



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: January 26, 2016  
Contact: Kevin McNaney  
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RTS No.: 11315  
VanRIMS No.: 08-2000-20  
Meeting Date: April 19, 2016

TO: Vancouver City Council  
FROM: Acting General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning - 420 Hawks Avenue

**RECOMMENDATION**

- A. THAT the application by Atira Women's Resource Society (Atira) to rezone 420 Hawks Avenue [*The South Half of Lots 1 and 2, all of Block 66, District Lot 181, Plan 196; PIDs: 015-577-791 and 015-577-813 respectively*] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District to allow for the construction of a seven-storey social housing building with a floor space ratio of 4.5 and a height of 21.6 m (70.9 ft.), be referred to a Public Hearing, together with:
- (i) plans and addendum prepared by Boni Maddison Architects, received October 23, 2015 and January 19, 2016, respectively;
  - (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 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 enactment of the CD-1 By-law.

- C. 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.
- D. THAT, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the CD-1 By-law contemplated by this report, subject to the terms and conditions as may be required at the discretion of the Director of Legal Services and Chief Housing Officer.
- 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; 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 420 Hawks Avenue from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposed rezoning would change the maximum density from a floor space ratio (FSR) of 5.0 for industrial use to 4.5 for residential use, and the height from 30.5 m (100 ft.) to 21.6 m (70.9 ft.), which would allow for a seven-storey residential building with 21 social housing units. This application is being considered under the *Downtown Eastside Plan (DTES Plan)*. If approved, the application would contribute to the City's affordable housing goals, as identified in the *Housing and Homelessness Strategy*, as well as the social housing goals as set out in the *DTES Plan*.

Staff have assessed the application and conclude that it is consistent with the *DTES Plan* with regard to the proposed use and form of development, subject to design development and enactment conditions outlined in Appendix B. It is recommended that the application be referred to a Public Hearing, with the recommendation of the Acting General Manager of Planning and Development Services to approve it, subject to the Public Hearing.

### *COUNCIL AUTHORITY/PREVIOUS DECISIONS*

Relevant Council Policies for this site include:

- Downtown Eastside Plan (2014)
- Rezoning Policy for the Downtown Eastside (2014)
- Single Room Accommodation By-law (2003, last amended 2015)
- Micro Dwelling Policies and Guidelines (2014)
- Housing and Homelessness Strategy (2011)
- Housing Plan for the Downtown Eastside (2005)
- Regional Growth Strategy - Metro Vancouver 2040: Shaping our Future (2011)
- Vancouver Regional Context Statement Official Development Plan (2013)
- Industrial Lands Policies (1995)
- High-Density Housing for Families with Children Guidelines (1992)
- Green Buildings Policy for Rezoning (2009, last amended 2014)
- Community Amenity Contributions – Through Rezonings (1999, last amended 2014)
- Development Cost Levy By-law (2008, last amended 2015)
- Financing Growth Policies (2003)
- Public Art Policies for Rezoned Developments (2014).

### *CITY MANAGER'S/GENERAL MANAGER'S Comments*

The Acting General Manager of Planning and Development Services RECOMMENDS approval of the recommendations of this report.

### *REPORT*

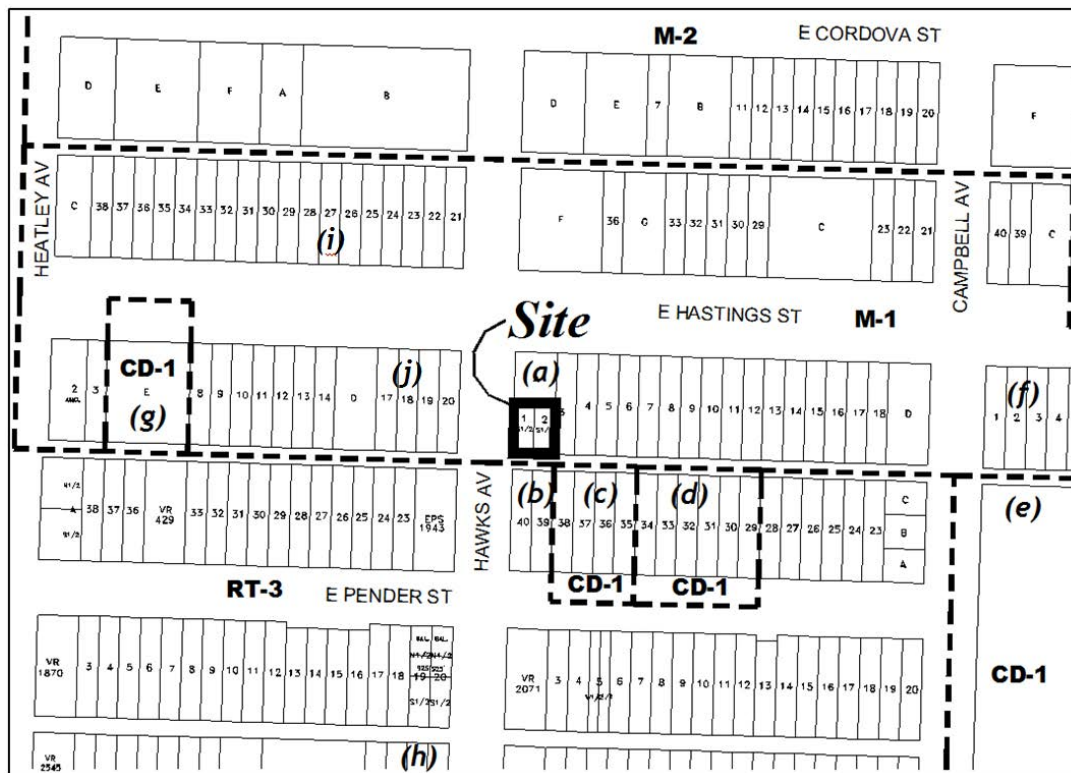
#### *Background/Context*

##### **1. Site and Context**

The subject site is located on Hawks Avenue, (see Figure 1) adjacent to the lane south of Hastings Street. This 283.4 m<sup>2</sup> (3,050 sq. ft.) site has a frontage of 18.6 m (61 ft.) on Hawks Avenue and a depth of 15.2 m (50 ft.) at the lane. The site is comprised of two legal parcels and is currently home to the Atira Community Garden, established in 2010.

