



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: February 6, 2015  
Contact: Anita Molaro  
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VanRIMS No.: 08-2000-20  
Meeting Date: February 17, 2015

TO: Vancouver City Council

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

SUBJECT: 1546 Nelson Street - Urquhart Residence - Heritage Designation

**RECOMMENDATION**

- A. THAT Council add the existing building at 1546 Nelson Street (PID: 007-351-356, the West ½ of Lot 9, Block 47, District Lot 185, Plan 92 (the "site")), known as the Urquhart Residence (the "heritage building"), to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate the exterior of the heritage building as protected heritage property.
- C. THAT Recommendations A and B be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

**REPORT SUMMARY**

The purpose of this report is to seek Council approval to add the existing heritage building at 1546 Nelson Street (the Urquhart Residence) to the Vancouver Heritage Register in the 'C'

evaluation category, and to designate the exterior of the heritage building as protected heritage property. Under Development Permit Application Number DE418104 (the "DP Application"), the heritage designation of the exterior of the Urquhart Residence is required as a condition of the approval. The General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report.

### ***COUNCIL AUTHORITY***

Pursuant to Section 582 of the *Vancouver Charter* authorizes Council to establish, by resolution, a heritage register identifying real property that Council considers to be heritage property and, by resolution, to add such properties to the register from time to time.

Pursuant to Section 593 of the *Vancouver Charter*, Council may, by resolution, 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*, if sought, 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, is achieved by way of discretionary approvals granted under the applicable District Schedule of the City's *Zoning and Development By-law No. 3575* (the "Zoning and Development By-law") where supportable under adopted policy.

The proposed heritage designation requires Council approval at public hearing and by-law enactment pursuant to Sections 593 and 594 of the *Vancouver Charter*.

The following Council policies are relevant for this report:

- *Heritage Policies and Guidelines (April, 1991)*

The *Heritage Action Plan*, which was approved in December 2013, responds to citizen and Council desire to encourage and support heritage conservation in the City. A number of actions were approved including the use of available tools to conserve the City's heritage resources.

### ***GENERAL MANAGER'S COMMENTS***

The General Manager of Planning and Development Services RECOMMENDS approval of A, B, and C.

### ***STRATEGIC ANALYSIS***

In February, 2014, Council approved amendments to the *RM-5 District Schedule* of the *Zoning and Development By-law* to implement provisions developed out of the West End Community Plan adopted in December, 2013, including those for infill development which require that "... existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning." The proposed heritage designation of the exterior of the heritage building is consistent with these provisions.

### Site and Context

The site is located in the West End neighbourhood in an area zoned RM-5A (see Figure 1). The *RM-5 Zoning District Schedule* of the *Zoning and Development By-law* permits the conversion of existing buildings into suites, as well as construction of apartment buildings, townhouses, and infill development. The total area of the site is 402 square metres (4,326 square feet).

Figure 1 - Site and surrounding zoning



### Heritage Value

The Urquhart Residence was constructed in 1907 during the early stages of the Edwardian building boom which peaked in 1910 and lasted until 1913. The boom led many developers to purchase several adjoining parcels or one large parcel and to construct several residences at one time. This was the case with the Urquhart Residence, which was constructed alongside 1542 Nelson Street (now demolished) by developer Dudley DeCoursey Hutchinson, who the Hutchinson Block at 429 West Pender Street was named after. Allan G. Urquhart, a manufacturer's agent, was the first occupant of the house and remained there until 1917. In 1958, the building was converted into a rooming house operated by Frederick Lewis. The house has many original craftsman details which have survived over the years (see Appendix A and Appendix B).

It is proposed that the exterior of the heritage building be added to the Vancouver Heritage Register in the 'C' evaluation category.

