



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: April 30, 2015
Contact: Anita Molaro
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RTS No.: 10818
VanRIMS No.: 08-2000-20
Meeting Date: May 26, 2015

TO: Vancouver City Council

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

SUBJECT: 4062 Commercial Street - Florence Anderson House - Heritage Designation

RECOMMENDATION

- A. THAT Council add to the Vancouver Heritage Register the existing building at 4062 Commercial Street (PID: 014-610-345, Lot 16 of Lots 6 to 11, Block 14, District Lot 352, Plan 1458(the "site")), known as the Florence Anderson House (the "heritage building"), to the Vancouver Heritage Register in the 'B' 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 to 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 building at 4062 Commercial Street to the Vancouver Heritage Register in the 'B' evaluation category and to designate its exterior as protected heritage property. As incentive and compensation to the owner for the heritage designation, rehabilitation, and conservation of the heritage building, a discretionary increase in the density as permitted by the the *RT-10 and RT-10N Zoning District Schedule of the Zoning and Development By-law*, as set forth in Development Permit Application Number DE418487 (the "DP Application") and as described in this report, are proposed. 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 is achieved by way of by-law variations so as to permit an otherwise impermissible development.

The proposed heritage designation for the heritage building and its exterior requires Council approval at public hearing and by-law enactment pursuant to Sections 582, 593 and 594 of the *Vancouver Charter*.

The following Council policies are relevant for this application:

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Buildings Policy for Rezoning (2009, lasted amended 2014)*
- *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin (June, 2014)*

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 to tools to conserve the City's heritage resources.

GENERAL MANAGER'S COMMENTS

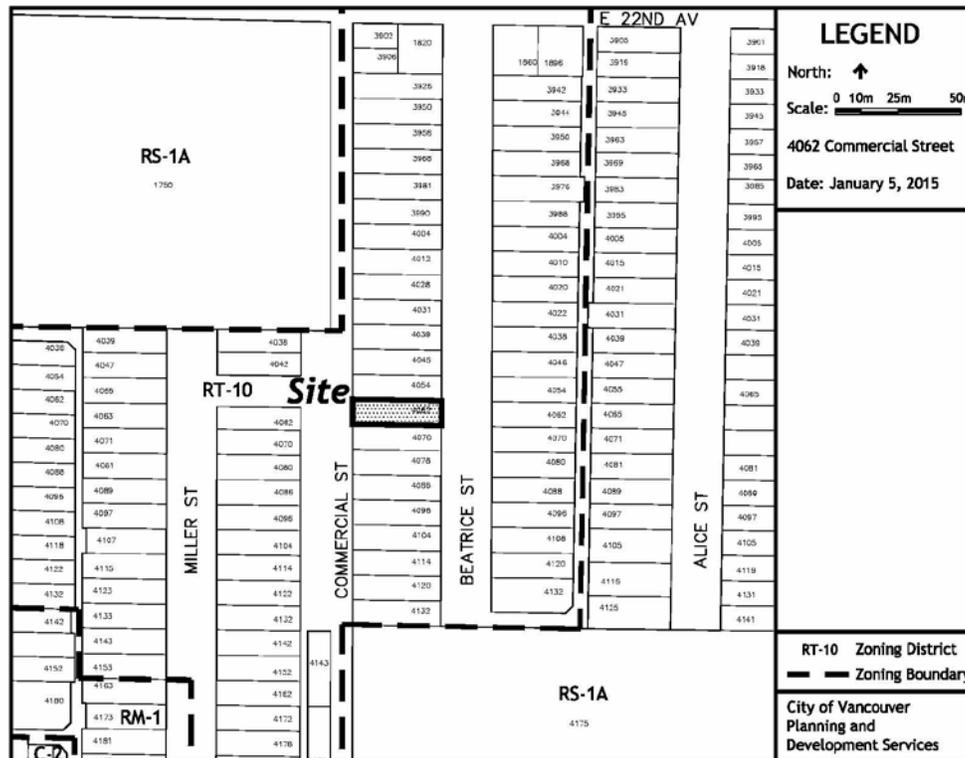
The General Manager of Planning and Development Services RECOMMENDS approval of A, B, and C.

STRATEGIC ANALYSIS

Site and Context

The site is located in the Kensington / Cedar Cottage neighbourhood in an area zoned RT-10 (see Figure 1). The *RT-10 and RT-10N Zoning District Schedule of the Zoning and Development By-law* permits One- and Two-Family Dwellings, the conversion of existing buildings into suites, Small House / Duplex development, and in some cases apartment buildings, townhouses, and infill development. Retention of older, existing character buildings is generally required in order to obtain discretionary density, which is permitted to be a maximum of 0.80 floor space ratio (FSR) without Council approval. The total area of the site is 357 square metres (3,841 square feet). The site is "double fronting" and has a developed street at the rear of the property on the east side (Beatrice Street).