Immediately north of the subject site, at the southeast intersection of Hastings Street and Hawks Avenue, is the Rice Block, a four-storey building with social housing designated under the *Single Room Accommodation By-law*, with an art studio and retail at grade, owned by BC Housing and operated by Atira. The blocks surrounding the site contain a mixture of mixed-use, residential, commercial and industrial buildings. To the north, the context includes two- and three-storey M-1 (Industrial) zoned buildings along Hastings Street. To the south is a two-storey, single family pattern of development in the RT-3 zoned area of Strathcona, with two three-storey CD-1 zoned, multi-unit residential developments southeast on Pender Street.

Figure 1 - Site and surrounding zoning



Significant developments in the immediate area are shown in Figure 1 and are listed below:

- (a) the "Rice Block" building at 404 Hawks Avenue, a four-storey (45 ft.) heritage "C" mixed-use building with retail uses and social housing registered under the Single Room Accommodation By-law
- (b) the "Ukrainian Cultural Centre" building at 805 East Pender Street, a two-storey (36 ft.) assembly hall
- (c) the "Lesya Ukrainka" building at 827 East Pender Street, a three-storey (45 ft.) residential building with seniors' housing
- (d) the "Rose Garden Co-op" building at 853 East Pender Street, a three-storey (30 ft.) residential building with seniors' housing
- (e) the "Stamps Place" complex at 400 Campbell Avenue, with residential buildings ranging from three to twelve storeys
- (f) the "Ray-Cam Co-operative Centre" at 920 East Hastings Street, a two-storey (35 ft.) neighbourhood facility
- (g) the "нэца?mat ct" new Vancouver Public Library building (currently under construction), zoned to allow for a six-storey mixed-use building (75 ft.) with a public library and social housing
- (h) 799 Keefer Street, a three-storey (39 ft.) mixed use building, with neighbourhood grocery store (the "Wilder Snail") and residential uses
- (i) the "Astoria Hotel" at 769 East Hastings Street, a four-storey (53 ft.) building with residential rooms designated under the Single Room Accommodation By-law, a liquor retail store and bar

- (j) the “Woodbine Hotel” at 786 East Hastings Street, a four-storey (51 ft.) building with retail and residential rooms designated under the Single Room Accommodation By-law

## 2. Policy Context

**Downtown Eastside Plan** — In March 2014, Council approved the *Downtown Eastside Plan (DTES Plan)*. The *DTES Plan* guides future private and City investment and partnerships towards achieving integrated development that meet the needs and priorities of the whole community. It strategically aligns core community values, City objectives, and sound planning principles to provide clarity and certainty about where and how new growth will be managed using an innovative approach that has been supported by the community. The Plan’s policies are designed to achieve a thoughtful balance that supports the continued development of a mixed-income community in the DTES without displacing Vancouver’s most vulnerable citizens.

**Hastings East Area** — The subject site is located in the Hastings East area of the *DTES Plan*. In the Hastings East corridor, from Heatley Avenue to Clark Drive, *DTES Plan* policy anticipates the growth of a new mixed-use neighbourhood. This area will include a mix of housing types, and will leverage new social housing in addition to creating a local-serving retail and service area to serve the existing Strathcona community as well as new residents. New investment will be focused on local services, gathering places and related public amenity as development occurs in this area.

**Rezoning Policy for the Downtown Eastside** — In March 2014, Council approved the *Rezoning Policy for the Downtown Eastside*. For sites in the Hastings East area, rezoning may be considered for mixed use buildings where between 20 and 30 percent of the residential units are secured as social housing (for families and singles) and the balance as market rental or strata housing. The *DTES Plan* also provides direction to maximize the delivery of on-site social housing, with a focus on families, through new development.

**Housing and Homelessness Strategy** — In July 2011, Council approved the *Housing and Homelessness Strategy 2012-2021*, which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life.

**Micro Dwelling Policies and Guidelines** — In March 2014, Council approved the *Micro Dwelling Policies and Guidelines*. Micro dwelling units are new self-contained units (with private bathrooms and kitchens) which are smaller than 29.7 m<sup>2</sup> (320 sq. ft.) and may be relaxed down to 23.2 m<sup>2</sup> (250 sq. ft.) and are intended for single occupancy. The guidelines provide for the creation of new livable, affordable micro dwelling rental units in the Downtown Eastside. The aim is to provide flexibility to achieve the City’s affordable housing objectives for replacement housing for low-income singles living in Single Room Occupancy (SRO) hotels and affordable housing for moderate income renters in the Downtown Eastside.

**Housing Plan for the Downtown Eastside** — In September 2005, Council approved the *Downtown Eastside Housing Plan*, which anticipated development of a medium-density mixed-use zoning along the Hastings Street corridor, with height and on-site density bonuses to encourage affordable forms of housing, including SRO replacement housing and secured market rental projects targeted to singles, couples or families.

**Industrial Lands Policies** – The 1995 *Industrial Lands Policies* reconfirms a 1990 Council decision to designate the Hastings Street M-1 area as a “let-go” area, following a city-wide review of industrial areas. While Hastings Street, from Heatley Avenue to Clark Drive, is zoned for industrial uses, rezoning to other uses may be considered.

### 3. Application Revisions

The original application, submitted on November 27, 2014, proposed a change in the overall maximum density from an FSR of 5.0 for industrial uses, to 4.7 for residential uses, to allow for a 21.9 m (71.9 ft.), seven-storey building. The application proposed a total of 26 social housing units, with 20 micro-dwelling units and six two-bedroom units.

Following engagement with the neighbourhood on this proposal, and in response to community feedback and staff advice, a revised rezoning application was submitted.

The revised application, received October 23, 2015, with an addendum submitted on January 19, 2016, included the following changes:

- To address concerns that the proposal did not provide enough neighbourhood benefits, a larger amenity space was proposed on the ground floor, with access for community members to be secured through a community use agreement;
- To address concerns about the livability of units along Hawks Avenue, street level units along Hawks Avenue and at the lane were removed;
- To address concerns about the amount of family housing proposed, the number of family units was increased from 6 to 14 two-bedroom units, with the overall number of units reduced from 26 to 21; and,
- As a result of the design changes above, the density was reduced from 4.70 FSR to 4.50 FSR.

Below is a summary of the revised application statistics:

**Table 1 - Summary of Application Revisions**

	<b>Rezoning Application</b> (November 2014)	<b>Revised Application</b> (October 2015)	<b>Change</b>
Micro-Dwelling Units	20	7	-13
Two-bedroom Units	6	14	+8
<b>Total Units</b>	<b>26</b>	<b>21</b>	<b>-5</b>
Indoor Amenity (Ground Floor)	291 sq. ft.	740 sq. ft.	+449 sq. ft.
Courtyard (Ground Floor)	388 sq. ft.	388 sq. ft.	No change
Outdoor Amenity (7th Floor)	291 sq. ft.	284 sq. ft.	-7 sq. ft.
<b>Total Amenity &amp; Courtyard</b>	<b>970 sq. ft.</b>	<b>1,412 sq. ft.</b>	<b>+442 sq. ft.</b>

## Strategic Analysis

### 1. Proposal

This report evaluates an application to rezone 420 Hawks Avenue from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for a seven-storey residential building with 21 social housing units (see Figure 2). At street level along Hawks Avenue, a 68.7 m<sup>2</sup> (740 sq. ft.) amenity space is proposed, with access for local community members to be secured through a community use agreement.

