



POLICY REPORT

Report Date: April 18, 2019
Contact: Jason Olinek
Contact No.: 604.873.7492
RTS No.: 12809
VanRIMS No.: 08-2000-20
Meeting Date: May 14, 2019

TO: Vancouver City Council

FROM: General Manager, Planning, Urban Design and Sustainability in consultation with the Director of Legal Services

SUBJECT: Heritage Designation and Heritage Revitalization Agreement – 959 East 35th Avenue – Bramble Store and Apartment

RECOMMENDATION

- A. THAT Council add the existing building at 959 East 35th Avenue (PID: 014-525-992, Lot 23 Block 9 District Lots 668 to 670 Plan 1620 (the “site”)) known as the Bramble Store and Apartment (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 Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the heritage building as protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment under Section 592 of the Vancouver Charter a by-law for the City to enter into a Heritage Revitalization Agreement (HRA) to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building;
 - (ii) vary the *Zoning and Development By-law* as necessary to permit construction of a single family dwelling, to permit the neighbourhood commercial use to continue and to secure this in perpetuity, as detailed in Development Permit Application DP-2018-00534 (the “DP Application”) and as more particularly described in this report.
- D. THAT the Heritage Revitalization Agreement shall be completed, noted, registered, and given priority on title to the site to the satisfaction of the Director of Legal Services and the Director of Planning.

- E. THAT Recommendations A through D 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 heritage building at 959 East 35th Avenue to the Vancouver Heritage Register in the 'B' evaluation category, to designate it as protected heritage property, and to approve a Heritage Revitalization Agreement ("HRA") for the site which would secure the conservation of the heritage building and enable the owner to construct a single family dwelling at the front of the site. Under the current RS-1 zoning applicable to the site, the existing building could be demolished and the site redeveloped without Council approval, with a density of 0.85 FSR. As incentive and compensation to the owner for the heritage designation and conservation of the heritage building, the HRA would allow an increase in permitted density to 0.93 FSR, it would permit the long-term use of the heritage building as a neighbourhood commercial retail unit to continue, and it would bring existing non-conforming conditions into conformity for the development as set forth in the DP Application and as described in this report. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the development permit for the project (the "DP") should Council approve the recommendations of this report.

COUNCIL AUTHORITY

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

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

Pursuant to Sections 593 and 594 of the *Vancouver Charter*, Council, by by-law, may designate real property, in whole or in part, within the City of Vancouver as protected heritage property.

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 the market value of the property caused by the designation. Often this, along with additional compensation to offset rehabilitation costs incurred, is achieved by way of *Zoning and Development By-law* relaxations, or where there is a HRA by way of *Zoning and Development By-law* variances, so as to permit an otherwise impermissible development.

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

The following Council policies are applicable to the project:

- *Heritage Policies and Guidelines (April, 1991, last amended September 2002)*
- *Kensington-Cedar Cottage Community Vision* adopted by Council on July 21, 1998

GENERAL MANAGER'S COMMENTS

The General Manager of Planning, Urban Design, and Sustainability recommends approval of A through E.

STRATEGIC ANALYSIS

Site and Context

The site is located in the Kensington-Cedar Cottage neighbourhood in an area zoned RS-1 (see Figure 1). The RS-1 District Schedule of the *Zoning and Development By-law* permits single family dwellings and infill development on certain sites in exchange for character retention. The total area of the site is 306.7 m² (3,301 sq.ft.). There is a 6-metre (20-ft.) wide lane at the rear of the site, running along the west side of the heritage building.

Figure 1: Site Location



Heritage Value

Built in 1921 as a single storey commercial building and enlarged with a second floor apartment in 1924, the Bramble Store and Apartment is valued as an example of the inter-war development of small neighbourhood commercial buildings along local streets that served the area population with basic goods, including groceries, and various services. It is also significant for its cultural history that included various immigrant groups who lived in the apartment above and operated the store (Appendix A). It was once part of a cluster of neighbourhood commercial buildings situated along this block of East 35th Avenue (Appendix B).

The building continues to serve the local community in the provision of basic goods as a neighbourhood grocery store.

It is proposed to add the Bramble Store and Apartment to the Vancouver Heritage Register in the 'B' evaluation category.

Development Application and Proposed Incentives

The zoning applicable to the site is RS-1, which permits, for this site, density up to 0.85 floor space ratio (FSR). If approved, the incentives and compensation to be provided to the owner for the heritage designation and rehabilitation of the exterior of the heritage building will be in the form of variances to the *Zoning and Development By-law* as set out in an HRA, including a density variance of 10% beyond permitted, and to allow commercial use, as set forth in the DP Application and as described below. A summary of density and use is provided in Table 1 (see Appendix D for a full technical summary).

Table 1: Density and Use Summary

Site Area = 306.7 m² (3,301 sq.ft.)

