



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: May 17, 2016
Contact: Kent Munro
Contact No.: 604.873.7135
RTS No.: 11434
VanRIMS No.: 08-2000-20
Meeting Date: May 31, 2016

TO: Vancouver City Council
FROM: Acting General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning and Heritage Designation - 2308 East 34th Avenue
(B&K Grocery)

RECOMMENDATION

- A. THAT the application by Formwerks Architectural, on behalf of Symphony Projects (Nanaimo 34) Corp., to rezone 2308 East 34th Avenue [*PID: 013-365-304; Lot 57, Block 3, District Lot 394, Plan 2911*], from RM-7 (residential multi-family) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.90 to 1.35, to allow retail/service use enabling restoration of the existing heritage building on the site with grade-level commercial space and an upper-level dwelling unit, and to permit the addition of three townhouse units to the site, be referred to public hearing together with:
- (i) plans prepared by Formwerks Architectural, received October 16, 2015;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the Acting General Manager of Planning and Development Services to approve, 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 public hearing.

- B. THAT, subject to the approval in principle of the rezoning, the existing heritage building, known as the "B&K Grocery" (the "heritage building") at 2308 East 34th Avenue be added to the Vancouver Heritage Register in the 'C' evaluation category.

- C. THAT, if the rezoning application is referred to public hearing, the designation of the heritage building as protected heritage property be referred to the same public hearing and, pursuant to Sections 593 and 594 of the Vancouver Charter, Council consider the designation of the heritage building as protected heritage property;

FURTHER THAT the Director of Legal Services be instructed to bring forward the Heritage Designation By-law generally as set out in Appendix D for consideration at the public hearing.

- D. THAT, if the application is referred to a public hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign-By-law [assigning Schedule B (C-1)], generally as set out in Appendix C, be referred to the same public hearing.
- E. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- F. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of the enactment of the CD-1 By-law.

- G. THAT Recommendations A to F 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 bylaw 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.

REPORT SUMMARY

This report evaluates an application to rezone the site at 2308 East 34th Avenue from RM-7 (residential multi-family) District to CD-1 (Comprehensive Development) District to enable restoration of the existing heritage building on the site containing a retail store at grade and one dwelling unit above, and the addition of three townhouse units on the site, for a total of four dwelling units. As part of the rezoning, the historic, two-storey, brick, B&K Grocery building would be restored and designated as protected heritage property. Neighbouring residents have expressed a concern about the fact that the application proposes no on-site parking, however this is to facilitate retention of the heritage building in situ and to improve liveability of the dwelling units. The rezoning application is being considered concurrently with development permit application no. DE418941.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

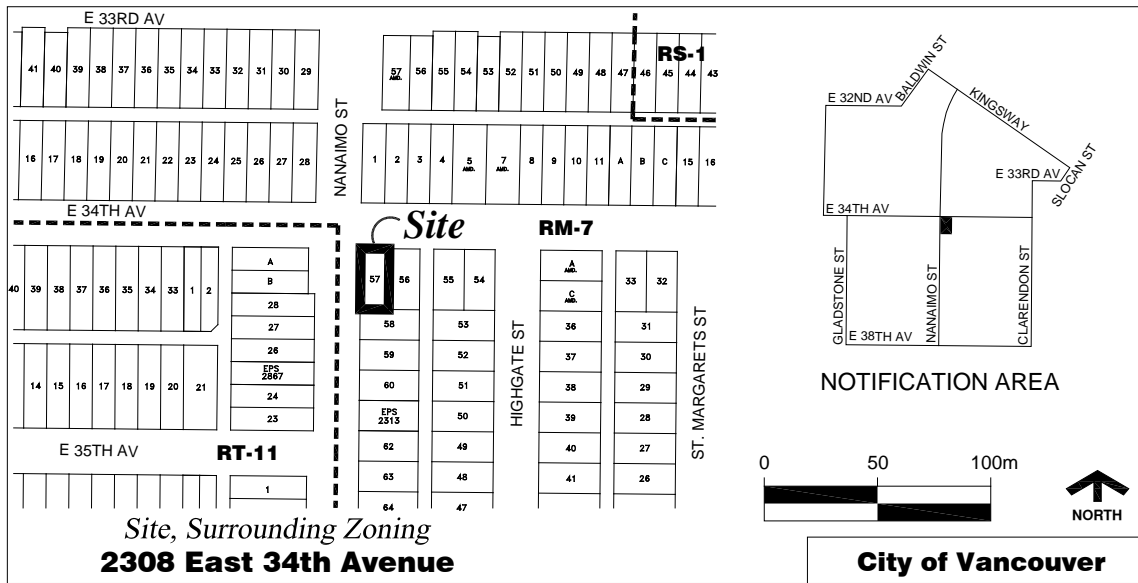
- Renfrew-Collingwood Community Vision (2004)
- Norquay Village Neighbourhood Centre Plan (2010)
- Heritage Action Plan (June 9, 2015)
- Community Amenity Contributions - Through Rezonings (1999).

REPORT

Background/Context

The subject site is a single corner lot, facing East 34th Avenue with a frontage of 41.5 feet (12.6 m) and flanking Nanaimo Street with 88 feet (26.8 m). The current zoning of the property and that to the north and east is RM-7 (residential multi-family). To the west is the RT-11 district. Both of these zoning districts were established in 2010 in accordance with the Norquay Village Neighbourhood Centre Plan, so the surrounding form of development contains older detached houses gradually transitioning to the newer duplex and townhouse forms of the new zoning. Shopping and transit are located 300 m to the north along Kingsway (Norquay Village) and 450 m to the west on Victoria Drive. The 1918 building on the site is one of the few remaining pre-1940s structures in the area.

Figure 1 - Subject site and surrounding zoning



Heritage Value and Character

Built in 1918 by bricklayer Harry Bridge, the B&K Grocery building is significant as a long-time visual landmark in the neighbourhood, which remained sparsely populated until the 1940s. Its red brick structure is unusual. It is believed to be the only brick building constructed in South Vancouver between the Edwardian building boom (1910-1913) and the start of the 1920s.

In the early days of rural Vancouver, paved streets were rare and vehicles even rarer. Residents relied on small stores for basic supplies. The building features a small shop on the ground floor and a residential unit on the second floor. The Bridge family moved into this upstairs unit in 1919 from their nearby residence at 5131 Highgate Street. Since 1968 and until recently the building was the home of "B&K Grocery". Features include the building's original two-storey gabled form located adjacent to the sidewalks of the two adjoining streets, red brick masonry exterior walls with masonry arched window openings, granite sills, and door openings with granite thresholds, as well as original wood window frames, door frames, and panel doors. Also of note is the survival of the original storefront, which is rare. It consists of clerestory glazing with muntins (small mullions) and a brick base at the building face, including a wood base with a heavy projecting sill and a paneled base at the alcove, as well as a panel door with a distinctive brass pull and brass plate with a granite step-up threshold at the entry alcove. Two brick chimneys survive.

Figure 2 - B&K Grocery, looking southeast (recent photo)



The Vancouver Heritage Commission reviewed the proposal on May 25, 2015. It supported the development application and the conservation plan, and it recommended adding the heritage building to the Vancouver Heritage Register. This application proposes that the B&K Grocery building be added in the 'C' evaluation category.