Figure 1 - Site and surrounding zoning



Heritage Value

The small house at 4062 Commercial Street was built by Hugh Auld in 1910. Alexander Anderson, who came to Canada from Scotland in 1907, and his wife Marion Lamont, purchased the house in 1919. Mr. Alexander, a stone mason, added a basement to the house from boulders he found in nearby Brewer's Park. The Andersons had three children. One of them, Florence Anderson, lived in the house for ninety-three years (1919 to 2014). She has been interviewed a number of times on the early history of the neighbourhood (see Appendix B).

While surrounded by new houses, the Florence Anderson House site has changed little over the past century (see Appendix A and Appendix B). The original coal burning flue still exists in the heritage building, as do numerous details and materials on the inside and outside of the building. The yards and landscaping have changed little as well. The heritage building and its site are an excellent example of intact modest housing built in the area during the Edwardian boom which lasted from 1910 to 1913. It is proposed to add the heritage building to the Vancouver Heritage Register in the 'B' evaluation category.

Development Application and Proposed Incentives

The incentives and compensation to be provided to the owner for the heritage designation of the exterior of the building, and its rehabilitation and conservation, will be in the form of a discretionary increase in density permitted by the *Zoning and Development By-law* as set forth in the DP Application and as described below.

The zoning applicable to the site is RT-10. The DP Application proposes to restore the heritage building and to construct an Infill One-Family Dwelling at the rear of the site (see the drawings in Appendix C). The maximum permitted density under the RT-10 zoning for the site is 0.80 FSR and the total density for the proposed development is 0.80 FSR (see Table 1 and the Technical Zoning Summary in Appendix D). A n increase in the maximum permitted density for the site under the Zoning and Development By-law for infill development (from 0.75 FSR to 0.80 FSR with infill development) provides the incentive and compensation to the owner to retain, rehabilitate, and protect the heritage building. A Heritage Revitalization Agreement is not required and the application complies with the *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin* approved by Council in June, 2014 (see the *Proforma Evaluation Section*).

Table 1: Zoning and Parking Summary

	Existing	Required or Permitted	Proposed
Overall FSR	0.43 FSR 153 m ² (1646 sq. ft.)	Up to 0.80 FSR maximum 286 m ² (3073 sq. ft.) (see Site Area below)	0.80 FSR maximum 286 m ² (3073 sq. ft.)
Site Area	357m ² (3,841 sq. ft.)	511m ² (5,500 sq. ft.) minimum for SH/ Duplex development with 0.80 FSR (0.75 FSR for infill uses otherwise)**	357m ² (3,841 sq. ft.)
Dwelling Unit Density	1	2 maximum for the existing site	2
Parking	2	1 per unit (2 in total)	1

* SH/ Duplex = Small House Duplex development as permitted in the RT-10 zoning.

** See Notes on Density in Appendix D.

As part of the application review, staff considered the probable impact of the proposed development, including the results of notification (see the Results of Neighbourhood Notification and Staff Comments section), as well as the compatibility of the development, and concluded that the application is supportable.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the *RT-10 and RT-10N Zoning District Schedule* of the *Zoning and Development By-law* is to:

"... encourage development of multiple small houses and duplexes on large lots and assembled sites, while continuing to permit lower intensity development on smaller sites. Siting and massing is intended to be compatible with, but not the same as, pre-existing single family development. Retention of older character buildings and high quality architectural design of all new development are encouraged."

The project is compatible with the surrounding development and retains an older character building. The infill building is well designed. The proposal is consistent with the intent of the *RT-10 and RT-10N District Schedule*.

Condition of the Heritage Building and Conservation Approach

The Florence Anderson House is in good condition. A few changes are proposed to meet the needs of the new owner. Many elements and details are to be maintained and repaired where necessary. Staff conclude the rehabilitation scheme is consistent with the federally adopted *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Results of Neighbourhood Notification

Twenty-nine surrounding properties were notified of the DP Application and a site sign was installed. No responses were received.

Comments from the Vancouver Heritage Commission

On December 8, 2014, the Vancouver Heritage Commission reviewed the DP Application and supported it (see Appendix E).

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 \$32.18/m² (\$2.99/sq. ft.). On this basis, a DCL of approximately \$4,300 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. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of

12-months from the date of DCL bylaw rate amendment provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments.

If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply.

Heritage: The owner has offered to conserve and rehabilitate the heritage building and to accept the designation of its exterior as protected heritage property, which is a highly valued community feature. If approved, and subject to enactment by Council, the designation of the exterior of the heritage building will be effected by a Heritage Designation By-law and the owner has entered into an agreement to secure the conservation and rehabilitation of the heritage building as further set out in Appendix F. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$80,000.