Item	Existing	Permitted or Required	Proposed
Floor Area	0.36 FSR 110 m ² (1,188 sq.ft.)	0.85 FSR Maximum 260.7 m ² (2,806 sq.ft.)	0.93 FSR 285 m ² (3,070 sq.ft.)
Use	Neighbourhood Grocery Store with single unit apartment above	Residential	Neighbourhood Grocery Store or similar retail use, with single unit apartment above and new single family "infill" dwelling with option for a secondary suite

The DP Application proposes retention and rehabilitation of the heritage building and construction of a new single family dwelling, with the option for a secondary suite, at the front of the property. For the purposes of this application, the new dwelling is described as an "infill" as it pertains to the RS district character retention provisions. The existing single residential unit in the heritage building, set above the store, would remain as an apartment, with the option for separate strata ownership.

The existing non-conforming use of the ground floor of the heritage building as a neighbourhood grocery store will be addressed in the HRA, secured with a condition that it must remain as neighbourhood retail or a similar retail use, subject to consideration of the impact on

surrounding properties, with an additional condition that the ground floor not be converted to residential use. An outdoor area is proposed exclusively for use in connection with the ground floor retail use, in the form of a small patio on the east side. The remainder of the outdoor space will be for the new single family dwelling, with landscaping to appropriately define each of the spaces. In addition, the dedicated outdoor space for use in connection with the retail unit is defined in a site plan that will form part of the HRA (Appendix C).

The General Manager of Planning, Urban Design, and Sustainability has considered the intent of the *RS-1 District Schedule*, the results of neighbourhood notification, the condition of the heritage building, and the increase in density proposed and is prepared to issue the DP Application subject to Council approval of the recommendations of this report.

Compatibility with Existing Zoning and Land Use Regulations and Community Plans

The intent of the *RS-1 District Schedule* of the *Zoning and Development By-law* is generally to maintain the single-family residential character of the RS-1 District, and also to permit one-family dwellings with secondary suites.

The *Kensington-Cedar Cottage Community Vision* was adopted by Council on July 21, 1998. The proposal to retain this heritage building and develop a one-family dwelling with a rental suite is consistent with the approved Vision direction, particularly:

20.1 Retain Character Buildings and Areas

"In order to encourage retention of character (e.g., pre-1940) houses and other buildings, there should be incentives to renovate such as: additional density, more suites, relaxations to building code requirements, promoting the opportunity to be included on the VHR. Areas that have more older buildings should be studied first."

The proposed protection of the heritage building meets this intent and is consistent with the Council-adopted *Community Vision*.

Condition and Economic Viability of the Heritage Building and Conservation Approach

The property is in very good condition. The heritage consultant has provided a detailed Conservation Plan and staff have concluded that the work is consistent with the federally adopted *Standards and Guidelines for the Conservation of Historic Places in Canada*. The heritage building retains much of its original vernacular character, including form, and original entry. Further rehabilitation is proposed to reinstate the original cladding, which was covered with stucco and replicate the wood windows, which were removed as part of earlier renovations.

Results of Neighbourhood Notification

Notification for the DP Application was sent to 185 addresses and four responses were received. The responses pertained primarily to parking and traffic concerns: circulation and lack of on-street parking; driveway access on to East 35th Avenue; the potential loss of the corner store use (which also expressed support for the two residential units and dedicated parking spaces).

The concerns expressed in the four responses can be summarized in three points as noted below (with staff comments):

1. Lack of parking. Consider additional parking for the additional residential units proposed.

Staff Comments: This neighbourhood commercial use has been in place since the construction of the building in 1921. There is a parking stall for the combined store and apartment, and a separate parking stall for the infill dwelling, a total of two stalls for the three residential units proposed. The relaxation of one parking stall is considered commensurate with the retention of the heritage building and any impact would be minimal.

2. Potential view obstruction for local cyclists and vehicles entering the street from the parking stall accessed from East 35th Avenue.

Staff Comments: East 35th Avenue is not a dedicated bicycle route and as such, Engineering has reviewed the proposed retention of the existing curb cut including all safety issues and concluded that this may be retained.

3. Uncertainty over the breadth of the zoning for the corner store and possible conversion to a different neighbourhood commercial use. Expressed support for proposed dwelling units and allocated parking spaces.

Staff Comments: The use of the store will remain as neighbourhood commercial whether it is a convenience store or providing some other goods or services for the immediate neighbourhood.

Comments of the Vancouver Heritage Commission

On November 19, 2018, the Vancouver Heritage Commission reviewed the DP Application and supported it in principle, but requested that it be brought back for review of certain aspects prior to offering support. On February 25, 2019, the DP Application was reviewed again, and the Heritage Commission expressed its support (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 engineering infrastructure.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed additional 175 sq. m (1,882 sq. ft.) of residential floor area in excess of the existing 110 sq. m (1,188 sq. ft.) to be conserved and rehabilitated as designated heritage space. Based on rates in effect as of September 30, 2018, total DCLs of approximately \$12,308 would be anticipated from this development.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

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

Heritage: The owner has offered to conserve and rehabilitate the heritage building and to accept the designation of the exterior as protected heritage property, and has entered into an HRA to vary use and prohibit the conversion of commercial space to residential (see Legal). As incentive and compensation, the owner would be permitted the on-going commercial use of the heritage building, in addition to a modest amount of additional density.