### ***Development Application and Proposed Designation***

On November 17, 2014, the Development Permit Board provided preliminary approval of the DP Application (see <http://vancouver.ca/files/cov/committees/minutes-development-permit-board-20141117.pdf>) for interior alterations to the heritage building at the basement level and construction of a new four storey Infill Multiple Dwelling containing eleven Dwelling Units at the rear of the site (see Appendix D). This approval is subject to certain conditions to be fulfilled by the owner of the site prior to issuance of the development permit, including a condition that the owner agree to the heritage designation of the exterior of the heritage building and enter into a heritage conservation agreement. All Dwelling Units (sixteen existing and eleven in the new infill building) are to be used as rental residential accommodation and will be secured through a housing agreement as a condition of the DP Application approval.

Section 5.3 of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule* provides that the Development Permit Board may relax the regulations for Infill Multiple Dwellings as set out in the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule* (including Floor Space Ratio (FSR) and the height of the infill building - see Appendix C for a summary of these relaxations), provided that, in addition to the housing agreement which is also a condition of approval for this development, "... existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning." Seeking both the heritage designation of the exterior of the heritage building and the execution of a heritage conservation agreement as conditions of approval of the development as proposed is consistent with this provision. The General Manager of Planning and Development Services is prepared issue a development permit pursuant to the DP Application should Council approve the recommendations of this report and enact the heritage designation by-law provided the owner also fulfills all other conditions of the approval of the DP Application.

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

The Intent of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule* is to:

*"... permit a variety of residential developments and some compatible retail, office, service and institutional uses. Emphasis is placed on achieving development which is compatible with neighbouring development with respect to streetscape character, open spaces, view retention, sunlight access and."*

The project is consistent with the intent of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule*. The proposed infill building complies with the guidelines applicable to the site and is compatible with surrounding development, and conservation of the Urquhart Residence enhances streetscape character.

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

The heritage building is in good condition and will only require minor repairs and upgrades, and will be repainted in historic colours. Staff have concluded that the rehabilitation scheme

is consistent with the federally adopted *Standards and Guidelines for the Conservation of Historic Places in Canada*.

### *Comments from the Vancouver Heritage Commission*

On January 12, 2015, the Vancouver Heritage Commission reviewed the proposed heritage designation and supported it (see Appendix D).

### *Public Benefits*

**Development Cost Levies (DCLs):** DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The site is subject to the City-wide DCL rate of \$138.53/m<sup>2</sup> (\$12.87/sq. ft.) On this basis, a DCL of approximately \$40,400 is anticipated. DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year.

**Heritage:** The owner has offered to conserve the Urquhart Residence and to accept its designation as a protected heritage property, which is a highly valued community feature, in return for approval of the development permit application. No variances of the zoning applicable to the site are required. If approved, the heritage designation will be secured with a Heritage Designation By-law.

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

### *Financial Implications*

As noted in the section on Public Benefits, the site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$40,400 in DCLs should the applications be approved and the project proceed.

### *Proforma Evaluation*

The review of the applicant's proforma is not required as no by-law variances are proposed to offset the costs of the rehabilitation and conservation of the heritage building, and a Heritage Revitalization Agreement is not required.

### *Environmental*

The City's *Green Buildings Policy for Rezonings* does not apply to the project as a rezoning or Heritage Revitalization Agreement is not proposed or required. However, the project will comply with all requirements under the *Vancouver Building By-law* related to green building initiatives.

### *Legal*

Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner for any reduction in the market value caused by a heritage designation. The owner is to sign an agreement to be registered on title to the site explicitly accepting approval of the

DP Application for the project as full compensation for the heritage designation of the exterior of the heritage building. The agreement will be registered on title to the site following Council's enactment of the by-law authorizing the heritage designation and before a development permit for the project may be issued.

### *CONCLUSION*

The approval of the proposed addition to the Vancouver Heritage Register of the Urquhart Residence at 1546 Nelson Street and the heritage designation of its exterior will ensure that the heritage building is rehabilitated and protected from exterior alterations which affect its heritage value, and from demolition. The owner has agreed to accept the approval of the DP Application as compensation for the heritage designation of the Urquhart Residence. The General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the Urquhart Residence at 1546 Nelson Street to the Vancouver Heritage Register in the 'C' evaluation category and its heritage designation.