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

Implications/Related Issues/Risk (if applicable)

Financial

As noted in the section on Public Benefits, the applicant has offered the on-site conservation and rehabilitation of the Florence Anderson House valued at \$80,000. The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$4,300 in DCLs should the DP Application be approved and the project proceed.

Proforma Evaluation

The *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin* allows for an exemption of a financial proforma review for projects which propose no more than 10% bonus density beyond the maximum permitted density in the zoning applicable to a site. The proposal complies with the provisions of the bulletin and a proforma review is not required.

Environmental

The City's Green Buildings Policy for Rezoning does not apply to the application as a Heritage Revitalization Agreement is not required. However, the project will comply with the *Vancouver Building By-law* with respect to energy and environmental provisions contained therein.

Legal

The discretionary increase in density proposed will provide an improved development potential for the site. The owner's proposal to rehabilitate and conserve the heritage building in exchange for obtaining the increase in density needed to get that improved development potential will be appropriately secured as legal obligations contained in a heritage restoration covenant to be registered on title to the site as a covenant pursuant to Section 219 of the *Land Titles Act* 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

the covenant, 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, if sought, Council compensate an owner for any reduction in the market value caused by a heritage designation. The owner has signed the covenant noted above and in doing so explicitly accepts the increase in density to be provided, and the resulting development advantages to be gained thereby, as full compensation for the heritage designation of the heritage building's exterior and the obligations to rehabilitate and conserve the heritage building. The covenant will be executed by the City and registered on title to the site before a development permit for the project is issued.

CONCLUSION

The approval of the proposed addition to the Vancouver Heritage Register of the Florence Anderson House at 4062 Commercial Street in the 'B' evaluation category and the heritage designation of its exterior will ensure that the heritage building is rehabilitated, conserved, and protected from exterior alterations which affect its heritage value, and from demolition. The owner has agreed to accept the proposed increase in density as compensation for the designation of the heritage building's exterior and for its rehabilitation and conservation. 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 Florence Anderson House at 4062 Commercial Street to the Vancouver Heritage Register in the 'B' evaluation category and the proposed Heritage Designation By-law.

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4062 Commercial Street
PHOTOGRAPHS AND SKETCHES OF THE HERITAGE BUILDING



Photo 1: 4062 Commercial Street - Looking East circa 2014

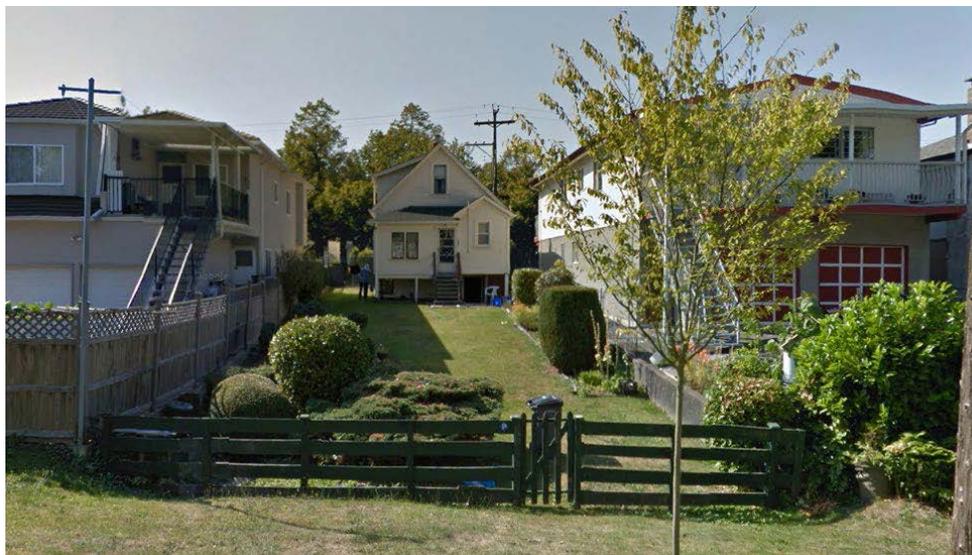
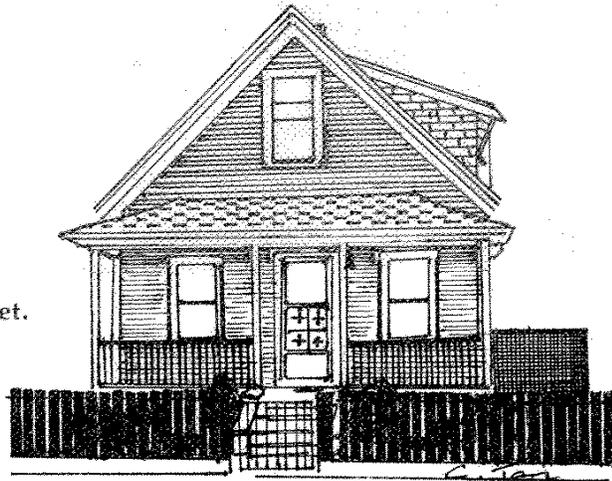