If approved, the heritage designation and the HRA will be effected by enactment of respective bylaws. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$129,750.

Financial Implications

As noted in the section on Public Benefits, the applicant has offered the on-site conservation of the heritage building valued at approximately \$129,750.

The site is subject to the City-wide DCL and the City-wide Utilities DCL and it is anticipated that the applicant will pay approximately \$12,308 in DCLs should the DP Application be approved and the project proceed.

Environmental

The City's Green Buildings Policy for Rezoning applies to the application as a Heritage Revitalization Agreement is required. The project will comply with the policy and the project will comply with the *Vancouver Building By-law* with respect to energy and environmental provisions contained therein.

Legal

The by-law variances contemplated for the proposed HRA, if approved, will result in an improved development potential on the site. The owner's proposal to rehabilitate and conserve the heritage building's exterior in exchange for obtaining the by-law variances needed for that improved development potential will be appropriately secured as legal obligations in the HRA to be registered on title to the site so as to enable the City to enforce those obligations and ensure that they will be fulfilled at the owner's expense. City staff and the owner have negotiated and completed a proposed form of HRA, 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 must compensate an owner for any reduction in the market value of property caused by a heritage designation. The owner has signed the proposed HRA which includes a provision by which the owner explicitly acknowledges that the owner has been fully compensated for the heritage designation of the heritage building's exterior and for the rehabilitation and conservation obligations contained in the HRA. The HRA is to be registered on title to the site before a development permit for the project may be issued.

CONCLUSION

The Bramble Store and Apartment at 959 East 35th Avenue is proposed to be added to the Heritage Register as a B-listing based on its community and cultural values, and is additionally proposed to be protected by heritage designation and a Heritage Revitalization Agreement

(HRA) to address existing non-conformities, including use. This will secure the building from demolition and exterior alterations which affect its heritage value. The owner has agreed to accept the proposed variances as compensation for the proposed Heritage Designation By-law and the potential encumbrance on market value created by that by-law, and for the heritage building's rehabilitation and conservation. The General Manager of Planning, Urban Design and Sustainability is prepared to approve the DP. Therefore, it is recommended that Council approve the recommendations of this report.

* * * * *

959 EAST 35TH AVENUE – BRAMBLE STORE AND APARTMENT



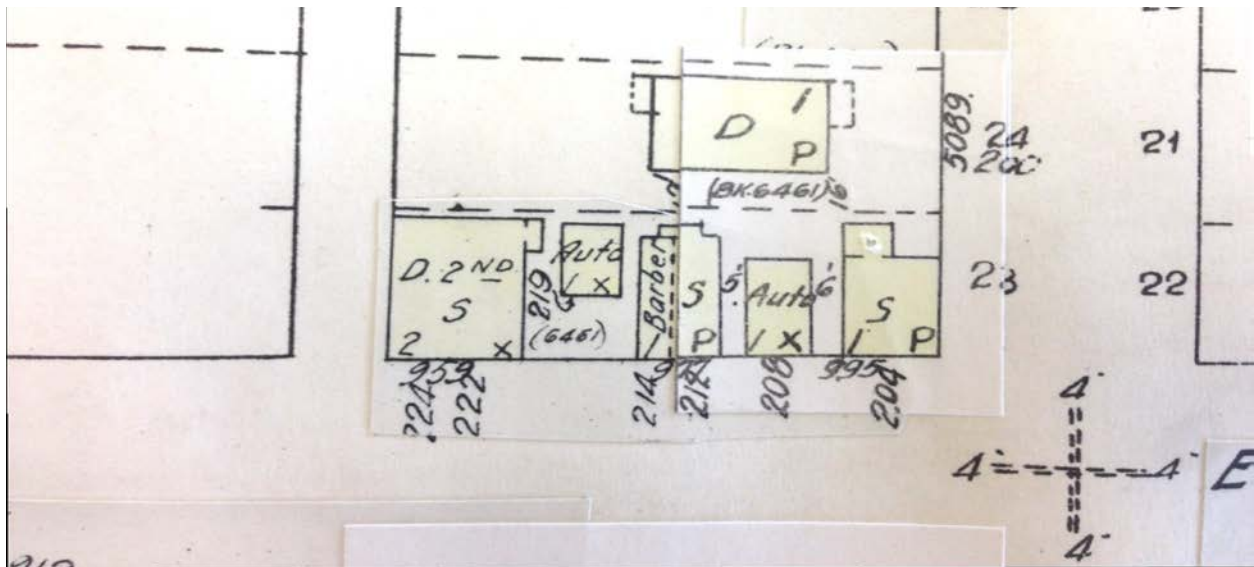
South side and west side (Lane)