Figure 2 - Rendering of Proposed Building



### 2. Land Use

The proposal includes 1,275 m<sup>2</sup> (13,725 sq. ft.) of residential floor area, proposed as social housing owned and operated by Atira, a non-profit organization currently operating several social housing buildings in the City. With a total of 21 units that will meet the definition for social housing applicable to the site, including 66% suitable for families, as well as an amenity space accessible to local residents, this application for a residential building addresses the intent of the *DTES Plan* and *Rezoning Policy for the Downtown Eastside* to maximize the delivery of on-site social housing, with a focus on families, and to support the addition of new community gathering spaces.

While Hastings Street, from Heatley Avenue to Clark Drive, is zoned for industrial uses, rezoning to other uses may be considered, as confirmed in the *Industrial Lands Policies*. The

*Regional Growth Strategy - Metro Vancouver 2040: Shaping Our Future* and the *Vancouver Regional Context Statement Official Development Plan* designate the site as “general urban”, which would allow consideration of a rezoning from industrial to residential use.

### 3. Housing

If approved, this project would deliver 21 social housing units for women and women lead families and help achieve the goals of the *DTES Plan*. As shown in Table 2, seven micro dwelling units are included in the development, which is supported by the Council-approved *Micro Dwelling Policies and Guidelines*. Some flexibility to refine and reconfigure unit types during the development permit process, may be required. The Chief Housing Officer will work with the applicant to ensure housing objectives and policies are met with consideration to the viability of the project.

Table 2 - Proposed Unit Breakdown

Unit Type	Amount
Micro Dwelling Units	7
Two-Bedroom	14
Total	21

Tenure and affordability of the social housing units would be secured through a Housing Agreement and Section 219 Covenant for 60 years, or the life of the building, whichever is greater. At least one-third of new social housing units must be rented at shelter component of Income Assistance for low-income households to ensure that DTES residents in this very low income cohort have access to housing. The target for the remaining two-thirds of social housing units will be a mix of rents to support the overall sustainability of the project, with the goal to achieve the highest number of subsidized units possible. The target for affordability for rents in these social housing units will be for one of these thirds to be up to “Housing Income Limits” or HILs, and the remaining third to be at affordable market rents

An Operations Management Plan (OMP) would be required prior to the issuance of the Occupancy Permit, to outline the management of the property, and key contact information for neighbours, as well as the ways in which neighbourhood residents will be prioritized for the social housing.

The 21 social housing units would contribute towards achieving the city-wide non-market housing target of 5,000 additional new units (including 1,000 SRO replacement units). As shown in Table 3 below, the addition of 21 social housing units, if approved, would increase the number of social housing units to 1,808 once completed.



Table 3 - Progress towards Social & Supportive Unit Targets as set in the City's Housing and Homelessness Strategy (to January 2016)

	TARGETS <sup>1</sup>		CURRENT PROJECTS <sup>2</sup>	GAP
	Long Term (2021)	Short Term (2018)	Committed, Under Construction and Completed	(2018 Target)
<b>Supportive Housing Units</b>	2,900	2,700	1,844	856
<b>All Other Non-Market Housing Units</b>	5,000	3,500	1,787	1,713
<b>Total Non-Market Housing Units</b>	7,900	6,200	3,631	2,673

<sup>1</sup> Targets are established in the 2011 City of Vancouver Housing and Homeless Strategy.

<sup>2</sup> Unit numbers exclude the units in this proposal, pending Council's approval of this application.

In addition to city-wide targets, the *DTES Plan* includes social housing targets. As shown in Table 4, the addition of 21 social housing units would increase the number of social housing units to 789 once completed.

Table 4 - Progress towards units in the City's Downtown Eastside Plan (to January 2016)

	TARGETS	CURRENT PROJECTS				GAP
	10-year (2023)	Completed	Under Construction	Approved	Total	Above or Below 10-yr Target
<b>Social Housing</b>	1,400	422	233	113	768	632 Below Target
<b>Secured Market Rental Housing Units</b>	1,650	19	118	182	319	1,331 Below Target

<sup>1</sup> Unit numbers exclude the units in this proposal, pending Council's approval of this application

<sup>2</sup> DTES Plan targets for secured market rental include 100% rental projects, new units achieved through mixed projects, such as the DEOD 40% rental inclusionary policy and conversion of SRO rooms to self-contained units.

*Micro Dwellings Policies and Guidelines* - Adopted in 2014 as part of the *DTES Plan*, the *Micro Dwellings Policies and Guidelines* allow a minimum size relaxation for new self-contained studio units (with private bathrooms and kitchens) from 29.7 m<sup>2</sup> (320 sq. ft.) to 23.2 m<sup>2</sup> (250 sq. ft.). The units are intended for single occupancy and must be secured as rental.

The subject site at 420 Hawks Avenue is currently designated under the *Single Room Accommodation (SRA) By-law* as having six rooms in a building which burned down in April 2006. Should Council approve the rezoning application for 420 Hawks Avenue, staff will recommend that the Chief Housing Officer approve an SRA demolition permit to replace the designated rooms with self-contained social housing, prior to enactment of the CD-1 By-law for this site.

The *Micro Dwelling Policies and Guidelines* delineate a set of principles for livability, which include light and ventilation, privacy and amenity and outdoor space. The seven micro dwelling units proposed in this building are 27.1 m<sup>2</sup> (292 sq. ft.) and respond to the guidelines. Each unit has its own bathroom and kitchenette, with a washer-dryer in each suite. The living/sleeping areas are at least 3 m<sup>2</sup> (32 sq. ft.) and have windows with operable vents. A condition of approval requests that additional bulk storage be provided underground, as well as in-suite storage using open or closed shelving units (see Appendix B). Both indoor and outdoor amenity space is provided to tenants, with a minimum 34.6 m<sup>2</sup> (341 sq. ft.) of shared outdoor space for the seven proposed micro dwelling units, as anticipated in the Guidelines. Through a design development condition (see Appendix B), it is recommended that "Juliet" balconies be included for these units.