Condition of Heritage Building and Conservation Approach

The B&K Grocery building is in good condition. The application, if approved, would achieve an extensive level of conservation, including the structural brick walls, existing arched openings, and the storefront and existing commercial use. Staff support the conservation measures proposed for the building and conclude that the rehabilitation of the building is consistent with good heritage conservation practice.

Strategic Analysis

1. Proposal

The application proposes to rezone 2308 East 34th Avenue from RM-7 to CD-1 to increase the permitted floor space ratio (FSR) from 0.90 to 1.35 and to allow retention in the heritage building of 50.3 m² (552 sq. ft.) of commercial use on the ground floor and 80.6 m² (867 sq. ft.) of dwelling use on the second floor, as well as the addition of three new townhouse units comprising 318.5 m² (3,428 sq. ft.). The proposed building height of 10.3 m (33.8 feet) is consistent with the 10.7 m building height permitted throughout the RM-7 District. Multiple

dwelling on one site are also permitted in RM-7. Due to the small size of the site and the desire to retain the heritage building in situ, no off-street parking is proposed.

2. Policy Context

Compatibility of Heritage Conservation with Community Planning Objectives

The Renfrew-Collingwood Community Vision (2004) speaks to site-specific rezoning for projects that entail retention of heritage resources which are on the Vancouver Heritage Register. As part of this rezoning application, designation of the heritage building and addition of it to the Register in the 'C' evaluation category is recommended. The approved Direction 13 in the Vision states that the City should encourage retention by implementing additional incentives. Relaxing of zoning requirements is one such incentive suggested. This application proposes an increase in density which would allow for four dwelling units on the site, as well as for the retention of the commercial use in the ground floor of the heritage building. It also proposes a relaxation of the parking requirement.

The Norquay Village Neighbourhood Centre Plan (2010), in its Community Directions, calls for maintaining the character of the residential neighbourhoods through the retention of heritage houses. While the B&K Grocery building is not a house, its retention would nonetheless work towards meeting this Community Direction, particularly once the exterior of this brick building is fully restored to its original appearance.

Support through Rezoning to Enable Conservation

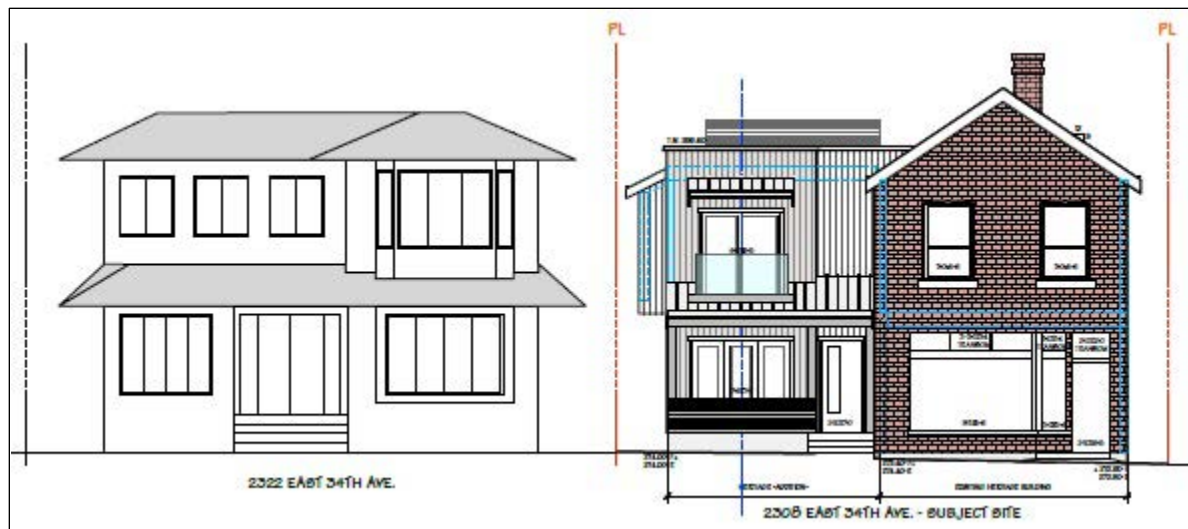
In addition to the local planning context, Council directed staff in 2015 to initiate the citywide Heritage Action Plan. One of the key objectives of the Action Plan is to identify and make use of new or alternative management tools to make the restoration and rehabilitation of heritage buildings across the city a more attractive option than demolition and redevelopment. The standard tool to preserve heritage resources in Vancouver has been a Heritage Revitalization Agreement (HRA) done in concert with a development permit application and a Heritage Designation By-law. The HRA allows variances from a site's zoning provisions which are granted to compensate the property owner for any reduction in market value of the designated property attributable to the designation which includes the costs to undertake the heritage revitalization. In some cases, however, the HRA process outcomes do not conclude with an attractive enough option to encourage the applicant to proceed with heritage preservation. In these instances, CD-1 rezoning is an alternative tool which can be used to achieve retention of a heritage building.

The subject site was subject to a development permit application with an HRA proposed. That application was withdrawn by the applicant who indicated that there was insufficient financial incentive for it to proceed. Given the emerging threat to this valued heritage resource, staff and the current applicant agreed to pursue the CD-1 rezoning approach proposed in this report. In this particular situation, rezoning is considered to be a more effective tool that can facilitate a form of development that creates the financial incentive needed to fund appropriate preservation of the heritage asset. Variances from existing zoning are contained in the proposed CD-1 zoning for this site such that an HRA is not needed. A separate Heritage Designation By-law to designate the heritage building as protected heritage property is also proposed.

3. Form of Development (refer to drawings in Appendix F)

The application proposes retention of the heritage building in its current location, and restoration of the retail space in the ground level and the dwelling unit on the second floor. It also proposes construction of three new townhouse units, one attached to the east side of the heritage building and two others to the rear of it. Figure 3, below, illustrates the north elevation of the proposed development, showing the front of the heritage building and its addition on the east side, as well as the relationship to the neighbouring house to the east along 34th Avenue.

Figure 3 - North elevation along 34th Avenue



A 1.13 m side yard is provided between the heritage building's addition and the east property line. This compares with a 1.2 m side yard requirement under the RM-7 zoning. A design development condition has been provided in Appendix B to remove the 0.6 m projection into this side yard, shown at the second storey.

The two new townhouse units located to rear of the heritage building are illustrated in Figure 4. The figure also shows the relationship to the neighbouring house to the south along Nanaimo Street. A 1.2 m yard is provided between the townhouses and the south property line.

Figure 4 - West elevation along Nanaimo Street



Overall the site would contain one commercial-retail unit and four dwelling units. The proposed dwelling unit mix is two two-bedroom units in the restored heritage building and its adjacent townhouse, and two three-bedroom units in the townhouse units fronting Nanaimo Street. This unit mix meets the objectives of the Norquay Village's RM-7 District to provide opportunities for family housing.

Private outdoor open space is provided for the new townhouse units in the form of rear patios at grade and upper-level balconies. The townhouse unit attached to the heritage building also includes a large roof deck as its third level. This provision of open space is important to achieving liveability for the development which has about 48% more floor area than what would be typically developed under RM-7 zoning in the surrounding neighbourhood.

The heritage building will be restored to its original red brick appearance and will be highly visible to the streets fronting north and west. The design expression of the proposed addition on the east side of this building is modern and its cladding is intended to defer to and be complementary to the heritage building. The height of the heritage building and addition will not exceed the heritage building's existing height of 10.3 m (33.8 feet).