North side (Rear) and West side (Lane)

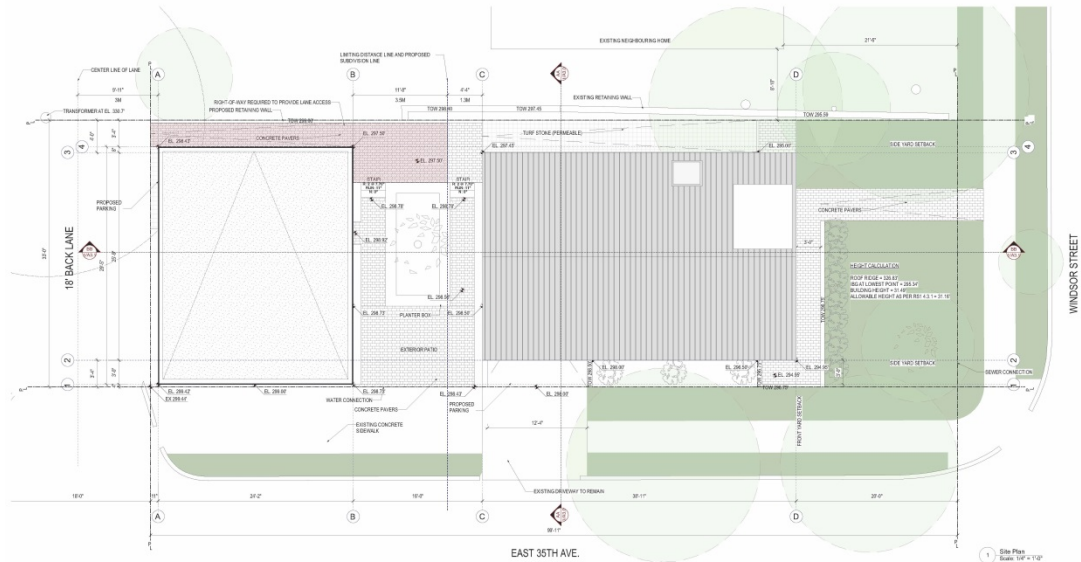


Front of property, presently vacant, seen from corner of Windsor Street



Cluster of buildings on this block of East 35th Avenue c. 1949, showing commercial buildings with a garage set between each. 959 East 35th, the only building of this cluster that remains, is on the far left, adjacent the lane.

959 EAST 35TH AVENUE SITE PLAN AND ELEVATIONS



CONVEYANCE RECORDS
The information contained herein is for informational purposes only and does not constitute a warranty of any kind. The user of this information assumes all liability for its use.

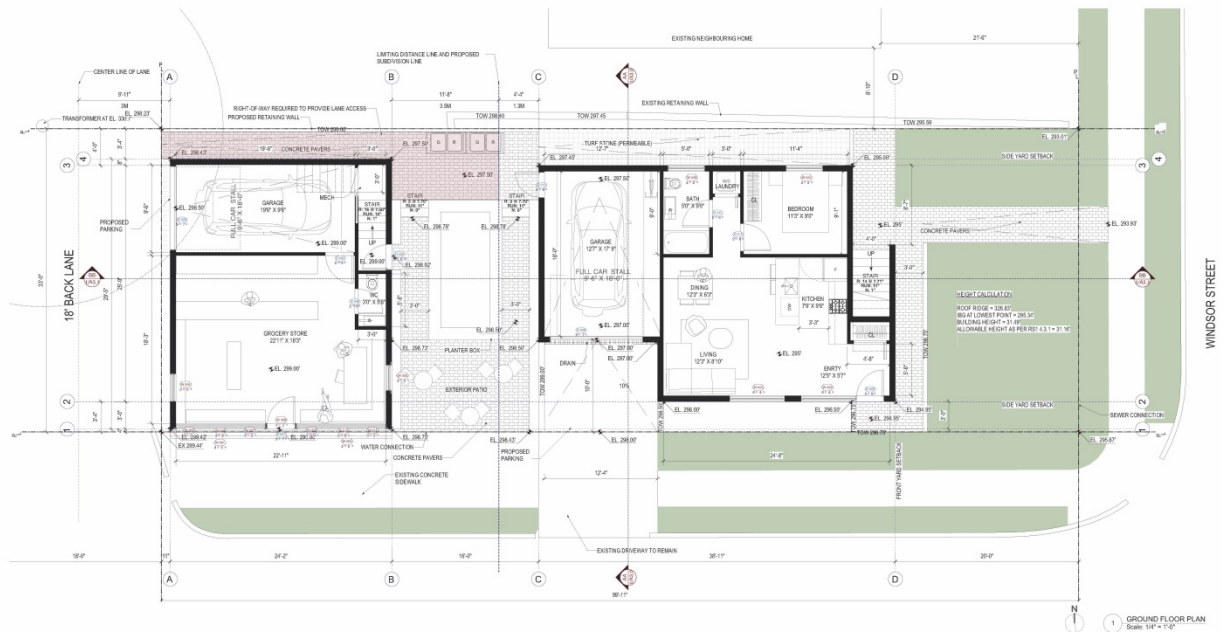
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A1.1
SITE PLAN