Photo 2: Rear of 4062 Commercial Street from Beatrice Street circa 2014

51. Anderson House, 4062 Commercial Street.
Pioneer residents of Cedar Cottage.



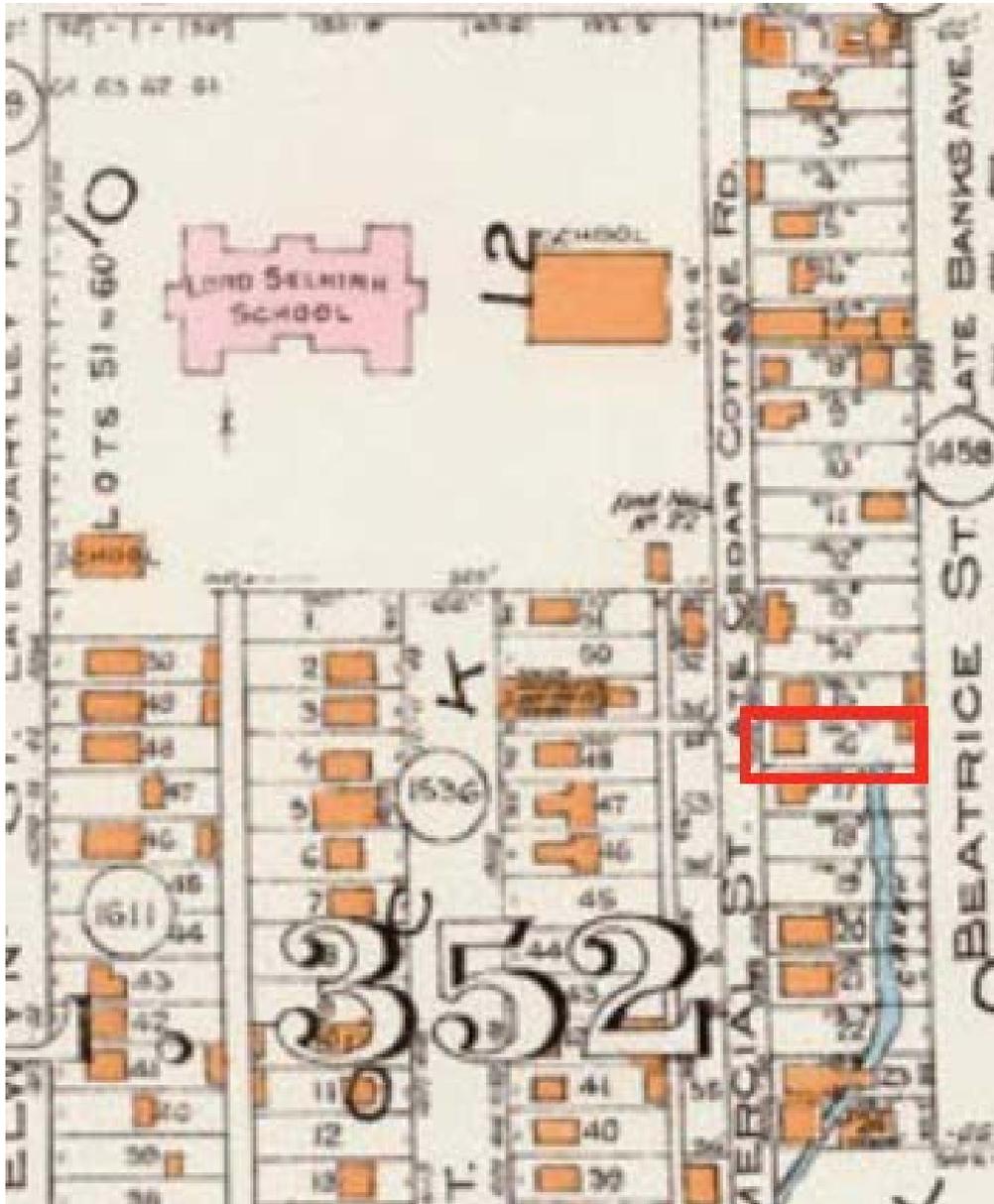
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Image 1: Sketch of the Anderson House by Cham Tan, 1986



Image 2: Ad by Hugh Auld, (circa 1919)

4602 Commercial Street
MAPS, BACKGROUND INFORMATION, AND HISTORIC CONTEXT



Map 1: Fire Insurance Map From 1912

See photos referenced in Appendix B. The subject site is shown in the box. Even today, Commercial Street is narrower than other streets in the area. Houses still front both Beatrice Street and Commercial Street, resulting in eclectic streetscapes. Note the stream which once ran from the backyard of 4062 Commercial Street through the properties to the south.