The townhouses, fronting onto Nanaimo Street, present a 2½-storey, pitched-roof form. This form fits in with the existing residential development in the neighbourhood and is compatible with new development emerging in the RM-7 and RT-11 districts. While the proposed height of the townhouses is higher than the existing two-storey house to the south, it is slightly lower than and generally consistent with the 10.7 m (35.1 feet) permitted throughout the RM-7 District.

The overall density of the proposed development is 1.35 floor space ratio (FSR). The massing on the site benefits from the absence of garage space, which is typically excluded from FSR. A comparable development under RM-7 zoning might have between 0.2 and 0.3 FSR of excluded floor space devoted to garages, over and above the FSR allowance of 0.90.

Staff support the proposed form of development as an appropriate and successful urban design response to the site and its context, noting that the absence of parking spaces on the site enables preservation of the heritage building and improved liveability for the four proposed dwelling units.

4. Transportation and Parking

The site is within easy walking distance of shopping and transit, being 300 m south of bus routes on Kingsway in Norquay Village and 250 m east of routes on Victoria Drive. Two bike routes are within 300 m of the site – the Gladstone Bikeway and the Midtown/Ridgeway Bikeway. It is proposed that no on-site vehicle parking or loading be provided for this development, while it is expected that the requirement for bicycle spaces be met.

For multiple dwelling use in the RM-7 District, the Parking By-law requires 0.65 spaces per dwelling unit. For the non-dwelling use on the ground floor of the heritage building, section 4.4.2 of the Parking By-law allows no parking for heritage sites where an existing non-dwelling use is retained. With regard to loading spaces, the RM-7 District permits Neighbourhood Grocery Store, which is essentially the historic use in the heritage building. For this use, there is no loading requirement. So, normally under the Parking By-law, three residential parking spaces would be required for this development, and no commercial parking or loading spaces.

It is recommended that the requirement for the three residential parking spaces be waived because the site is well served for walking, biking and transit, and because the small size of the site does not lend itself to inclusion of parking. Provision of garages within the townhouses on Nanaimo Street would undesirably expand the building's massing and compromise its interface with the street edge. Provision of surface parking spaces on the site would reduce liveability of the dwelling units by supplanting the proposed exterior patio areas. There is sufficient curb-side parking space adjacent to this corner lot, and within the neighbourhood, to accommodate the residential parking on the street.

An amendment to the Parking By-law is proposed in Appendix C to not require vehicle parking or loading for this development, but to require that the typical standard for bicycle spaces be met.

5. Environmental Sustainability

The rezoning application is subject to the Green Building Policy for Rezoning which requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency and stormwater management and a 22% reduction in energy cost as compared to AHSRAE 90.1 2010, along with registration and application for certification of the project.

The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

6. Public Input

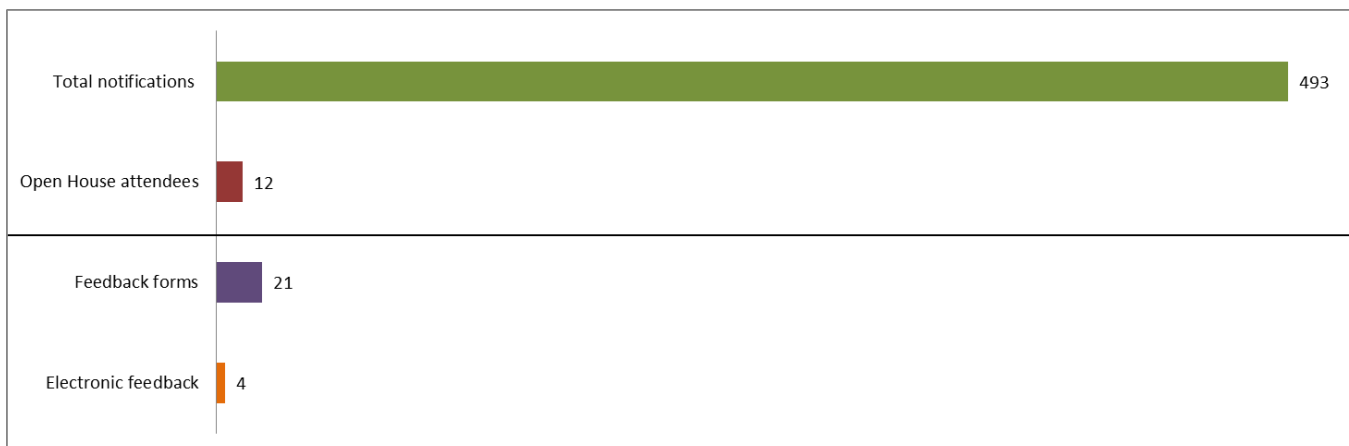
Public Notification – A rezoning information sign was installed on the site on November 2, 2015. A total of 493 notifications were distributed within the neighbouring area on or about

November 2, 2015. In addition, notification and application information and an online comment form were posted on the City's Rezoning Applications webpage (vancouver.ca/rezapps). An open house was held on November 18, 2015. Staff, the applicant team, and approximately 12 people attended the open house.

Public Response and Comments – Following the open house, staff received 21 comment sheets from 14 neighbouring households. Comments or concerns about the application, included:

- On-site parking, with many feeling that it was unfair to neighbours that the development rely solely on the street for its parking.
- Questions about the value of the heritage building and whether the site should be redeveloped as multi-family housing without retention of the B&K Grocery.
- Viability of commercial uses at this location.

Figure 5 - Public notifications and response



Staff note that the B&K Grocery building is one of the few remaining pre-1940 structures in the area and that its retention is supported by the Heritage Action Plan, the Norquay Village Neighbourhood Centre Plan and the Renfrew-Collingwood Cottage Community Vision. Further, retention of an historical use in a heritage building is generally always preferable to repurposing it to another use. To provide the greatest flexibility, the proposed CD-1 By-law allows for a variety of commercial uses that could occupy the ground-level “corner store” space. As seen in other neighbourhoods in the city, remnant commercial spaces in older buildings surrounded by residential uses can have the potential to successfully support popular and thriving local businesses.

The reduction of the parking requirement to zero is an important component to making the proposal work on this small site. It facilitates the heritage retention, it helps to reduce the project's overall building massing and it improves the quality of the outdoor amenity spaces. Also, the proximity of the site to shopping, transit and bike routes, as detailed above in section 4, lends it well to consideration of no parking. The amount of street frontage that the site has available means that parked vehicles associated with the development need not take up curb space in front of neighbouring developments.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application, if approved, can be expected to realize the following public benefits.

Development Cost Levies (DCLs) – Development Cost Levies (DCLs) collected from developments help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing), and various engineering infrastructures. This site is subject to the Citywide DCL which is currently \$143.27 per m² (\$13.31 per sq. ft.). DCLs are only payable on new floor area, existing floor area is exempt. In this application, 318.5 m² (3,428 sq. ft.) of new floor area is in the three townhouse units for which a DCL is payable. The DCL is therefore estimated to be \$45,627.

DCLs are payable at building permit issuance and their rates are subject to Council approval of 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 By-law rate amendment provided that it has been submitted prior to the adoption of the 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 rates will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art – The *Public Art Policy for Rezoned Developments* requires that rezonings involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

Community Amenity Contributions (CACs) – Under CAC policy, rezonings for residential use are exempt where the floor space ratio is 1.35 or less. As this application is for 1.35 FSR, no CAC is anticipated.