\* \* \* \* \*

1546 Nelson Street  
PHOTOGRAPHS



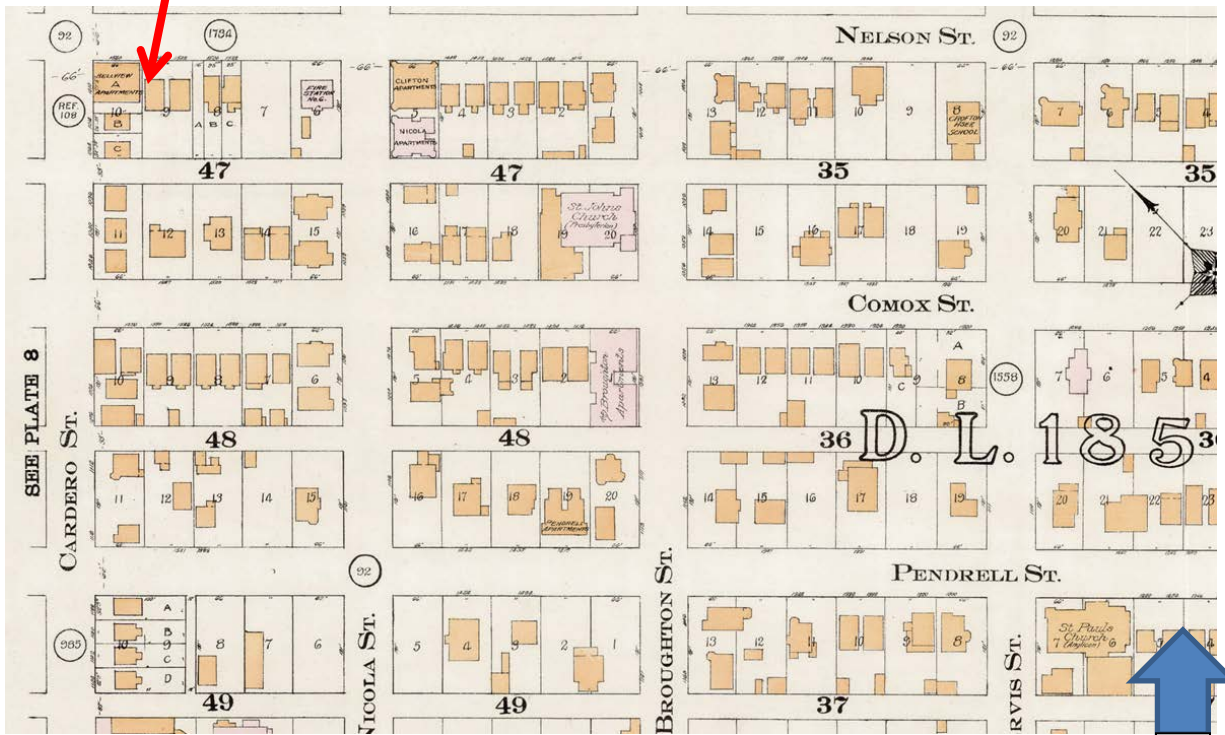
Photo 1: The Urquhart Residence at 1546 Nelson Street Looking South (2014)



Photo 2: Front Door Assembly (2014)