*High-Density Housing for Families with Children Guidelines* - These guidelines are intended to address the key issues of site, building and unit design which relate to residential livability for families with children. The site at 420 Hawks Avenue is close to essential community services and recreational amenities. Strathcona Elementary School and Strathcona Community Centre are 350 m and 400 m to the east, respectively. There are grocery stores in Chinatown, 900 m to the east of the site, with a supermarket on Hastings Street, 1 km to the west.

These guidelines consider units with two or more bedrooms to be suitable for families. The proposal includes fourteen two-bedroom social housing units. At 40.4 m<sup>2</sup> (435 sq. ft.), these units are modestly sized but have access to indoor and outdoor amenity space. A washer-dryer would be provided in each suite. A condition of approval requests that additional bulk storage be provided underground (see Appendix B). A further condition recommends the provision of "Juliet" balconies for each of the units.

The guidelines encourage the provision of outdoor play areas suitable for pre-school and elementary aged children, although the extent of these areas can be reduced if there is reasonable access to nearby playgrounds, playing fields and community facilities designed for these age groups. For elementary school aged children, 400 m is considered reasonable. The rezoning site is one block north of MacLean Park, which includes a playground and children's water park approximately 250 m from the site. Given the nearby park and community centre facilities, a smaller play area may be considered for 420 Hawks Avenue. A design development condition is recommended to include children's play elements as part of the central courtyard area, co-located with the space for urban agriculture (see Appendix B)

#### 4. Density and Form of Development

**Density:** Under the existing M-1 (Industrial) zoning, the density permitted on the site is an FSR of 5.0 for industrial uses. Through the *Rezoning Policy for the Downtown Eastside*, rezoning applications with a density of 2.5 to 4.5 FSR may be considered for sites along the Hastings East corridor, between Heatley and Campbell avenues.

The rezoning application, as submitted on October 23, 2015, proposes an overall floor area of 1,275 m<sup>2</sup> (13,725 sq. ft.), equivalent to 4.5 FSR of residential use. Staff urban design assessment concludes that this floor area can be appropriately accommodated on the site, subject to the design development conditions in Appendix B.

**Height and Views from MacLean Park:** Existing M-1 zoning for the site allows for a maximum height of up to 30.5 m (100 ft.) for industrial uses. In the Hastings East area between Heatley and Campbell avenues, heights in the range of 13.7 m to 22.9 m (45 ft. to 75 ft.) may be considered through rezoning. The *DTES Plan* anticipates that Hastings East should develop with varying frontages, including an emphasis on smaller sites in achieving greater density through vertical, compact form. Higher buildings should be located at block ends, and lower buildings should be located in between, to optimize views to the north from established neighbourhoods to the south. A height of 21.6 m (70.9 ft.) is proposed for 420 Hawks Avenue.

Within the Hastings East area of the *DTES Plan*, it is anticipated that the height of new development would respect public views of the north shore mountains ridgeline. As part of the rezoning application for 420 Hawks Avenue, view analysis was provided from the intersection of Hawks Avenue and Pender Street. In response to concerns about the loss of views from the southwest quadrant of MacLean Park, additional analysis was provided (see Appendix E), indicating minimal view impacts.

Staff urban design assessment concludes that the proposed height of 21.6m (70.9 ft.) is supportable for this location.

**Modular Shipping Container Construction:** A unique aspect of the proposed development is the modular shipping container construction. The steel containers are typically 2.4 m (8 ft.) by 6 m (20 ft.), which when paired, would form the structure for a studio micro dwelling unit at 27.1 m<sup>2</sup> (292 sq. ft.). Three containers would be combined to form a two-bedroom unit, 40.4 m<sup>2</sup> (435 sq. ft.) in size. Given the unusual building material, staff completed an initial building code review, to identify any major issues in relation to the Vancouver Building By-law. Additional information on the proposed container configuration can be found in Appendix E, with building code review comments in Appendix D.

As proposed, three sides of the shipping container's steel cladding would be exposed, with the fourth side clad in the curtain wall assembly that maximizes daylighting and ventilation opportunities for each unit. The containers are organized in an "L-shape" configuration around a central courtyard, which is open to the south to optimize solar penetration and daylighting.

The building circulation, including exterior corridors, exit stairs and elevator, are situated within the courtyard space. The building massing, resulting from the modular container units, is organized in a three-part configuration: a central seven-story vertical form, flanked on either side by two wings. The north wing is comprised of an exit stair that presents full height to the adjacent four-storey Rice Block building. The south wing is composed of stacked residential units. At the southwest corner of the seventh floor, one container module is deleted to form a six-storey transition to the RT-3 residential area beyond. This also provides a common access roof-deck oriented southwest, at the seventh floor. These flanking elements are setback 1.5 m (5 ft.) along Hawks Avenue and 1.2m (4 ft.) along the lane.

The primary building entry is located toward the north end of the building, off Hawks Avenue. In addition, an amenity room is located at street level, against the Hawks Avenue sidewalk. Co-located with the amenity space is an internal courtyard area featuring urban agriculture opportunities for residents.

**Urban Design Panel:** The rezoning application and the proposed form of development were

reviewed by the Urban Design Panel, receiving support on March 11, 2015 (see Appendix D).

It is recommended, subject to the Public Hearing, that the proposal be approved, subject to the conditions in Appendix B, which seek further design refinement at the Development Permit stage. The form of development drawings are included in Appendix E and the development statistics are included in Appendix G.

## 5. Parking and Transportation

**Parking and Loading:** Based on the *Parking By-law*, the proposed residential development would require a total of 13 vehicle parking spaces, with no residential loading space required. No vehicle parking or loading spaces are proposed. Engineering staff have reviewed the application and support a parking relaxation to no vehicle parking spaces, given the minimal parking demand likely to be associated with the proposal. This relaxation is reflected in the recommended Parking By-law amendment (Appendix C) and in the recommended conditions of approval (Appendix B).

**Bicycle Spaces:** The application would meet or exceed the *Parking By-law* for bicycle spaces. Underground bicycle spaces are proposed in the basement level, with access by elevator, or through two staircases. Engineering staff have indicated that they would support the proposed location and elevator access for the bicycle parking, and recommend that the development meet the bicycle parking requirements of the Parking By-law, with a condition to provide a larger elevator to more easily accommodate bicycle access (Appendix B).

Located in close proximity to Hastings Street, the subject site is well located with regard to bus service on Hastings, Cordova and Powell streets, as well as bicycle routes on nearby streets.