Heritage Benefit – If approved, the application will secure the designation of the B&K Grocery building, a significant heritage resource. A Conservation Plan will also ensure that, over time, the identified heritage features of the building will be maintained. The estimated value of the preservation, restoration and designation of the C-listed B&K Grocery building is approximately \$200,000.

See Appendix G for a summary of all of the public benefits for this application.

FINANCIAL IMPLICATIONS

As noted in the section on public benefits, the applicant has offered the on-site conservation and rehabilitation of the B&K Grocery building at an estimated value of \$200,000.

There are no CACs nor public art contributions associated with this rezoning.

The Citywide DCL rates apply to this site. If the project is approved, a DCL of approximately \$45,627 is anticipated.

CONCLUSION

Staff have reviewed the application to rezone the site at 2308 East 34th Avenue, from RM-7 to CD-1 to enable restoration of the existing heritage building on the site, containing a retail store at grade and one dwelling unit above, and the addition of three new townhouse units to the site. Neighbouring residents have noted their concern that on-site parking is not provided. However, in the interests of preserving this heritage resource, the proposed form of development is otherwise an appropriate and successful urban design response to the site and its context, and benefits from the absence of parking spaces on the site. The proposal is consistent with the objectives of the Heritage Action Plan in that it uses rezoning and relaxation of standards as tools to facilitate the preservation of a valued heritage resource that is under threat of demolition.

The Acting General Manager of Planning and Development Services recommends that the rezoning application and heritage designation be referred to a public hearing, together with the draft by-laws as set out in Appendices A and D. Further, it is recommended that, subject to the public hearing, the application including the form of development, as shown in the plans in Appendix F be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

2308 East 34th Avenue
PROPOSED 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.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-() attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ().
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Club, Fitness Centre;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
 - (c) institutional Uses, limited to Social Service Centre
 - (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
 - (e) Office Uses, limited to General Office;
 - (f) Retail Uses, limited to Farmers' Market, Public Bike Share, Retail Store, and Secondhand Store;
 - (g) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant - Class 1; and
 - (h) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Floor Area and Density

- 4.1 Computation of floor space ratio must assume that the site consists of 338.9 m² [3,648 sq. ft.], being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any deductions.
- 4.2 The floor space ratio for all uses must not exceed 1.35.
- 4.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
 - (a) open residential balconies or sundecks and any other appurtenances, which in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusion must not exceed 8% of permitted floor area;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) 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 base surface, except that the minimum exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 4.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of the permitted floor area.
- 4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any purpose other than that which justified the exclusion.

Building Height

5. Building height, measured from base surface, must not exceed 10.3 m [33.8 feet].

Horizontal Angle of Daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.

- 6.2 The location of each such exterior window must allow 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, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 ().
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

* * * * *

2308 East 34th Avenue
DRAFT 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 Public Hearing.

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 Formwerks Architectural and stamped "Received Planning Department, October 16, 2015", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Design Development

- 1. Design development to the heritage building addition to remove second-storey projection in into east side yard, to reduce massing adjacent neighbouring one-family dwelling.

Sustainability

- 2. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a source of Energuide 84.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 84 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Engineering

- 3. Update the landscape and site plans to reflect the requirements of this rezoning application.
- 4. Delete proposed planting from around existing street trees on 34th Avenue, show lawn only.
- 5. Show boulevard plantings that meet boulevard planting guidelines and accommodate the proposed widened sidewalks. The widened sidewalks will reduce the width of the back boulevard area and the provision of a 1'-0" grass

strip behind the sidewalks (per planting guidelines) will result in only a minimal space to plant being available. Please consult with Engineering Services to determine most appropriate planting for the remaining back boulevard area.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided:
 - (i) Provision of improved sidewalks adjacent the site. Existing sidewalk is to be replaced with widened sidewalks, either 5 feet or 6 feet wide with saw-cut expansion joints as space permits.
 - (ii) Provision of a new curb return at the southeast corner of Nanaimo Street and 34th Avenue including new or updated curb ramps.
 - (iii) Provision of street trees adjacent the site where space permits including the ability to accommodate trees along the Nanaimo frontage through provision of tree protection bollards or new curb, gutter and asphalt pavement to road centerline adjacent the site, all at the discretion of the General Manager of Engineering Services in consultation with the Vancouver Park Board.
 - (iv) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (v) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to

determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.

2. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Heritage

3. The owner enters into a Heritage Restoration Covenant for the rehabilitation, restoration and long-term protection of the heritage building. The agreement is to be completed and registered in the Land Title Office to the satisfaction of the Director of Planning and the Director of Legal Services prior to the enactment of the rezoning by-law.

Note to Applicant: The agreement must be signed by the owner and any party with a financial charge on the title to give priority. The purpose of the agreement is to secure the protection of the heritage building during and after construction and ensure its rehabilitation in a timely manner consistent with a conservation plan, in addition to allowing the City to place a commemorative plaque on the building or lands, and related matters. Please contact the heritage planner to receive a copy of the draft agreement for review.

4. Designation of the structure and exterior of the heritage building as protected heritage property, pursuant to sections 593 and 594 of the Vancouver Charter and enactment of the Heritage Designation By-law by Council.
5. Submit a finalized copy of the Conservation Plan for the heritage building as prepared by the heritage consultant.

Soils

6. If applicable:
- (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, including all dedicated lands, issued by the Ministry of Environment, has been provided to the City.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is 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, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * * *

2308 East 34th Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

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

PARKING BY-LAW NO. 6059

In Schedule C, add:

Address	By-law No.	CD-1 No.	Parking Requirements
2308 East 34th Avenue			Parking, loading and bicycle spaces in accordance with by-law requirements except that no vehicle parking spaces or loading spaces need be provided.

SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"2308 East 34th Avenue [CD-1 (#)] [By-law #] B (C-1)"

NOISE CONTROL BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 (#)] [By-law #] 2308 East 34th Avenue"

* * * * *

2308 East 34th Avenue
DRAFT HERITAGE DESIGNATION 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.

1. Council considers that the real property described as:

Structure and exterior envelope of the improvements and exterior building materials of the heritage building	2308 East 34th Avenue, Vancouver, BC	PID: 013-365-304; Lot 57, Block 3, District Lot 394, Plan 2911
--	--------------------------------------	--

has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the Vancouver Charter.

* * * * *

2308 East 34th Avenue
ADDITIONAL INFORMATION

VANCOUVER HERITAGE COMMISSION – minutes of May 25, 2015

2. Conservation Review - 2308 East 34th Avenue - B&K Grocery

VHC 'C' (Proposed)

Issues

- (i) SOS and eligibility for addition to the Register;
- (ii) Conservation Plan; and
- (iii) Support for the overall project.

Applicants: Barry McGinn, McGinn Engineering & Preservation Ltd.
Richard Wittstock, owner

Staff: James Boldt, Heritage Planner

Staff reviewed the application and, along with the applicants, responded to questions.