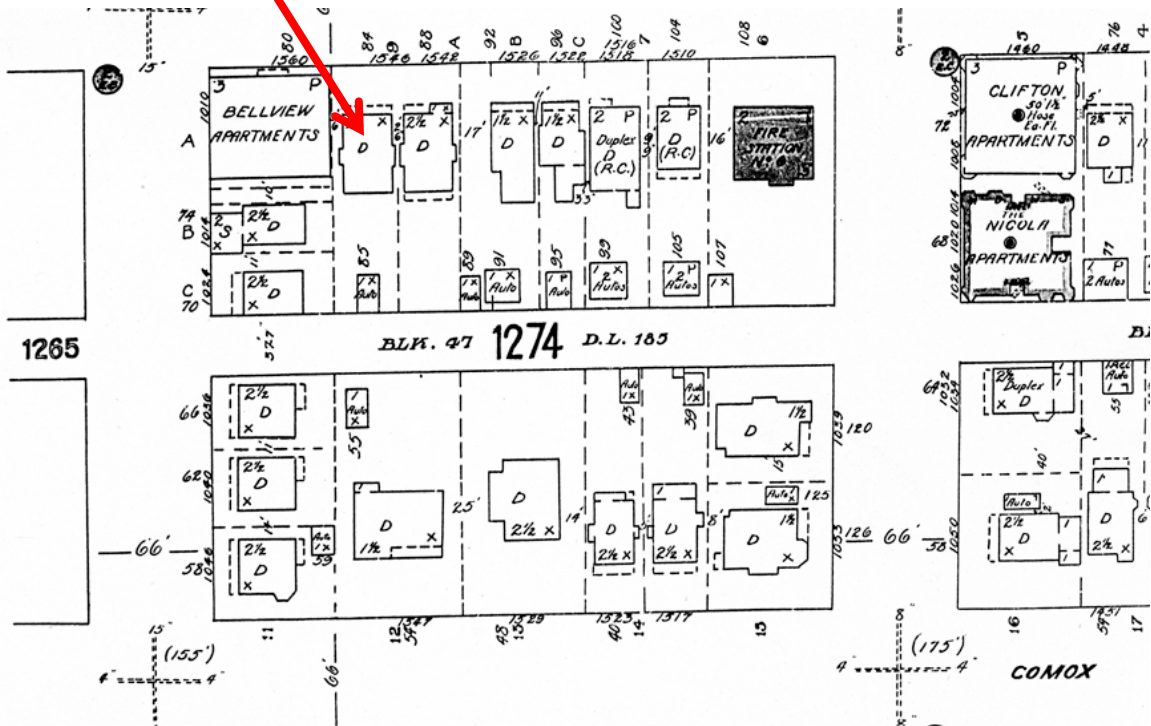
1546 Nelson Street

1546 Nelson Street  
MAPS



1546 Nelson Street

Map 1: 1912 Fire Insurance Map



Map 2: 1927 Fire Insurance Map



1546 Nelson Street  
TECHNICAL SUMMARY FROM THE DEVELOPMENT PERMIT BOARD REPORT

**Table A**

	PERMITTED	EXISTING	PROPOSED
Site Size	-	-	33.05 ft. x 130.92 ft.
Site Area	-	-	4,326 sq.ft.
Floor Area (Max.)	6,489 sq. ft. <sup>1</sup>	3,874.4 sq. ft.	Multiple Dwelling (Existing) 3,874.4 sq.ft. Infill MD (New) 3,138.1 sq.ft. Total 7,012.5 sq.ft.
FSR (Max.)	1.5 <sup>1</sup>	0.90	Multiple Dwelling (Existing) 0.90 Infill MD (New) 0.70 Total 1.60
Height (Max.)	40 ft. (Infill)		Top of Parapet Wall (Infill) 35.12 ft.
Front Yard (Min.)	12.14 ft.	31.42 ft.	31.42 ft.
Side Yards (Min.)	MD - East 6.89 ft. MD - West 6.89 ft. Infill - East 3.00 ft. Infill - West 3.00 ft.	MD - East 3.16 ft. MD - West 2.35 ft.	MD - East 3.16 ft. MD - West 2.35 ft. Infill - East 3.00 ft. Infill - West 3.00 ft.
Rear Yard (Min.)	Infill 2.00 ft.		Infill 2.00 ft.
Separation between buildings (Min.)	20.00 ft. <sup>2</sup>		18.00 ft.
Site Coverage (Max.)	50% (2,163 sq. ft.)		50% (2,167 sq. ft.)
Parking (Min.)	M.D. 3 Spaces Infill 2 Spaces Total 5 Spaces <sup>3</sup>  (1 - Disability)	2 Spaces	Total 0 Spaces
Bicycle Parking (Min.)	Total Class A 13 <sup>4</sup>		Total Class A 5
External Design <sup>5</sup>	Residential windows that open shall be more than 14.76 ft. from rear property line;		- Not compliant with 1 <sup>st</sup> and 2 <sup>nd</sup> floor dwelling units facing lane;
Use		- Multiple Dwelling with 6 Units	- Infill Multiple Dwelling with 4 Units (Proposed)
Unit Type	50% of Units in Infill Multiple Dwelling to have 2 or more bedrooms		Proposed Infill: One-bedroom - 1 Two-bedroom - 3

<sup>1</sup> Note of Floor Area and FSR: Section 5.3 of the RM-5 District Schedule allows the Development Permit Board to relax the regulation in Section 4.7 allowing a Floor Area/FSR that considers the intent of the RM-5 District

Schedule and all applicable policies and guidelines. The proposal does comply with Section 5.3 (a), (b), (c) and (d).