## 6. Environmental Sustainability

The *Green Buildings Policy for Rezoning*s (amended by Council on June 25, 2014) requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency and stormwater management and a 22 per cent reduction in energy cost as compared to ASHRAE 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 energy efficiency and, therefore, would be eligible for a LEED® Gold rating.

In October, 2012, Council adopted the *Vancouver Neighbourhood Energy Strategy* which identified the Downtown Eastside as a target area for NES development. As the proposed floor area for 420 Hawks Avenue is below the minimum 2,000 m<sup>2</sup> (21,528 sq. ft.) threshold for NES connectivity, no connection is required as a condition of rezoning.

### ***PUBLIC INPUT***

**Public Notification** – A rezoning information sign was installed on the site on December 22, 2014, and updated on December 14, 2015 to reflect the details of the revised rezoning application. A notice of rezoning application was mailed to surrounding residents and businesses on or about January 5, 2015. Notification and application information, as well as

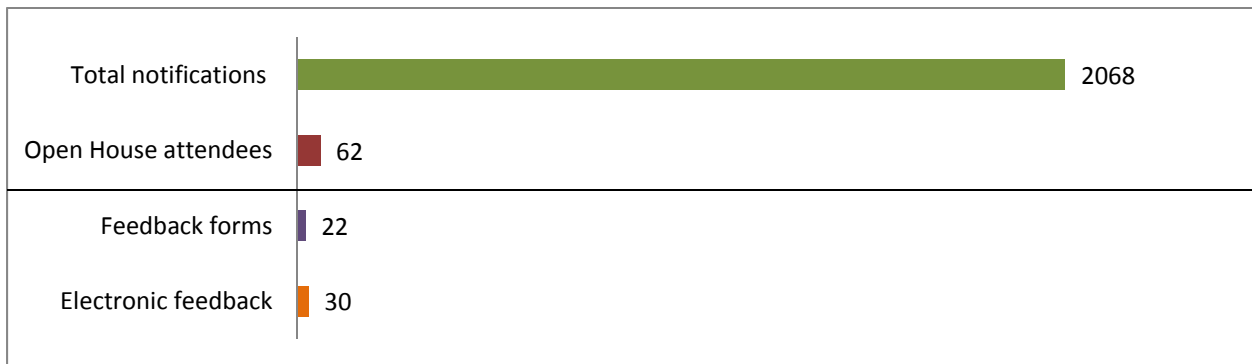
an online comment form, were provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/420hawks](http://vancouver.ca/420hawks)).

A community open house was held on March 2, 2015. Staff, the applicant team, and a total of approximately 62 people attended the open house. Two community stakeholder meetings were held, on March 25 and December 2, 2015, with members of the East Hastings Revitalization Coalition. A more detailed summary of notification, consultation and public comments on this application is provided in Appendix D.

Below is an overview of the public feedback provided in response to the application:

**November 29, 2014, Rezoning Application:** While a wide range of issues and commentary were voiced, there was significant support for affordable housing for women. Concerns raised were primarily regarding the proposed parking, the unit mix (not enough family housing), building height, built form, safety and security.

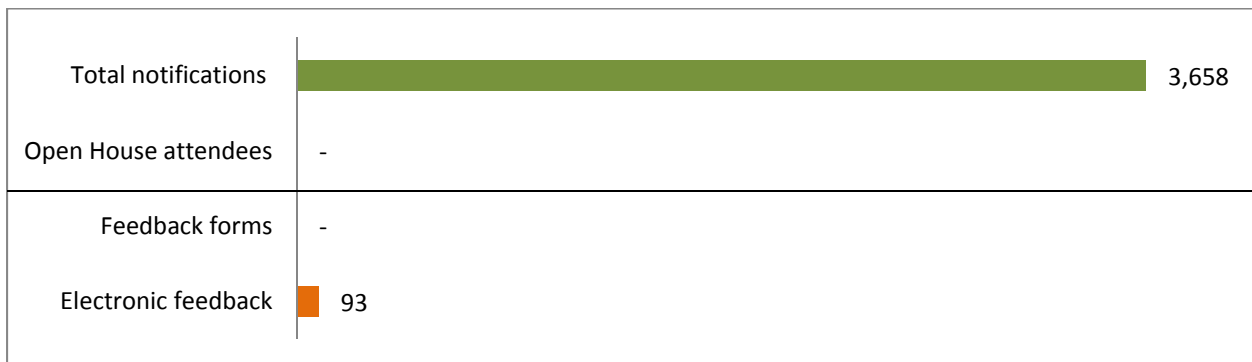
Figure 3: Notification and Public Response (November 24, 2014 Application)



The revised rezoning application responded to concerns about the proposed unit mix, density and ground floor residential use.

**October 23, 2015, Revised Rezoning Application:** A significant amount of feedback reflected support for adding new affordable housing for women. Concerns raised were primarily in regard to the proposed building height, safety and security, management of the proposed building, land use and built form.

Figure 3: Notification and Public Response (October 23, 2015 Application)



Staff have assessed the issues raised through the rezoning review process and have generally concluded that the proposed height, density and land use is supportable for this location, subject to the conditions of approval contained in Appendix B.

Recommended conditions of approval include improvements to the built form transition at the lane by removing the cantilevered portion of the seventh-floor outdoor deck, as well as improvements to the interface with Hawks Avenue by requiring a minimum 0.9 m (3 ft.) planted strip along the edge of the ground floor amenity space.

As noted in the Parking and Transportation section, the proposed parking relaxation is supported based on the minimal parking demand associated with the proposed social housing building, as well as the site's proximity to bus service on Hastings, Cordova and Powell streets and bicycle routes on nearby streets.

### ***PUBLIC BENEFITS***

In response to City policies which address changes in land use and density, this application for rezoning offers the following public benefits:

#### **Required Public Benefits:**

**Development Cost Levies (DCLs)** – Development Cost Levies 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 the Citywide DCL rate, which is currently \$143.27 m<sup>2</sup> (\$13.31 per sq. ft.) for new residential (other than qualifying social housing projects) and commercial floor space.

Under the DCL By-law, social housing in the Hastings East M-1 area is exempt from DCLs where:

- At least one-third of the units are occupied by persons eligible for either Income Assistance, or a combination of basic Old Age Security pension and Guaranteed Income Supplement,
- For which a Section 219 covenant, housing agreement or other security restricts the use of such units, and
- Where the housing is owned by the City or a non-profit organization.

The social housing component of the project meets these criteria and is therefore exempt from paying DCLs. The value of this exemption is estimated to be approximately \$182,686.