CONVEYANCE RECORDS
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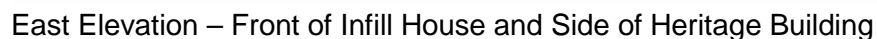
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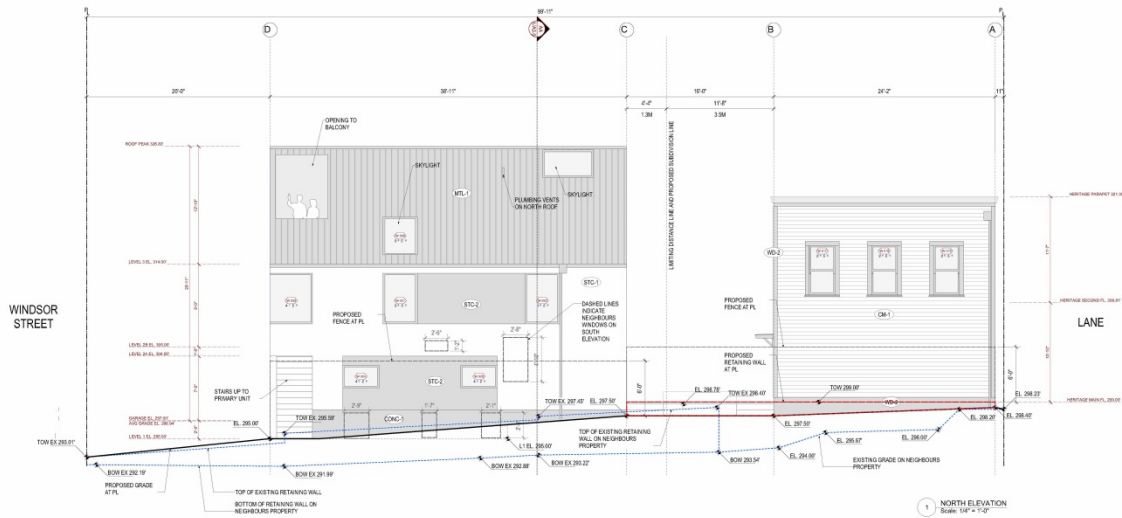
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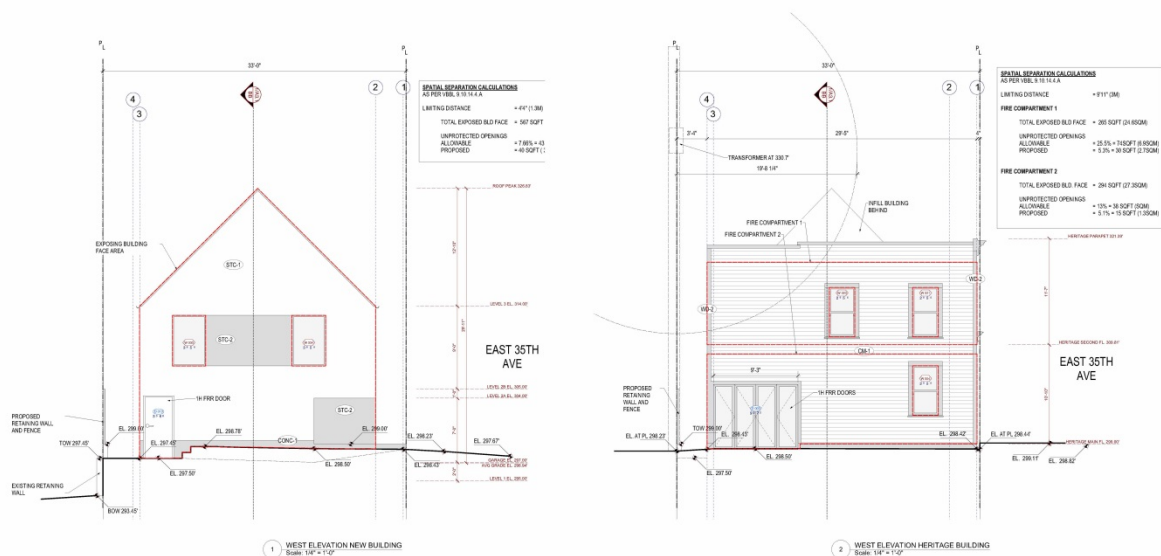
A1.2
L1 PLAN