MOVED by Commissioner Kluckner

SECONDED by Commissioner Massie

THAT the Vancouver Heritage Commission supports the recommendation to add 2308 East 34th Avenue to the Vancouver Heritage Register and requests that the Statement of Significance be referred to the SOS Subcommittee for revisions;

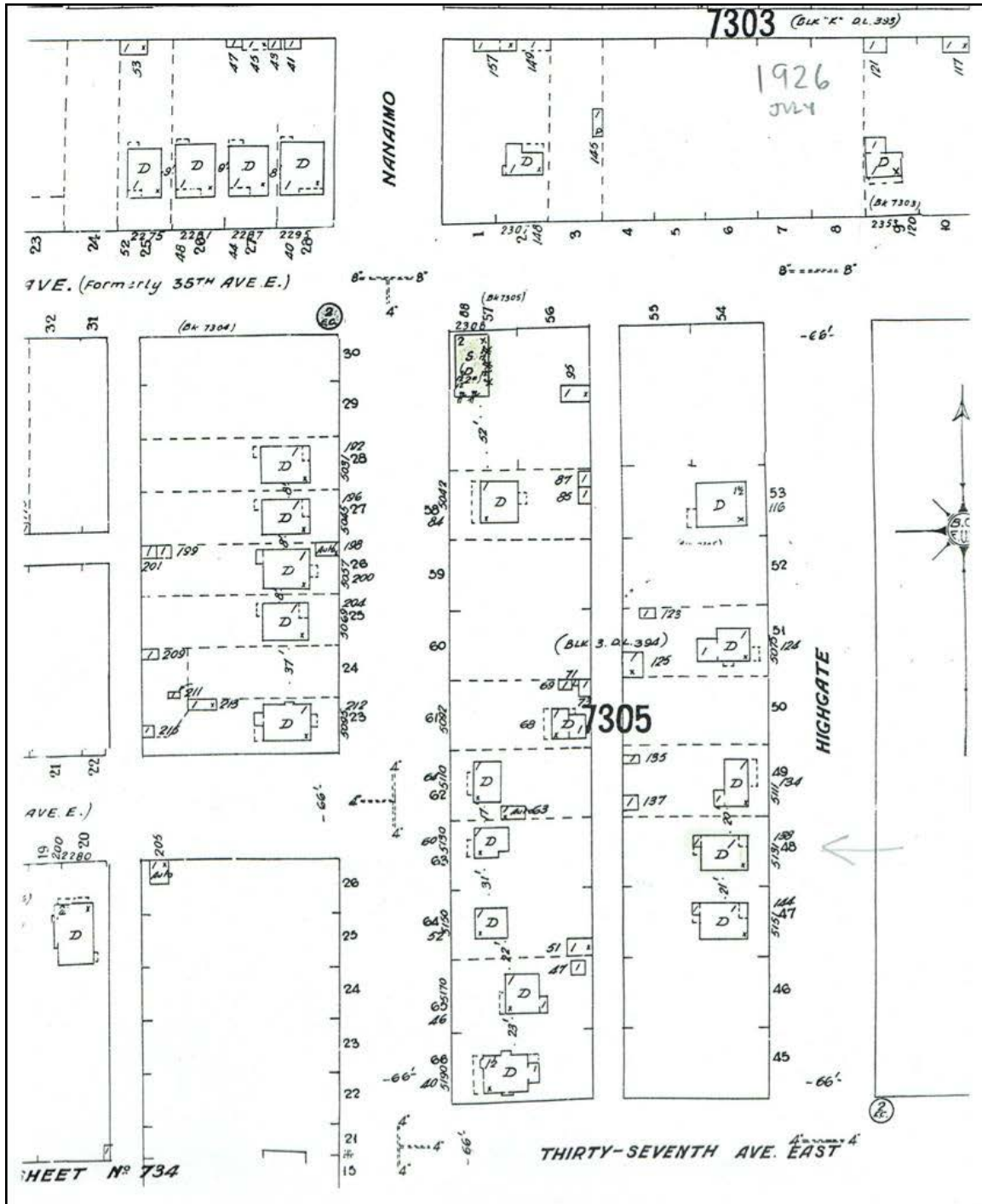
FURTHER THAT the Commission supports the development permit application and the conservation plan noting the following:

- the applicant consider design development for the attracted infill to make it a simpler form, and subservient to the heritage portion of the building.