**Public Art Program** – The *Public Art Policy for Rezoned Developments* requires rezonings having a floor area of 9,290.0 m<sup>2</sup> (100,000 sq. ft.) or greater to allocate a portion of their construction budgets to public art as a condition of rezoning, with an exemption for floor area used for social housing. As the proposal is for social housing, with a floor area below the minimum threshold, no public art contribution will arise from this application.

### Offered Public Benefits:

**Community Amenity Contribution (CAC)** – Within the context of the City's *Financing Growth Policy*, an offer of a community amenity contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. Such a CAC is typically made through the provision of either on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services. The *Community Amenity Contributions - Through Rezonings* policy provides an exemption for social housing which meets the DCL By-law definition.

As the public benefit achieved through this rezoning is the provision of 21 units of social housing, with an amenity space with access for local community members to be secured through a community use agreement, no additional CAC is offered as part of this rezoning.

A public benefits summary is provided in Appendix F.

### *Financial*

As noted under the section on Public Benefits, there are no public art contributions, DCLs or CACs associated with this rezoning.

The proposed social housing project is eligible for DCL exemption under the DCL By-law. The value of the exemption is estimated to be approximately \$182,686.

The 21 social housing units would be secured as rental through a Housing Agreement and Section 219 Covenant for 60 years, or life of the building, whichever is greater. The units will be owned and operated by Atira with a minimum affordability target for at least one third of the units to be rented at rates no higher than the shelter component of Income Assistance, over the life of the building. If the project qualifies, Atira may be eligible for City of Vancouver grant funding, subject to an application process and Council approval. Otherwise, no further financial contributions are anticipated from the City.

### *Social*

The new social housing families and singles would fill identified needs in the community as outlined in the *DTES Plan*. The proposed amenity space, with access for local community members to be secured through a community use agreement, would respond to policy supporting the addition of new gathering spaces in the Hastings East area.

If approved, redevelopment of the site would result in removal of the existing Atira Community Garden. Access to nutritious and affordable food has been identified as a gap in the neighbourhood, and opportunities for urban agriculture have been included in the rezoning application. Food resources in the form of urban agriculture plots are proposed on the site, where residents are able to grow food and improve connectedness.

## *CONCLUSION*

Assessment of this rezoning application has concluded that the proposed land uses, density and height are supported, subject to the recommended conditions as outlined above and in Appendix B. Further, the public benefits of this project would provide a significant contribution towards social housing targets in the Hastings East area of the Downtown Eastside.

The Acting General Manager of Planning and Development Services recommends that the rezoning application be referred to Public Hearing, together with the draft CD-1 By-law, generally as set out in Appendix A. Further it is recommended that, subject to the Public Hearing, the application, including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*



420 Hawks Avenue  
DRAFT 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) Micro Dwelling;
  - (b) Multiple Dwelling; and
  - (c) Accessory Uses customarily ancillary to the uses listed in this section.

**Conditions of Use**

3. The design and layout of at least 25% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms; and
  - (c) comply with Council's "High Density Housing for Families with Children Guidelines".

**Floor Area and Density**

- 4.1 Computation of floor space ratio must assume that the site consists of 283.4 m<sup>2</sup> [3,050 sq. ft.], being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2 The floor space ratio for all uses must not exceed 4.5.

- 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 sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12 % of the residential floor area; and
    - (ii) the balconies must not be enclosed for the life of the building.
  - (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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
  - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a 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:
- (a) amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.
- 4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any use other than what which justified the exclusion.

### **Building Height**

- 5 Building height, measured from base surface, must not exceed 21.6 m [70.9 ft.].

### **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 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 m,

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

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 m<sup>2</sup>.

## Acoustics

7 All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

\* \* \* \* \*

420 Hawks 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 FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Boni Maddison Architects, including plans and addendum received October 23, 2015 and January 19, 2016 respectively, provided that the Acting 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 Acting General Manager of Planning and Development Services, who shall have particular regard to the following:

**Design Development**

1. Design development to enhance the building interface with the public realm:

- (a) To reduce overlook into semi-private amenity space from the street, accommodate a 0.9 m (3 ft.) planting strip along the outside boundary of the west property line (see Landscape condition 5).
- (b) To reduce overlook and reinforce the transitional massing to existing development south of the site, delete the cantilevered area of the roof-deck on the seventh floor, at the southwest corner of the building.

Note to applicant: Consider reallocating this outdoor amenity area to a roof-deck above the Garbage Storage, which could be accessed from the second floor.

- (c) Animate the largely blank, south building face at the lane.

Note to applicant: Consider the introduction of clerestory fenestration, artwork, with the opportunity to work with local artists, or material variation as the mechanism to do so (also see Landscape condition 6).

2. Design development to enhance the livability of units:

- (a) To comply with Horizontal Angle of Daylighting and ventilation requirements, adjust the layout seven of the two-bedroom units (marked as unit 1 on each floor, located at the northeast corner of the site) to locate the second bedroom adjacent to an exterior wall.

- (b) Provide semi-private outdoor space to enhance the livability of the residential units.

Note to applicant: Recommend the introduction of “Juliet” guards to facilitate sliding door openings in curtain wall assembly for each unit, or other means by which to achieve the same performance objectives.

- (c) Consider the provision of additional residential storage at the basement level.

Note to applicant: This could be achieved by expanding the basement level to include additional storage space, or by reconfiguring the proposed bicycle parking rooms to include residential storage space.

- (d) Provide in-suite storage, in the form of open or closed shelving units, for the proposed micro dwelling units.

- (e) The building is to include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).

- (f) A common outdoor amenity area is to be provided which includes an area suitable for a range of children’s play activity.

Note to applicant: Explore the inclusion of informal play elements as part of the interior courtyard space, potentially co-located with opportunities for urban agriculture.

- (g) Provision of additional shared outdoor space for residents.

Note to applicant: Explore the addition of shared outdoor space at the second floor, on top of the garage rooftop at the lane (see also conditions 1(b) and 9).

### Crime Prevention Through Environmental Design (CPTED)

- 3. Design development to respond to CPTED principles, having particular regards for:

- (a) theft in the underground parking;
- (b) residential break and enter;
- (c) mail theft; and
- (d) mischief in alcoves and vandalism, such as graffiti.

Note to applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

## Sustainability

4. Confirmation that the application is on track to meeting the *Green Buildings Policy for Rezonings* including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The design strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

## Landscape

5. Design development to improve the interface with Hawks Avenue by expanding the planting bed at grade across the entire west façade, except at the main entry and entry to the amenity space.

Note to applicant: This will require revisions to the building footprint and coordination with architectural plans. See also condition 1(a). Proposed planting to be reviewed by the Street Activities Branch, Engineering Services.

