HRA
FSR (site area = 639 m <sup>2</sup> / 6,875 sq. ft.)	0.95	1.01
Buildable Floor Space	600 m <sup>2</sup> (6,462 sq. ft.)	632 m <sup>2</sup> (6,802 sq. ft.)
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed HRA (\$)
<b>Required*</b>	DCL (City-wide) (See Note 1)	8,980	9,970
	DCL (Area Specific)	N/A	
	Public Art	N/A	
	20% Social Housing	N/A	
<b>Offered (Community Amenity Contribution)</b>	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (See Note 2)		87,460
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>7,290</b>	<b>95,850</b>

**Other Benefits** (non-market and/or STIR components): N/A

Note: DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ among Area Specific DCL Districts.

Note 1: DCLs do not apply to existing floor area which in this case is 3,377 sq. ft. in the two heritage buildings. As retention is generally required in the RT-3 zoning to achieve 0.95 FSR, it is assumed an application under the zoning would involve retention of the existing floor area..

Note 2: the figure noted in the above table represents the value of on-site density bonus to facilitate heritage building rehabilitation, conservation, and protection.