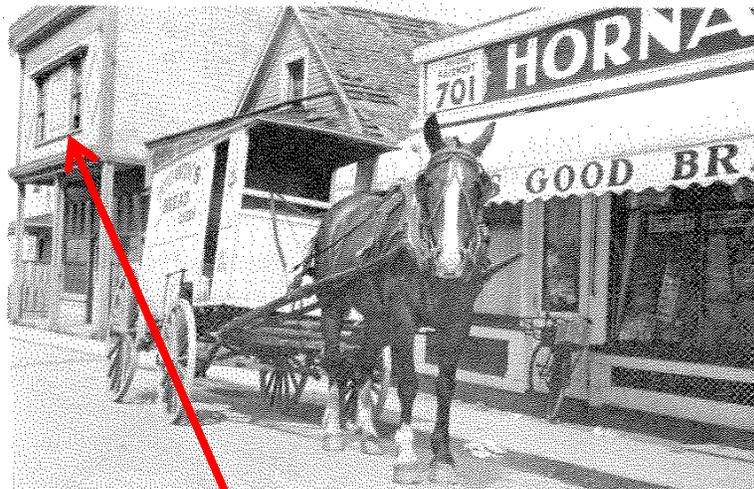
Lord Selkirk Elementary School
(Photo 1911)



Photos A & B
(Below)

4062
Commercial
Street

Map 2: The 4000 Block Commercial Street Today



Photos A (top, 1938) and B (below, 2014)

Hornal's Grocery Store- visible in Photo A, was a popular hangout for students (which would have included the Anderson children) just north of the Anderson House. It no longer exists but one of the buildings in Photo A still stands (Photo B). Photo A is from the Hornal Family's collection as printed in "Lucky to Live in Cedar Cottage" - Memories of Lord Selkirk Elementary School and Cedar Cottage Neighbourhood 1911 - 1963" published by the Vancouver School Board in 1986.

Florence Anderson lived in the house at 4062 Commercial Street from 1919 until 2014 (ninety-three years). Below is an excerpt from the "Kensington - Cedar Cottage Neighbour", November 2011, in which Florence Anderson was interviewed by Alicia Schlag:

"Built in 1910, Florence's parents bought the house [at 4062 Commercial Street] in 1919 for \$1,200. Her father, a stone mason, dug out the basement and buffered it with rocks he'd cut himself from boulders found in Brewers Park. For heating they used a wood-burning stove, the flue of which you can still see in the corner of Florence's kitchen. "Every winter my mother would buy about six loads of wood and a ton of coal." To stretch their fuel, they

would burn wood first and then add coal to the embers. She warmly recalls times in that kitchen. "This was our living room. We had a couch in here, and all the kids [from the neighbourhood] used to come and sit in our kitchen, because it was warm and there was nobody to bother them. They didn't run around, they'd just come and sit, and we'd play games. My mother was out working. Sometimes the lady next door would spot them through the window and go tell my grandmother, who would come over and they'd all run off!" This bittersweet vignette points to the sad story of child who had to grow up fast. Florence's father died in 1921 when she was just six years old, her brother four, and her sister 9 months old. A year later, her mother began work as a housekeeper and a very young Florence held the fort. "It wasn't very good for me," she says. "Right after school [at Lord Selkirk Elementary], I'd rush down Miller Street to my grandmother's to pick up Oliver and Jean and bring them home to a cold house. I was seven years old."

Florence eventually found work at Fletcher's, a meat packing plant a block south of the house at Kingsway (see Photo D). On the way she would walk by Williamson's Feed and Livery which supplied hay and seed to people in the community. The building still exists (see photo C). Florence then worked for Swift's, a meat packer in Gastown, for 38 years (see Photo E):

"Her time at Swift's made her part of another first, which she remembers proudly: "We were the first women to get equal pay in all of Vancouver."