Site Plan and Ground Floor Plan

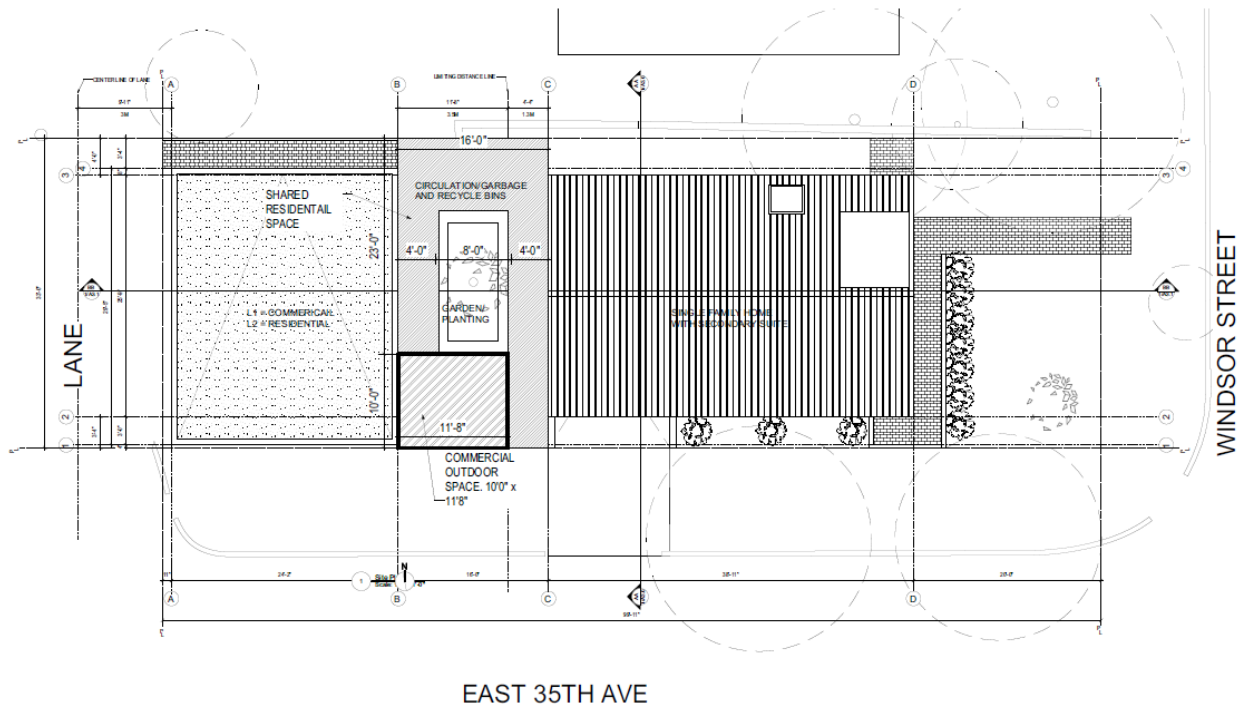




North Elevation – Side of Infill House and Rear of Heritage Building



West Elevation – Rear of Infill House and Lane Side of Heritage Building



1. The plan is a site plan for the West Elevation of the rear of an infill house and the lane side of a heritage building. It shows the layout of the property, including a lane on the left, a shared residential space, a commercial outdoor space (10'0" x 11'8"), a garden/planting area, and a circulation/garage area. The plan is bounded by East 35th Ave at the bottom and Windsor Street on the right. Various dimensions and setbacks are indicated, such as 16'0" for the lane width, 11'8" for the commercial outdoor space, and 10'0" for the garden/planting area. The plan also shows the location of the infill house and the heritage building, with the infill house having a shared residential space and the heritage building having a commercial outdoor space. The plan is oriented with North at the top.

2. The plan is a site plan for the West Elevation of the rear of an infill house and the lane side of a heritage building. It shows the layout of the property, including a lane on the left, a shared residential space, a commercial outdoor space (10'0" x 11'8"), a garden/planting area, and a circulation/garage area. The plan is bounded by East 35th Ave at the bottom and Windsor Street on the right. Various dimensions and setbacks are indicated, such as 16'0" for the lane width, 11'8" for the commercial outdoor space, and 10'0" for the garden/planting area. The plan also shows the location of the infill house and the heritage building, with the infill house having a shared residential space and the heritage building having a commercial outdoor space. The plan is oriented with North at the top.

3. The plan is a site plan for the West Elevation of the rear of an infill house and the lane side of a heritage building. It shows the layout of the property, including a lane on the left, a shared residential space, a commercial outdoor space (10'0" x 11'8"), a garden/planting area, and a circulation/garage area. The plan is bounded by East 35th Ave at the bottom and Windsor Street on the right. Various dimensions and setbacks are indicated, such as 16'0" for the lane width, 11'8" for the commercial outdoor space, and 10'0" for the garden/planting area. The plan also shows the location of the infill house and the heritage building, with the infill house having a shared residential space and the heritage building having a commercial outdoor space. The plan is oriented with North at the top.