CARRIED UNANIMOUSLY

* * * * *

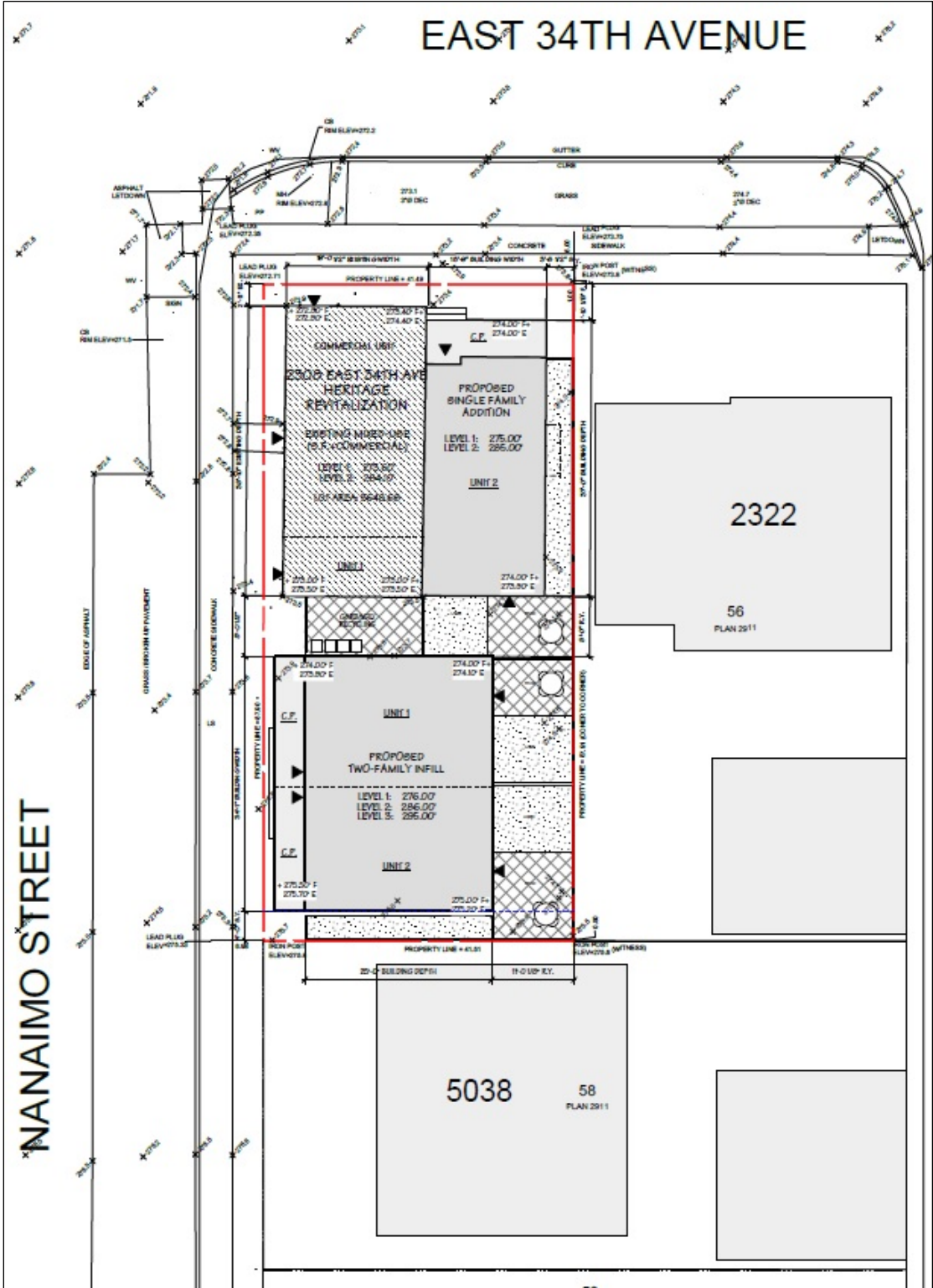
1926 Fire Insurance Map



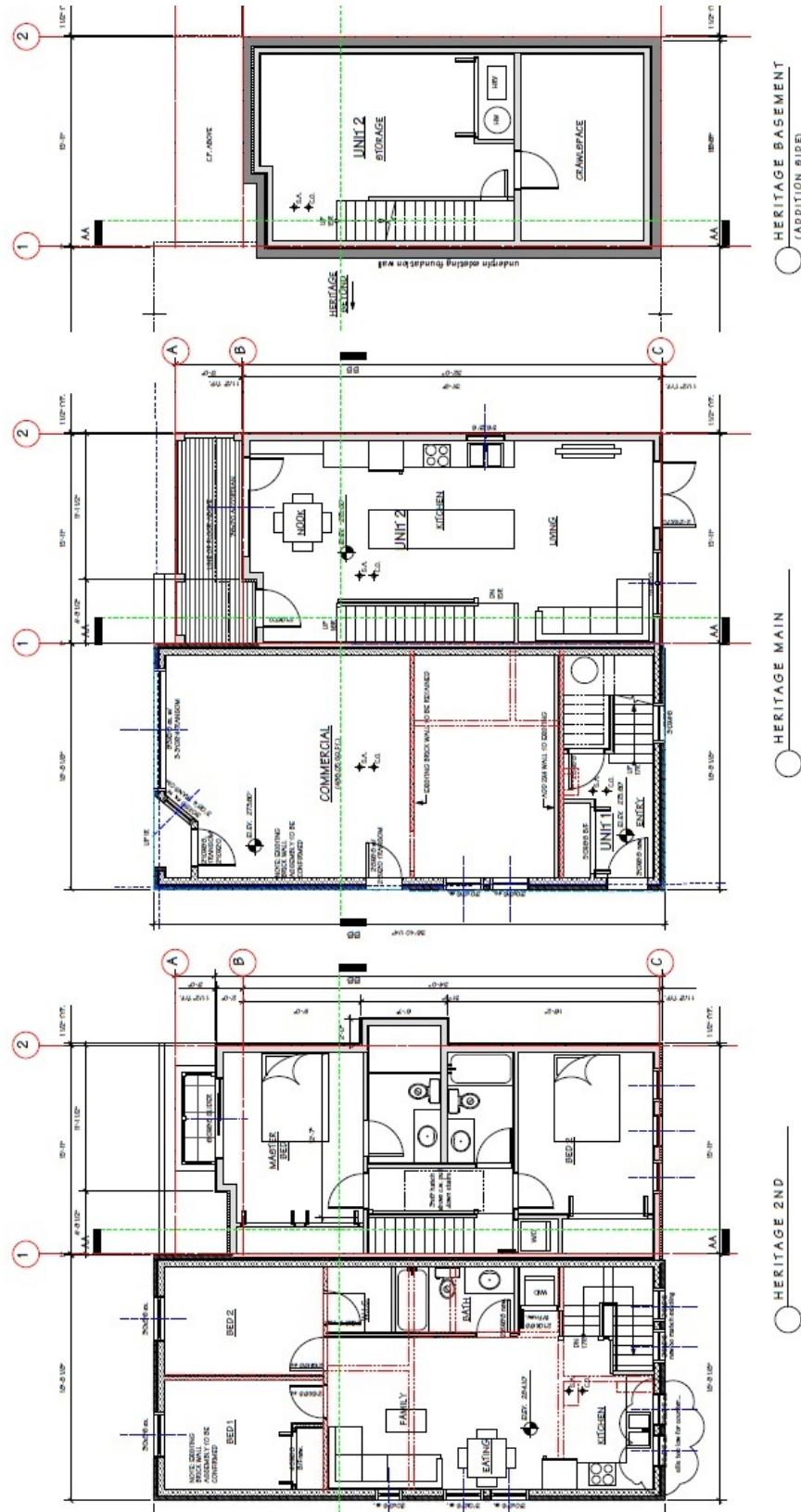
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2308 East 34th Avenue
FORM OF DEVELOPMENT

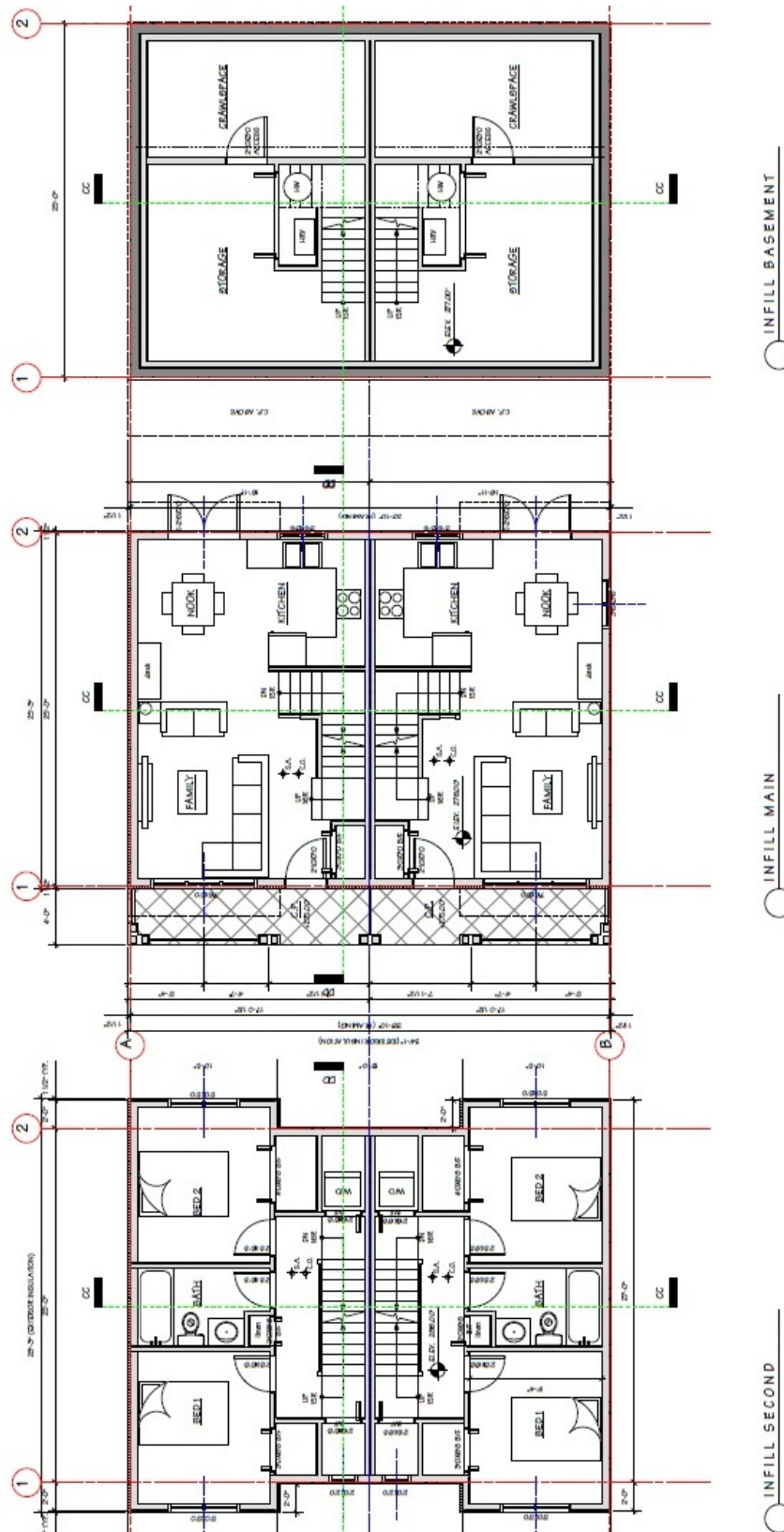
Site Plan showing neighbouring developments