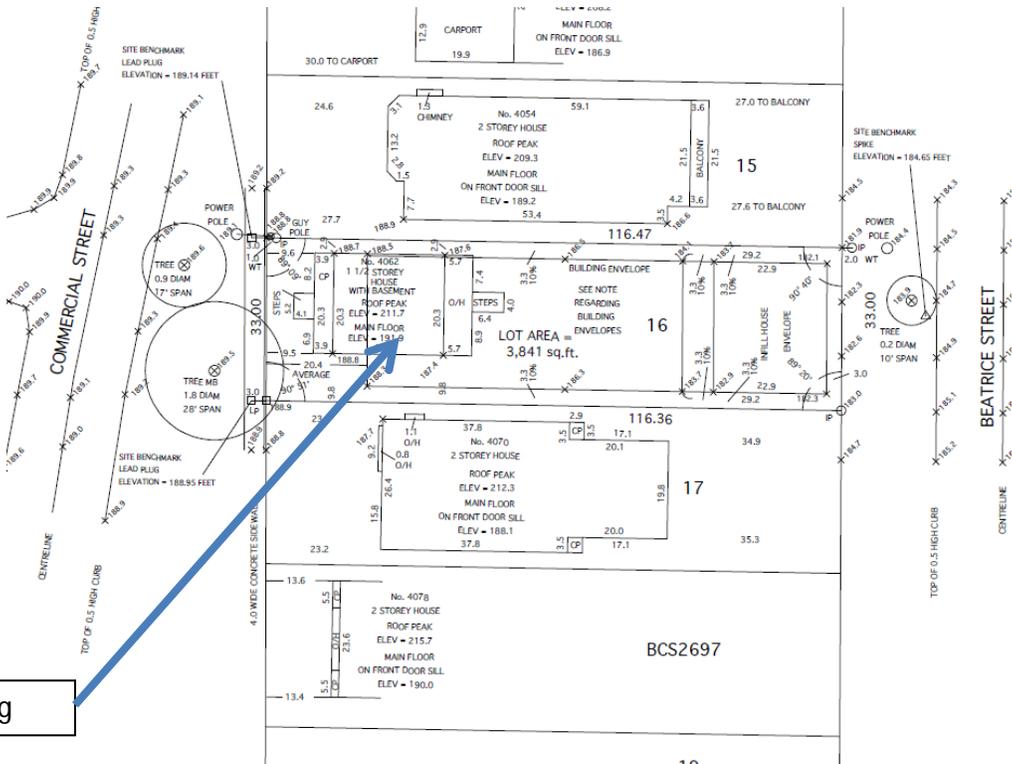


Photo C and Photo D: Williamson's Feed and Livery (left) circa 2013 and Fletcher's Meats circa 2009 (demolished in 2011), Both at Kingsway and Commercial Street.



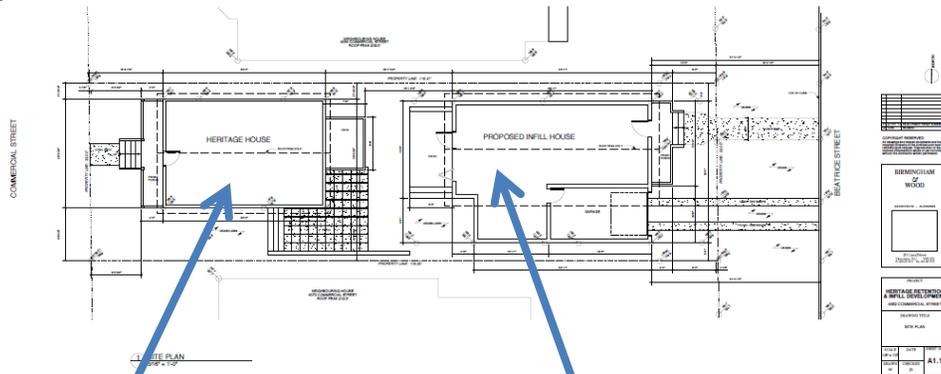
Photo E: Swift's two buildings in Gastown, circa 2013

4062 Commercial Street DRAWINGS



Survey Plan

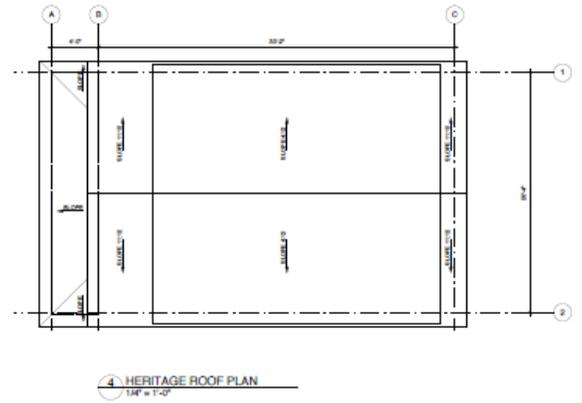
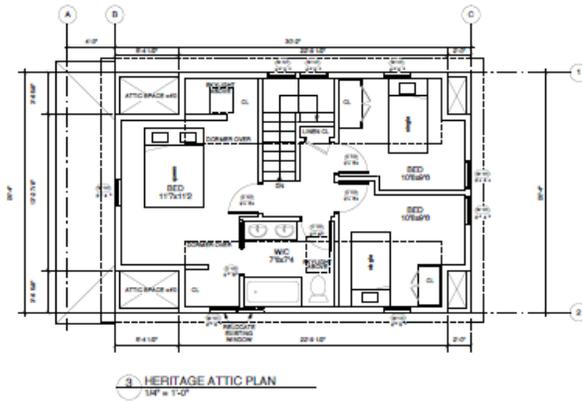
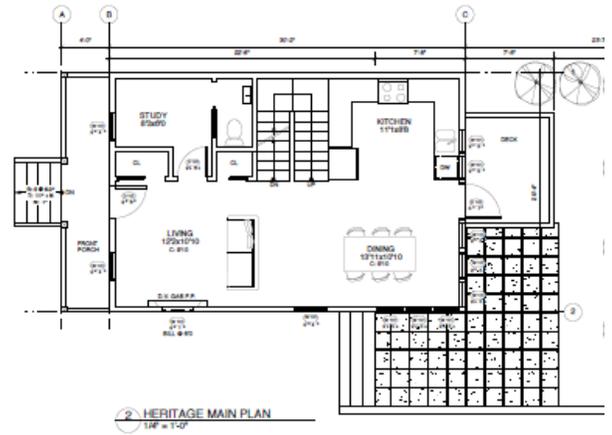
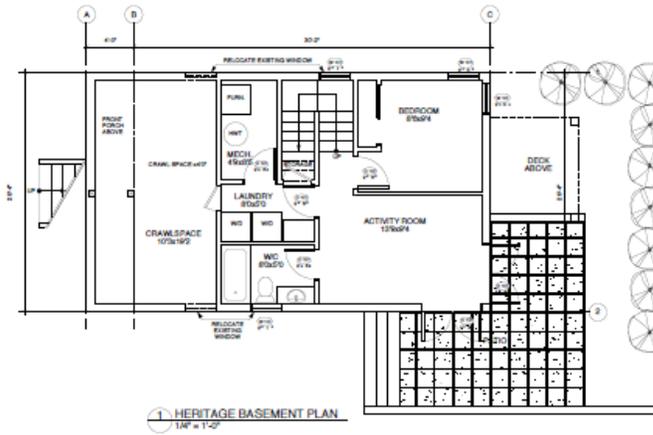
Heritage Building