6. Design development to provide a more pedestrian friendly experience at the lane edge. See also condition 1(c).

Note to applicant: This can be achieved by the use of down lighting and more substantial planting at grade, oriented to the lane, such as the addition of woody shrubs and groundcover, along with the espaliered Fig tree. The lane edge planting should be protected from vehicles by an 8 inch high curb, while maintaining visual connectivity for CPTED concerns.

7. Design development to enhance and soften the elevator shaft at the east façade by the use of cable trellis with pocket-planted climbing vines.
8. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

9. Provision of revised Level 7 roof deck landscape to confirm reduced overlook, by deleting cantilevered area. See also condition 1(b).
10. Provision of minimum two 6 cm. caliper deciduous street trees along Hawks Avenue, in coordination with Engineering and Park Board.
11. A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
12. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
13. Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

14. Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
15. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board".

Note to applicant: Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.

16. A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade.
17. A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

### Engineering

18. Provision of elevators with an internal dimension of a minimum 2051 mm width by 1683 mm depth and a minimum 1067 mm (3.5 ft.) double set of elevator doors that are sized for easy access by cyclists and pedestrians.
19. Provision of City building grades and additional design elevations at all entries along the property line, clearly indicating that entries meet building grades.

### 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 Acting General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Chief Housing Officer and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Consolidation of the south half of Lots 1 and 2, all of Block 66, District Lot 181, Plan 196 to create a single parcel.
2. Provision of support (retention) for both Hawks Avenue and the lane adjacent the site.

Note to applicant: There currently is a retaining wall and pipe rail fence located adjacent the boundary of the site. Confirmation that if the wall is removed adequate support is provided for the street and lane and a building design that clearly reflects such support. Should the retaining wall remain then arrangements to the satisfaction of the General Manager of Engineering Services are required for any modifications to the retaining wall to accommodate the development of the site.

Note to applicant: Note a support agreement (legal agreement) may be required.

3. 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 a standard concrete lane crossing at the lane entry south of Hastings Street, on the east side of Hawks Avenue, including reconstruction of the lane curb returns should it be required to ensure a standard lane crossing design.



- (ii) 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 applicant's 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.
  - (iii) 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.
4. 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.

#### **Housing Policy and Projects**

5. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement to secure all 21 residential units as social housing, for 60 years or the life of the building, whichever is greater subject to the following additional conditions in respect of those units:
- (a) That none of the social housing units may be separately sold;
  - (b) That rents in at least one third of the 21 social housing units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter

component of Income Assistance and the target rents and affordability for the remaining two-thirds will be for one of these thirds to be up to "Housing Income Limits" (HILs), and the remaining third to be at affordable market rents;

- (c) That the social housing units will be legally and beneficially owned by a non-profit corporation, or by or on behalf of the city, the Province of British Columbia, or Canada single legal entity and used only to provide rental housing for terms of not less than one month at a time and prohibiting the separate sale or transfer of legal or beneficial ownership of any such units;
- (a) That the operator shall provide a draft Operations Management Plan prioritizing the social housing for DTES residents; and,
- (b) Such other terms and conditions as the Director of Legal Services and the Chief Housing Officer may in their sole discretion require.

Note to Applicant: this condition will be secured by a 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to Section 565.2 of the Vancouver Charter.

#### **Social Policy and Projects**

- 6. Make arrangements to the satisfaction of the Managing Director, Social Policy and Projects and the Director of Legal Services to secure public access to a minimum 68.7 m<sup>2</sup> (740 sq.ft.) amenity room on the ground floor through a Community Use Agreement.

#### **Soils**

- 7. If applicable:
  - (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (b) 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
  - (c) 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 the 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 a

Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: 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 sites 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-laws.

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.

\* \* \* \* \*

420 Hawks Avenue  
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

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

"[CD-1#]                      [By-law #]                      420 Hawks Avenue"

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking requirements
420 Hawks Avenue	(_____)	(_____)	Parking, loading, and bicycle spaces in according with By-law requirements on (date of enactment of CD-1 by-law , except that:  (i) No vehicle parking or loading spaces are required.

420 Hawks Avenue  
ADDITIONAL INFORMATION

1. Urban Design Panel, March 11, 2015

EVALUATION: SUPPORT (6-0)

- **Introduction:** Linda Gillan, Rezoning Planner, introduced the proposal for a rezoning of 420 Hawks Avenue. This site is comprised of one parcel on Hawks Avenue at the lane, south of Hastings Street and is being considered under the Downtown Eastside Plan. The application is to rezone from the M-1 (light industrial) to CD-1 to allow for a seven-storey residential building. The proposal includes 26 social housing units, including 6 two-bedroom and 20 studio units. Ms. Gillan noted that this part of Hastings Street (M-1 on both sides of the street) was deemed a let-go area in 1990, as affirmed in the Industrial Lands Policy. The 2014 Downtown Eastside Plan anticipates a mixed-use neighbourhood in the Hastings East area, with rezoning supported for applications which include a minimum of 20-30% social housing. The recommended height range is 45-75 feet and recommended density range is 2.5-4.5 FSR. A height of 72 feet and density of 4.7 FSR is proposed, with shipping containers as the building superstructure. Studio units are 280 square feet and are permitted under the Micro Dwelling Policies and Guidelines, which allows for micro dwelling units if they are secured market rental housing or social housing.

Allan Moorey, Development Planner, reiterated that the proposed project is 7 storeys (72 feet). The project entry is off Hawks Avenue. The project contains 26 units; 20 SRO units and 6 two-bedroom units. These are configured around a common-access courtyard with exterior corridors providing unit access. The most notable aspect of the project is the modular aspect of shipping container construction.

There is a relaxation sought on parking and loading and as such none is provided; however, there are 41 bike stalls. Amenity space is located at grade on Hawks Avenue, with a common access roof deck provided in the south-west corner of level seven.

Advice from the Panel on this application is sought on the following:

- The building interface with the public realm on Hawks Avenue.
- The architectural expression of modular container construction.
- The interface with the neighbouring Rice block.
- The transition in height to the RT-3 neighbourhood to the south.
- The proposed height, massing, density and form of development.

Mr. Moorey took questions from the Panel.

- **Applicant's Introductory Comments:** Anthony Boni, Architect, mentioned that this was the second of two pilot projects to use shipping containers. The superstructure of the building is a very straightforward 3-storey stacking with a modern skin. Since the site is so small a decision had been made to extend the urban edge around the corner and step-back the building where there are units. There is a private courtyard in the back with no units facing the alley to provide more sun exposure. The walkways are big to allow for meeting spaces. The shipping containers are exposed on the surface

and in places around the building. Colours include a layered, horizontal, Strathcona red.