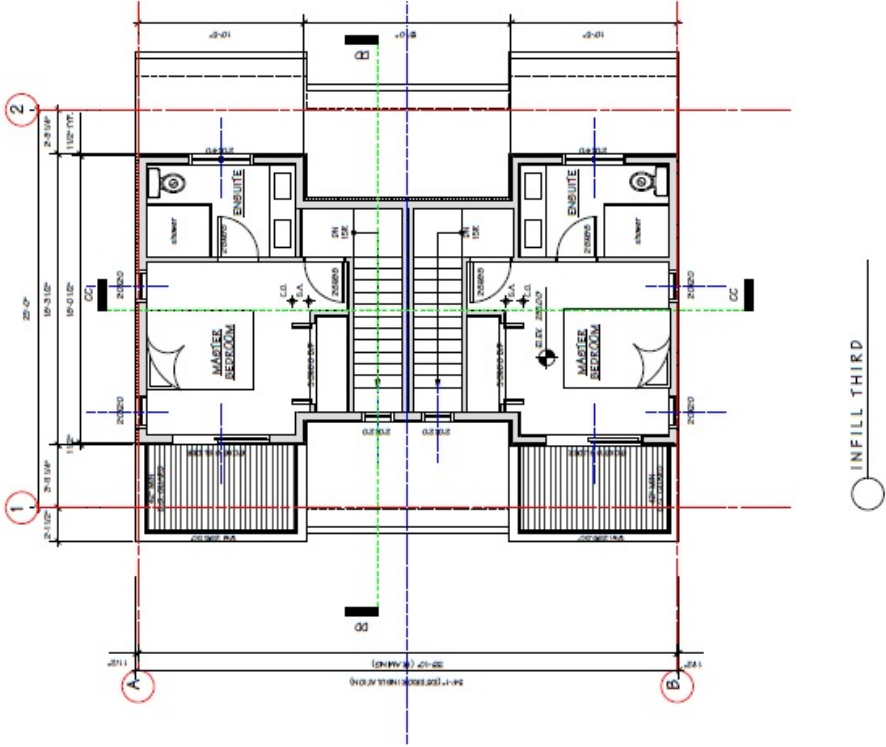
Floor Plans - Heritage Building & Attached New Townhouse Unit



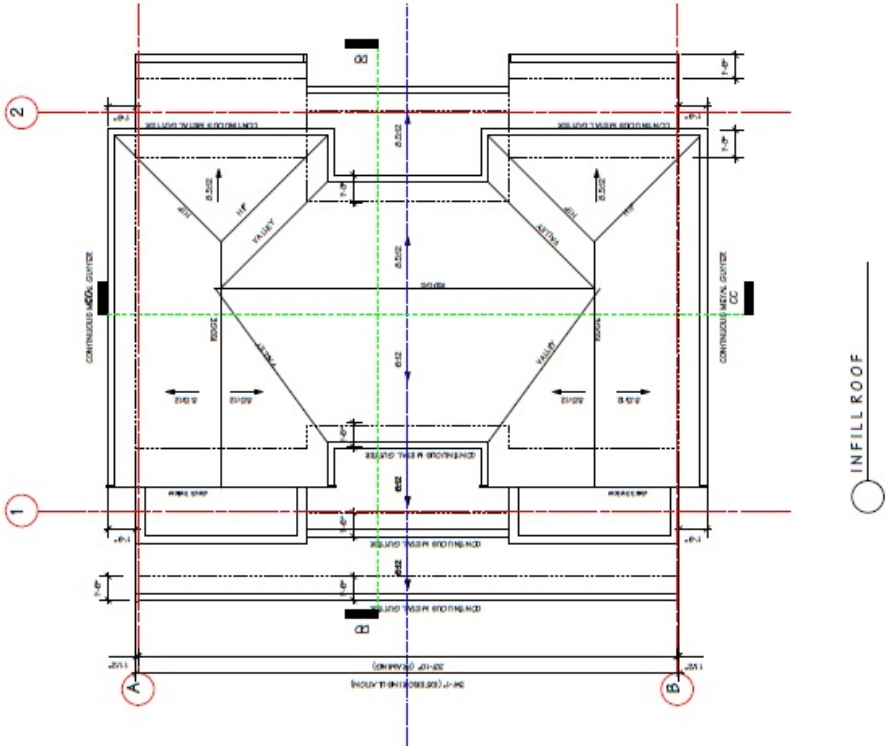
Floor Plans - Two townhouse units fronting Nanaimo Street



3rd Floor & Roof Plan - Two townhouse units fronting Nanaimo Street

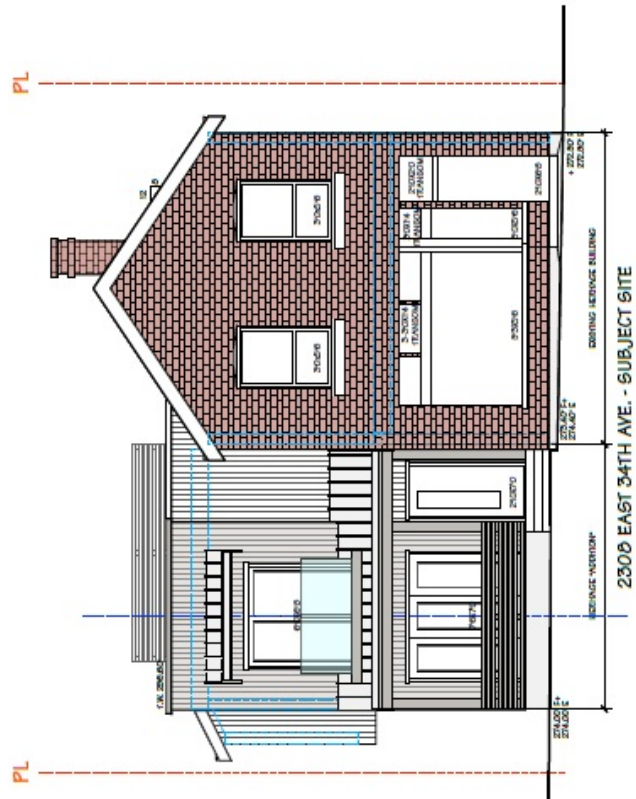
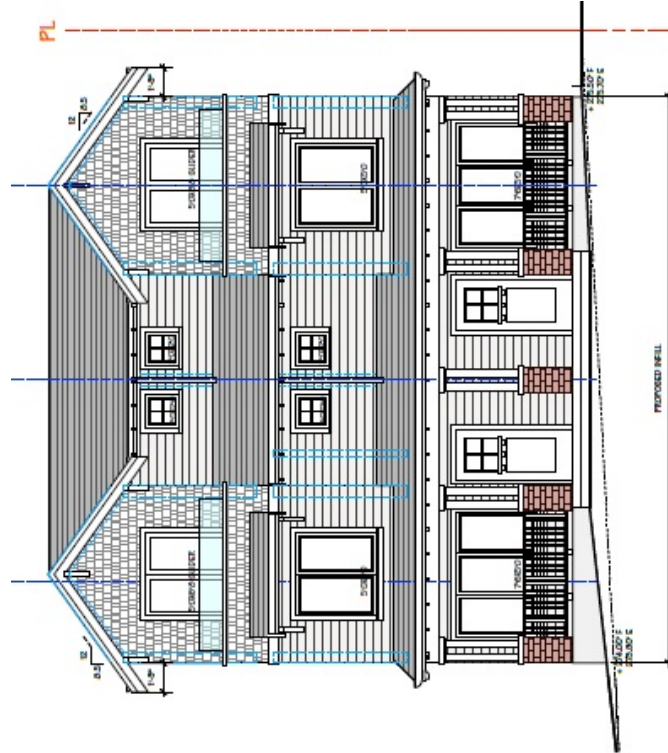