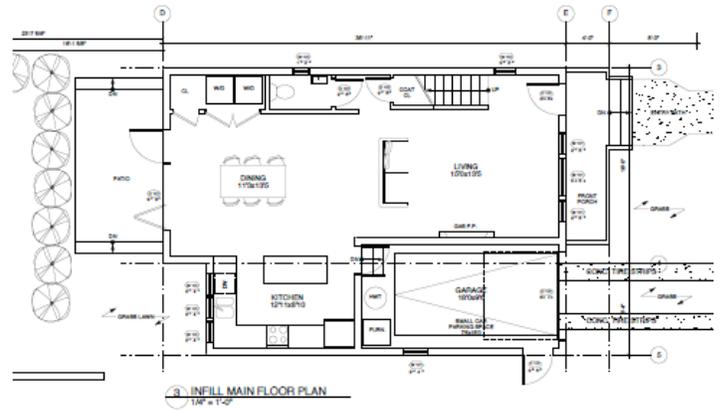
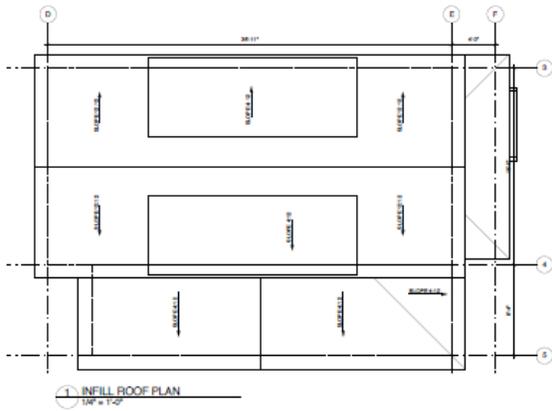
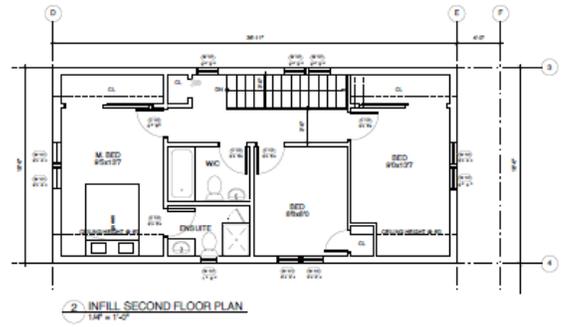
Site Plan