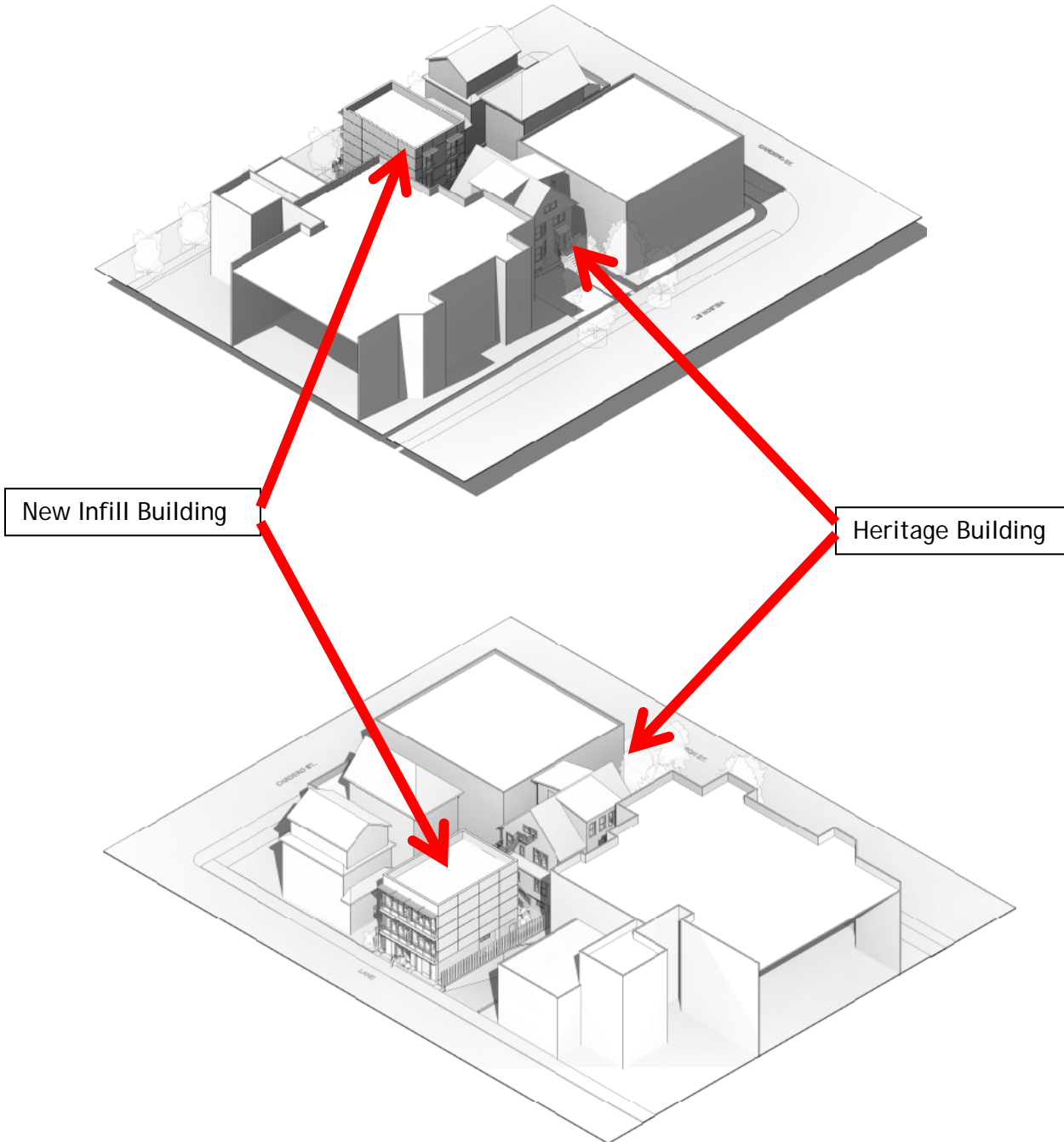
<sup>2</sup> **Note on Separation between buildings:** Standard conditions of approval of the DP Application which must be met by the Owner will result in compliance with this requirement.

