

MEMORANDUM

January 10, 2014

TO: Mayor and Council

CC: Penny Ballem, City Manager
Sadhu Johnston, Deputy City Manager
Janice MacKenzie, City Clerk
Kevin Quinlan, Director, Policy and Communication, Mayor's Office
Lynda Graves, Manager, Administration Services, City Manager's Office
Mike Magee, Chief of Staff, Mayor's Office
Rena Kendall-Craden, Director, Corporate Communications
Francie Connell, Director, Legal Services
Anita Molaro, Assistant Director, Urban Design, Planning
John Greer, Assistant Director, Development Services
Marco D'Agostini, Senior Heritage Planner, Planning
Brenda Prosken, General Manager, Community Services
Richard Newirth, Managing Director, Cultural Services
Yvonne Liljefors, Assistant Director, Legal Services

FROM: Brian Jackson, General Manager, Planning & Development Services

SUBJECT: RTS 10369: Hollywood Theatre - 3123 W. Broadway

Dear Mayor and Council:

The purpose of this memo is to provide Council with an update on the Hollywood Theatre.

Background

On November 6, 2013 Council approved a 75 day temporary protection order for the Hollywood Theatre to allow staff to prepare a memo on the proposed changes and their impact on the heritage building (the full motion is in Appendix A). The 75 day period expires on January 20, 2014.

Further, on December 4, 2013 when considering the report on the Heritage Action Plan, Council provided specific direction for heritage resources of particular community or cultural significance when they are at risk, by advising the Director of Planning that he may consider measures beyond conditional zoning where it would assist community objectives for heritage

preservation, subject to approval by Council after a public hearing; and that this policy specifically apply to the Hollywood Theatre.

Heritage Value

The Hollywood Theatre is listed on the Vancouver Heritage Register in the 'B' evaluation category. A 'B' listed building is considered to be Significant as it represents a good example of a particular style or type, either individually or collectively and/or may have some documented historical or cultural significance in a neighbourhood. The heritage value of the Hollywood Theatre is based on its architecture (it is a good example of art deco style including exterior and interior features) and its social/cultural value as a neighbourhood movie theatre.

Being listed on the Heritage Register does not protect the Hollywood Theatre from demolition. Only heritage designation can protect a building and its features. This would require Council approval of a by-law, under Vancouver Charter provisions, and the City would have to compensate an owner for any loss in market value caused by a designation.

Proposed Development

Development Permit Application (DE 417226) proposes to change the use of the building from Theatre to Fitness Centre and proposes interior alterations including removal of the existing raked (sloped) floor and replacement with a new concrete slab floor, construction of a new second floor within the volume of the building, and some minor exterior alterations. The interior will be significantly altered to accommodate the new use and the accompanying building by-law upgrades that will be required. The exterior including the sign and marquee are proposed to be retained. The proposed use is permitted on a conditional basis.

In the meantime, as part of the application review, staff determined that there is an encroachment agreement in place since 1984 which requires the owner to remove the rear 10 feet from the building in the event of a change in use from its current use as theatre. This encroachment agreement is a significant restriction to the applicant's desire to repurpose the building.

In view of this information, we have stopped processing the DE application. We will be meeting with the applicant to discuss all options based on the Statement of Significance and the recent Council direction.

Discussions with Community Coalition and with Owner

Planning and Development Services staff have met separately with representatives of the "Save the Hollywood Theatre" coalition and the property owner to discuss opportunities for retention of the Hollywood Theatre as a cultural venue. Initial meetings have involved sharing of information and ideas and in particular has given direction to the coalition group that it is critical to develop a business plan. Further, the plan must include funding to purchase, rehabilitate and operate the building that includes significant community and private commitments and does not rely on the City.

Based on the recent direction from Council in the context of the Heritage Action Plan, staff are reviewing what other tools could be considered to facilitate conservation of the

Hollywood Theatre. Additional meetings with the owner and the coalition are being scheduled and it is anticipated the owner and the coalition group will also be meeting separately throughout January.

Staff will provide a further memo to Council prior to the expiration of the protection period. If you have any questions, please contact me at 604-873-7034 or brian.jackson@vancouver.ca, or Marco D'Agostini at 604-873-7172 or marco.dagostini@vancouver.ca.

Regards,

A handwritten signature in black ink that reads "Brian Jackson". The signature is written in a cursive, flowing style.

Brian J. Jackson, MCIP
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MD/

Council Actions

On November 5, 2013 City Council passed the following motion:

- A. THAT Council, pursuant to Section 589 of the Vancouver Charter, orders that the whole of the exterior and the interior of the Hollywood Theatre located at 3123 West Broadway, be subject to temporary protection in accordance with the provision of Section 591 of the Vancouver Charter for a period of 75 days from November 6, 2013, until the City Manager can complete a memo to council setting out the changes proposed by the owner and their possible heritage impact, if any.
- B. THAT Council agrees the form of this Order shall be satisfactory to the City's Director of Legal Services and that the Order shall be executed on behalf of Council by the Director of Legal Services.
- C. THAT Council ask the City Manager expedite the delivery to Council the report sought in May 2013, so that Council can take steps it deems necessary to ensure appropriate protection of all the city's heritage assets.

Subsequently on December 4, 2013 when considering the report on the Heritage Action Plan, Council approved the following related to the Hollywood Theatre:

FURTHER THAT where heritage resources of particular community or cultural significance are at risk, the Director of Planning may consider measures beyond conditional zoning where it would assist community objectives for heritage preservation, subject to approval by Council after a public hearing; and that this policy specifically apply to the Hollywood Theatre;