Heritage Building

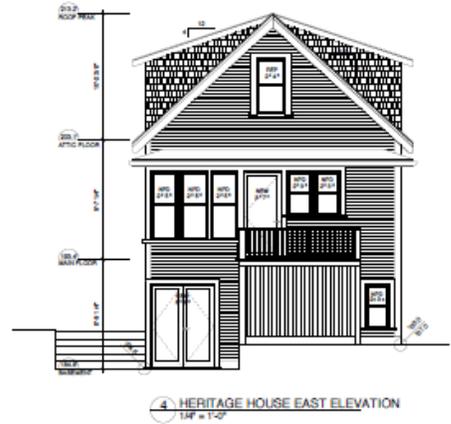
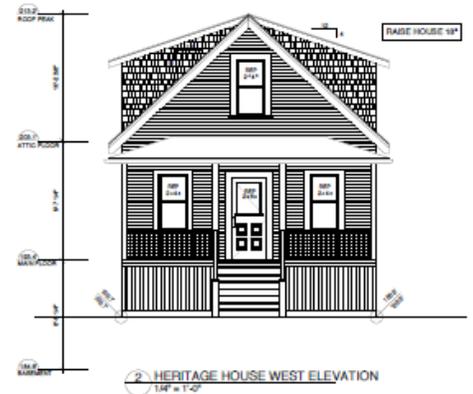
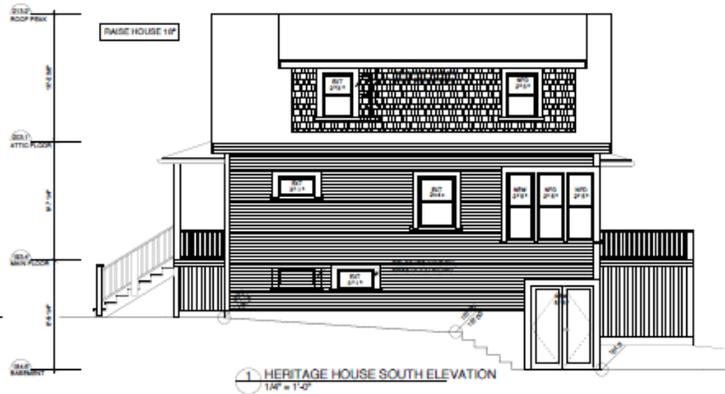
New Infill Building



Plans of the Heritage Building



Plans of the New Infill Building



Elevations of the Heritage Building



Elevations of the New Infill Building



Site Elevation Looking North

4062 Commercial Street
TECHNICAL ZONING AND PARKING SUMMARY

Table A: Zoning and Parking Summary

	Existing	Required or Permitted	Proposed
Overall Floor Space Ratio (FSR)	0.43 FSR 153 m ² (1646 sq. ft.)	0.80 FSR maximum 286 m ² (3073 sq. ft.) (see Site Area below)	0.80 FSR maximum 286 m ² (3073 sq. ft.)
Use	One-Family Dwelling	Infill and SH/Duplex Development* uses permitted	One-Family Dwelling and Infill One-Family Dwelling SH/ Duplex
Site Area	357m ² (3,841 sq. ft.)	511m ² (5,500 sq. ft.) minimum for SH/ Duplex development with 0.80 FSR (0.75 FSR otherwise with retention of an existing house)	357m ² (3,841 sq. ft.)
Front Yard	9.6 feet to front of porch	24 feet to 8 feet minimum depending on development scenario	9.6 feet (existing)
Height	24.1 feet	35 feet maximum	26.2 feet (to be revised - see Appendix E) and 25 feet for the infill building
Dwelling Unit Density	1	2 maximum for the existing site	2
Site Coverage	20%	45% maximum	44%
Building Separation	-	16 feet minimum	16.2 feet
Parking	2	1 per unit (2 in total)	1

* SH/ Duplex = Small House Duplex development as permitted in the RT-10 zoning.

Note on Density:

The maximum permitted density in the zoning is 0.80 FSR. However, under the *RT-10 Guidelines* this density is permitted where Small House/ Duplex development is proposed, which requires a minimum site area of 511 m² as noted in Table A, although relaxations are permitted on a case by case basis. Development otherwise, where a house is retained, under the RT-10 zoning, can achieve a maximum density of 0.75 FSR (including for infill uses). The main incentive for the owner to agree to conserve the heritage building is to request that the 0.80 FSR limit be available for the project as opposed to the 0.75 FSR limit.

4062 Commercial Street
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On December 8, 2014, the Vancouver Heritage Commission reviewed the application and resolved the following:

THAT the Vancouver Heritage Commission supports the application to retain and add an infill building for 4062 Commercial Street, Florence Anderson House, as presented at its meeting on December 8, 2014, and the Commission requests the applicant consider the following:

- The Conservation Plan does not adequately describe or justify the amount of material to be replaced on the heritage house; and
- The 18 inch raise of the house changes a significant character defining element; the backyard could be dug slightly deeper.

Staff Comments:

A more detail Conservation Plan is required as a condition of the Development Application Approval. As well, the plans for the house are to be revised to show the heritage house at its original elevation (the ground slopes down to the east making the basement level adequate in terms of livability and therefore a significant raise for the main floor is not required).

4062 Commercial 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	RT-10	HRA
FSR (site area 357 metres (3,841 square feet))	0.75	0.80
Buildable Floor Area	268 m ² (2,881 sq. ft.)	286 m ² (3073 sq. ft.)
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed HRA (\$)
Required*	DCL (City-wide) (See Note 1)	3,700	4,300
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		80,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$3,700	\$84,300

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 393 m² (1,646 sq. ft.).