<sup>3</sup> **Note on Parking:** Proposed parking is supportable.

<sup>4</sup> **Note on Bicycle Parking:** Standard conditions of approval of the DP Application which must be met by the Owner will result in compliance with Section 6 of the Parking bylaw;

<sup>5</sup> **Note on External Design:** Section 5.3 of the RM-5 District Schedule allows the Development Permit Board to relax the regulation in Section 4.17.1 allowing residential units with windows closer than 14.76 ft. to a lane that consider the intent of the RM-5 District Schedule and all applicable policies and guidelines. The proposal does comply with Section 5.3 (a), (b), (c) and (d).

1546 Nelson Street  
RENDERINGS OF THE PROPOSAL



Renderings 1 and 2: 1546 Nelson Street and the Proposed New Infill Building

1546 Nelson Street  
RESOLUTIONS OF THE VANCOUEVR HERITAGE COMMISSION AND STAFF COMMENTS

On January 12, 2015, the Vancouver Heritage Commission reviewed the proposed addition of 1546 Nelson Street to the Vancouver Heritage Commission and the heritage designation of the building and resolved the following:

THAT the Vancouver Heritage Commission requests any infill applications adjacent to potential heritage buildings in the West End, rental or not, be brought to the Commission for review. While the Commission understands that the zoning may not require a Heritage Revitalization Agreement, the Commission requests that the Director of Planning require a Statement of Significance and a Conservation and Maintenance Plan for the potential heritage building and that the Director of Planning require registration and designation when appropriate.

CARRIED UNANIMOUSLY

THAT the Vancouver Heritage Commission requests 1601 Comox Street and 1546 Nelson Street be brought back to the Commission for review with a Conservation and Maintenance Plan. The Commission asks that the Conservation Plan address the character defining elements including the cornice and lintels at 1601 Comox Street, and the siding and upper pane of the double hung windows on the front including the missing muntin bars at 1546 Nelson Street, as presented at its meeting on January 12, 2015.

CARRIED UNANIMOUSLY

Staff Comments:

The processing of applications for infill development under the provisions of the applicable zoning and the West End Community Plan, adopted in December, 2013, is still being refined. The Director of Planning will consider the requirements for a Conservation Plan and Statement of Significance for applications involving heritage conservation and infill development as permitted in the RM-5 zoning, and will require that the Vancouver Heritage Commission review such application in advance of the development of conditions for the development application approval.

The windows and siding material issues will be addressed as the design development of the project is finalized.

1546 Nelson Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Rehabilitation and conservation of a heritage building and construction of a new infill building.

**Public Benefit Summary:**

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

	Current Zoning	Proposed
Zoning District	RM-5A	RM-5A
FSR (site area = 402 m <sup>2</sup> (4,326 sq. ft.))	1.5	1.6
Buildable Floor Area	603 m <sup>2</sup> (6,489 sq. ft.)	652 m <sup>2</sup> (7,012sq. ft.)
Land Use	Residential (Rental)	Residential (Rental)

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed DE (\$)
Required*	DCL (City-wide) (See Note 1)	34,000	40,400
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (see Note 2)		0
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$34,000</b>	<b>\$40,400</b>

**Other Benefits (non-market and/or STIR)**

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 360 m<sup>2</sup> (3,874 sq. ft.). For the Current Zoning column it is assumed that the existing building is retained in this case, either with additions and/or new development at the rear of the site.

Note 2: No variances are proposed to cover heritage costs and no financial / proforma review is required; therefore the value recorded is zero dollars.