4. The plan is a site plan for the West Elevation of the rear of an infill house and the lane side of a heritage building. It shows the layout of the property, including a lane on the left, a shared residential space, a commercial outdoor space (10'0" x 11'8"), a garden/planting area, and a circulation/garage area. The plan is bounded by East 35th Ave at the bottom and Windsor Street on the right. Various dimensions and setbacks are indicated, such as 16'0" for the lane width, 11'8" for the commercial outdoor space, and 10'0" for the garden/planting area. The plan also shows the location of the infill house and the heritage building, with the infill house having a shared residential space and the heritage building having a commercial outdoor space. The plan is oriented with North at the top.

5. The plan is a site plan for the West Elevation of the rear of an infill house and the lane side of a heritage building. It shows the layout of the property, including a lane on the left, a shared residential space, a commercial outdoor space (10'0" x 11'8"), a garden/planting area, and a circulation/garage area. The plan is bounded by East 35th Ave at the bottom and Windsor Street on the right. Various dimensions and setbacks are indicated, such as 16'0" for the lane width, 11'8" for the commercial outdoor space, and 10'0" for the garden/planting area. The plan also shows the location of the infill house and the heritage building, with the infill house having a shared residential space and the heritage building having a commercial outdoor space. The plan is oriented with North at the top.

6. The plan is a site plan for the West Elevation of the rear of an infill house and the lane side of a heritage building. It shows the layout of the property, including a lane on the left, a shared residential space, a commercial outdoor space (10'0" x 11'8"), a garden/planting area, and a circulation/garage area. The plan is bounded by East 35th Ave at the bottom and Windsor Street on the right. Various dimensions and setbacks are indicated, such as 16'0" for the lane width, 11'8" for the commercial outdoor space, and 10'0" for the garden/planting area. The plan also shows the location of the infill house and the heritage building, with the infill house having a shared residential space and the heritage building having a commercial outdoor space. The plan is oriented with North at the top.

Definition of Commercial Outdoor Space Dedicated to Bramble Store – heavy black outline

959 EAST 35TH AVENUE
TECHNICAL ZONING SUMMARY

Table 1: Summary of RS-1 District Schedule of Zoning and Development By-law
Site Area: 959 East 35th Avenue – 306.7 m² (3,301 sq.ft.)

RS-1 District Schedule	Existing	Required or Permitted	Proposed
Section 3.2.1.DW Uses [Dwelling]	Dwelling unit in conjunction with a neighbourhood grocery store	Dwelling unit in conjunction with a neighbourhood grocery store; Infill One-Family Dwelling; One-Family Dwelling with Secondary Suite	Supplement such that a Dwelling Unit in conjunction with another use in the heritage building is permitted, and further: Infill One-Family Dwelling or Infill One-Family Dwelling with a Secondary Suite is permitted for the new building.
Section 3.2.1.O Uses [Office]	No office uses presently	Temporary Sales Office	The Director of Planning may consider a temporary sales office in the heritage building provided that consideration is given to impact on surrounding properties.
Section 3.2.1.R Uses [Retail]	Neighbourhood Grocery Store	Farmers' Market; Neighbourhood Grocery Store; Public Bike Share	Neighbourhood Grocery Store is permitted without specifying the date upon which the retail use began, and the Director of Planning may consider retail uses in the heritage building provided that consideration is given to impact of such uses on surrounding properties.
Section 4.1.1 Site Area	306.7 m ² (3,301 sq.ft)	Minimum 334m ² (3,595 sq.ft.)	Minimum area shall not apply.

RS-1 District Schedule	Existing	Required or Permitted	Proposed
Section 4.3 Height	6.9 m (22.5 ft.) and 2 storeys	10.7 m (35 ft.) and 2½ storeys	Heritage Building: Limited to the current maximum height, 6.9 m (22.5 ft.), New Building: required height limit shall apply.
Section 4.4 Front Yard	Siting and orientation of Heritage Building includes several non-conforming aspects pertaining to yards and building depth	Minimum depth of 20% of the depth of the site	Heritage Building: Shall not apply New Building: Shall apply, except that the Director of Planning may vary the required yards or building depth required for the new building to improve the relationship of the new building to the heritage building and/ or the adjoining property.
Section 4.5 Side Yard		Interior - Minimum 1.0 m (3.3 ft.) Exterior – governed by Section 11.1	
Section 4.6 Rear Yard		Minimum 45% of depth of site	
Section 4.16 Building Depth			
Section 4.17 External Design	Design of the Heritage Building is non-conforming as it pertains to this Section.	Specifies placement of entrances, porches, windows, and roof design.	
Section 4.7.1 FSR	0.36 FSR based on existing area of heritage building: 110 m ² (1,188 sq.ft.)	0.85 FSR conditional 260.7 m ² (2,806 sq.ft.)	Area for all buildings shall be 285 m ² (3,070 square feet), approximately 0.93 FSR, and the new building shall not exceed 172 m ² (1,854 sq. ft.); the heritage building shall not exceed 113 m ² (1,216 square feet).
Section 4.8.1 Site Coverage	42.2%	40%	Shall not exceed 45%.
Section 5.3 Relaxation of Regulations	No parking currently contained within the principal (heritage) building.	For corner site, without a lane at rear, the Director of Planning may relax the provisions of section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m ² .	For corner site, with a lane at rear, the Director of Planning may relax the provisions of section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m ² .