INFILL THIRD

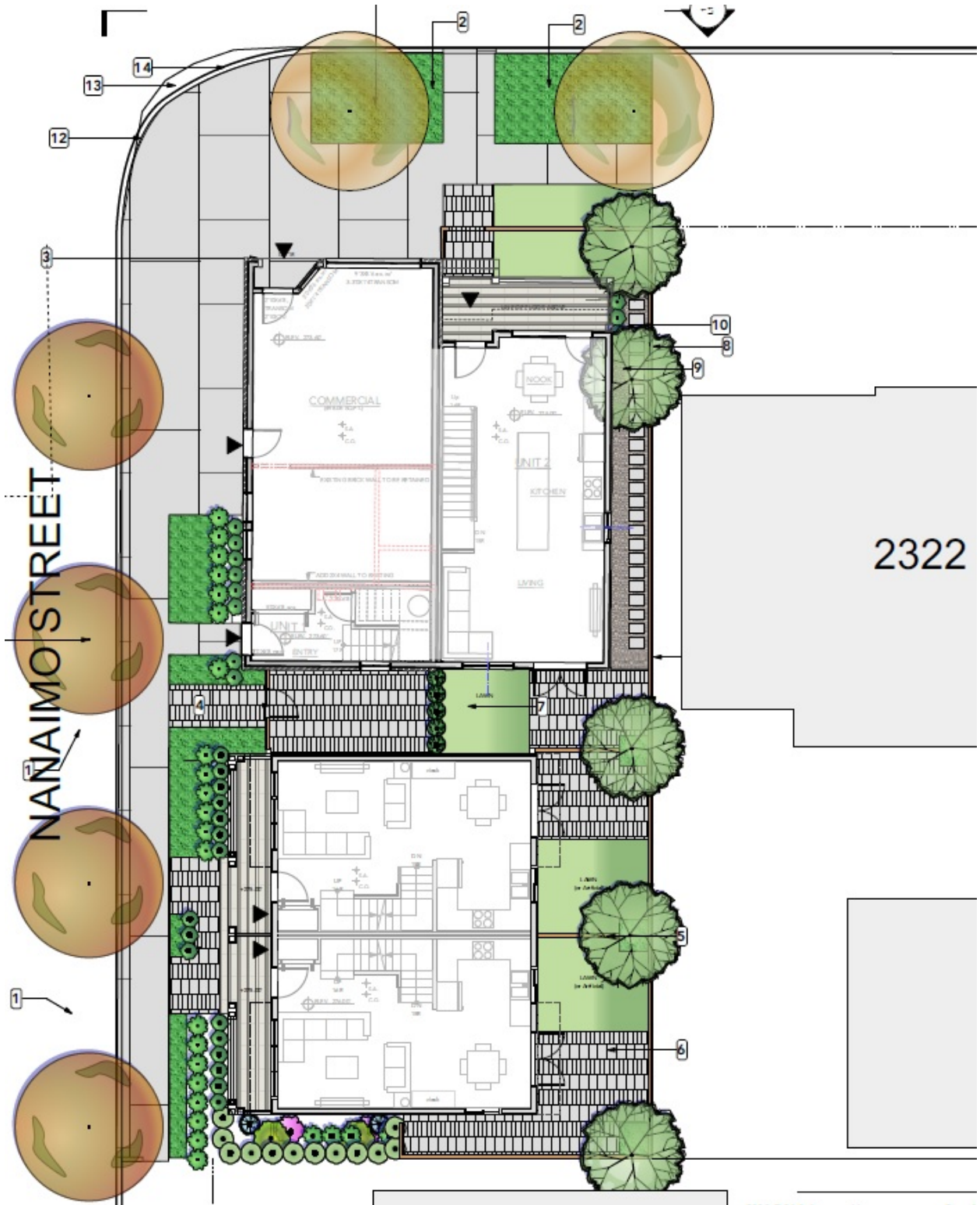


INFILL ROOF

Elevations



Landscape Plan



2308 East 34th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Project Summary:

A renovated heritage building and addition of three new townhouse units, for an overall total of 4 dwelling units and one retail unit.

Public Benefit Summary:

Preservation, restoration and designation of a C-listed heritage resource. The project would generate DCLs based on the new floor area.

	Current Zoning	Proposed Zoning
Zoning District	RM-7	CD-1
FSR (site area = 338.9 m ² / 3,648 sq. ft.)	0.90	1.35
Buildable Floor Space (sq. ft.)	305 m ² (3,284 sq. ft.)	457.5 m ² (4,925 sq. ft.)
Land Use	Multi-family residential	Multi-family residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	10,148	45,627
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
	TOTAL VALUE OF PUBLIC BENEFITS		10,148

OTHER BENEFITS:

Preservation, restoration and designation of the C-listed B&K Grocery building, the value of which is estimated to be \$200,000.

* 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: Engineering (7%); Replacement Housing (30%); and Parks (63%).

2308 East 34th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	2308 East 34th Avenue
Legal Description	PID: 013-365-304; Lot 57, Block 3, District Lot 394, Plan 2911
Developer	Symphony Projects (Nanaimo 34) Corp.
Architect	Formwerks Architectural
Property Owners	Symphony Projects (Nanaimo 34) Corp.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	RM-7	CD-1
SITE AREA	338.9 m ² (3,648 sq. ft.)	338.9 m ² (3,648 sq. ft.)
USES	Multiple Dwelling	Dwelling (4 units) + one retail-commercial unit
FLOOR AREA	305 m ² (3,283 sq. ft.)	457.5 m ² (4,925 sq. ft.)
FLOOR SPACE RATIO (FSR)	0.90 FSR	1.35 FSR
HEIGHT	10.7 m (35.10 ft.) 2½ storeys	10.3 m (33.8 ft.) 2½ storeys
PARKING, LOADING AND BICYCLE SPACES	0.65 spaces per dwelling unit	no parking or loading spaces required, bicycle spaces as per Parking By-law

* * * * *