Table 2: Summary of Additional Regulations, Zoning and Development By-law, Pertaining to Neighbourhood Grocery Stores and Dwelling Units in Conjunction with Neighbourhood Grocery Stores

Section 11.16	Existing	Required or Permitted	Proposed
Section 11.16.1	Neighbourhood grocery store with apartment	Neighbourhood grocery stores existing as of July 29, 1980 are permitted in any R district except the FM-1 district.	Shall not apply – covered in other aspects of HRA
Section 11.16.2	Frontage of heritage building is along East 35 th Avenue – 30.5 m (100 ft.)	The maximum permitted frontage for a site is 15.3 m	
Section 11.16.3	Retail ground level 76 m ² (820 sq.ft.)	The maximum permitted floor area for all retail and storage space is 110 m ²	
Section 11.16.6	Not applicable	Before granting a development permit, Director of Planning must: (a) notify surrounding property owners and residents; (b) consider the design of any proposed building addition; the proposed solid waste program for collecting, storing and disposal of garbage and recycling; and the impact on adjacent property owners and residents of a proposed building addition or solid waste program.	
Section 11.16.7	Not applicable	The Director of Planning may relax this section 11.16 for maximum frontage and the applicable zoning district regulations with regards to setbacks, floor space ratio or site coverage, in order to facilitate rehabilitation of existing neighbourhood grocery store or dwelling unit in conjunction with neighbourhood grocery store.	

959 EAST 35TH AVENUE
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On February 4, 2019, the Vancouver Heritage Commission reviewed the report from the Statements of Significance Subcommittee and resolved the following:

THAT the Vancouver Heritage Commission supports adding the following buildings to the Vancouver Heritage Register as B-listings, and to complete revisions, where necessary, to the Vancouver Heritage Register Evaluation for these two nominations:

- 959 East 35th Avenue – Bramble Store and Apartment; and
- 2146 Semlin Drive – Kilpin Residence

THAT the Vancouver Heritage Commission requests that the Statements of Significance for the following buildings be referred back to the consultant for revisions:

- 959 East 35th Avenue – Bramble Store and Apartment;
- 2146 Semlin Drive – Kilpin Residence; and
- 1853-1857 East 11th Avenue – Karne Residence.

On February 25, 2019, the Vancouver Heritage Commission reviewed the Development Permit Application and resolved the following:

WHEREAS

1. The Vancouver Heritage Commission, at its meeting on November 19, 2018, generally supported the application to rehabilitate the Bramble Store and Apartment (the “Heritage Building”);
2. Neighbourhood store buildings on residential streets, especially those continuing to operate as retail outlets, are very rare survivors in the contemporary city; and
3. The applicant has presented a satisfactory Conservation Plan for the Heritage Building.

THEREFORE BE IT RESOLVED THAT the Vancouver Heritage Commission (the “Commission”) supports the proposal to protect and rehabilitate the Bramble Store and Apartment (the “Heritage Building”) and to construct a new One Family Dwelling with an option for a secondary suite at the front of the site, noting the following:

- a. The Commission supports the use of a Heritage Revitalization Agreement (HRA) to secure the commercial use of the Heritage Building and to vary the density and other non-conforming conditions.
- b. The Commission requests that a colour investigation be made after the stucco is removed and that those findings be considered when choosing a colour scheme for the store.
- c. The Commission reserves judgement on the matter of the site’s ownership, noting that a fee simple lot with the commercial covenant might be a satisfactory way to manage issues, such as the use of the outdoor space, which ought to be vested in the Heritage Building rather than in the strata corporation itself.

Staff Comments:

A period-appropriate colour scheme will be a condition of the development permit, and the commercial outdoor space has been defined in the HRA.

**959 EAST 35TH AVENUE
PUBLIC BENEFITS SUMMARY**

Project Summary:

Rehabilitation and conservation of a heritage building with a new single family dwelling.

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RS-1	RS-1
FSR (site area = 306.7 m ² (3,301 sq.ft.))	0.85	0.93
Buildable Floor Area	260.7 m ² (2,806 sq.ft.)	285 m ² (3,070 sq.ft.)
Land Use	Residential	Commercial and Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed DE (\$)
Required ¹	DCL (City-wide) ^{2,3}	\$11,841	\$7,942
	DCL (Utilities)	6,509	4,366
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		129,750
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$18,350	\$142,058

Other Benefits: None

¹ Based on rates in effect as at September 30, 2018. DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. DCLs would not apply to existing floor area of the Bramble Store and Apartment, 959 East 35th Avenue (110 m² (1,188 sq.ft.)) within the value under the Proposed column.

² City-Wide DCL revenues are allocated as follows: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

³ DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of instream rate protection, see the City's [DCL Bulletin](#) for details.