A four-foot fascia exists at the top, but, being a bit below 75 feet in height, Mr. Boni anticipated the project being able to fit in with the surrounding area over time. Being on the north-side of the lane prevents shadowing of the existing residential buildings, and there is a minimal impact as the building is quite narrow.

Janice Abbot, Atira Women's Resource Society, stated that the purpose of the building is to create independent housing for woman and children. The intention is to create an intergenerational community for women from all walks of life. Unit sizes are the same as the first project at 502 Alexander Street (290 square feet). A livability survey for that project was done after 12 months and returned a 93% positivity response.

- **Panel's Consensus on Key Aspects Needing Improvement:**
  - Consider raising the building to provide separation and privacy to lower suites.
  - Consider moving the garden to add openness to the courtyard.
  - Create a better interface with the Hawks Avenue façade.
  - Consider better articulation of the shipping container construction to highlight their use.
  - Consider simplification of the building articulation to emphasise the volume rather than decorative details.
- **Related Commentary:** The Panel saw the project as precedent-setting and as a viable use of shipping containers. They thought the applicant used previous projects and expanded upon their form of development in an innovative way.

The Panel thought the density, mass, and form are supportable and appropriate to the context of the neighbourhood currently, and as it evolves.

The Panel had some concerns around the public realm and the public/private interface of the building. It was suggested that the building should be raised, or the ceiling raised to suggest separation and create privacy for residents in the lower suites. The amenity space and/or suites on the bottom could also undergo a change in use in order to facilitate this change. The transition to the south is acceptable, although more generous open space on top of the building would be preferable.

There was support for the proposed social spaces; however, there are questions about whether the courtyard was challenged too much. A public garden should have more access to light, and the courtyard would work better as a children's play area. To this end, the Panel suggested that the garden be moved to the roof to both make it more usable and open up the courtyard. The Panel also thought an intentional revision to the breezeway should happen, with the goal being to encourage a variety of uses. A better relationship between the amenity space and the courtyard was also encouraged.

Some Panel members thought that cross-bracing might not be appropriate for this development style, and that there was potential for more windows or perforations on

the south side to enhance the livability for the units located on that facade. There was a real desire to see a clearer expression of the containers and a modulation of the Hawks Avenue façade. The Panel thought the façade didn't necessarily relate well to the container construction as it currently looked like a window wall. They also thought that articulation of the glazing system would better reflect the rhythm of the containers. In addition, the decorative, applied elements referencing the adjacent buildings were seen to be extraneous.

Although there was an appreciation for the articulation, the Panel thought that breezeway spaces should be functional and show clear logic in their offsetting of the container as the current incarnation looked a bit haphazard. If container movement was made then the stairs should be re-assessed to add openness.

- **Applicant's Response:** Mr. Boni and Ms. Abbott had no additional comments.

## 2. Public Consultation Summary

### 2.1 Public Notification

#### **Rezoning Application: November 29, 2014**

A rezoning information sign was installed on the site on December 22, 2014. In total, 1,948 notifications were sent to surrounding residents and businesses on or about January 5, 2015. Through the Downtown Eastside Plan listserv, email notification was sent to 77 individuals and community groups on January 6, 2015. A community open house was held on March 2, 2015. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/420hawks](http://vancouver.ca/420hawks)).

#### **Revised Rezoning Application: October 23, 2015**

A revised rezoning information sign was installed on the site on December 14, 2015. A notice of revised rezoning application was sent to about 3,658 surrounding residents and businesses on or about November 23, 2015. Further notification was provided to 432 individuals and 38 community groups through the Downtown Eastside Plan email listserv on December 16, 2015. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/420hawks](http://vancouver.ca/420hawks)).

### 2.2 Public Consultation

#### **Community Open House: March 2, 2015**

A community open house was held from 5-8 pm on Monday, March 2, 2015, at the Ukrainian Cultural Centre (805 East Pender Street). A total of 2,068 notifications were distributed to surrounding residents and businesses on or about February 16, 2015. Through the Downtown Eastside Plan listserv, an email notification was sent to 423 individuals and 38 community groups on February 17, 2015. Staff, the applicant team, and a total of approximately 62 people attended.

## 2.3 Community Stakeholder Meetings:

March 25, 2015

At the request of the East Hastings Revitalization Coalition, staff met with representatives of the Strathcona Residents Association, Strathcona Business Improvement Association, Inner City Safety Society, Stamps Place Residents Association and Ukrainian Cultural Centre to further discuss community feedback and concerns in response to the rezoning application.

Key concerns included:

- Scale, fit with the existing neighbourhood context, and fit with the DTES Plan;
- Whether a full impact assessment is needed before housing women and children in this particular location, both for the families who might live in the proposed building, and for those who live in the surrounding area;
- Concerns about allowing applications which may not completely adhere to the DTES Plan;
- Concerns about the loss of potential commercial and industrial space, with a desire to see those uses maintained at street level;
- Applications proposing social housing or SRO housing should be required to develop a proposed good-neighbour agreement for consideration and community approval, as part of the rezoning application; and
- The City should work systematically with the East Hastings Revitalization Coalition in considering all future development for the corridor.

December 2, 2015

Following receipt of a revised rezoning application, staff contacted the East Hastings Revitalization Coalition, and met with representatives of the Strathcona Residents Association, Strathcona Business Improvement Association, Inner City Safety Society and Ukrainian Cultural Centre on December 2, 2015, to discuss the revised rezoning application.

Key concerns, as discussed at the December 2 meeting and in written feedback on January 7 and January 14, 2016, included:

- That the proposal is not a good urban design fit with the existing character, height or scale of the street;
- Whether the proposed inter-generational mix can be secured;
- Whether the new social housing would benefit local residents;
- Interest in seeing a new, locally-serving, affordable grocery store in the area, ideally with laundry facilities;
- Interest in seeing a good-neighbourhood agreement developed if social housing is approved for the site;
- That the rezoning application should not proceed until the urban design guidelines for the area are complete;
- That mountain views will be blocked from MacLean Park;



- Whether the proposed building will be affordable and will rent at welfare rates;
- Whether this is a suitable location to house women and children; and
- Whether the application meets the *High-Density Housing for Families With Children Guidelines*, as well as the *Micro Dwelling Unit Policies and Guidelines*.

## 2.4 Public Response

Public responses to this proposal have been submitted to the City as summarized below.

### Rezoning Application: November 29, 2014

Public responses to this proposal have been submitted to the City as follows:

- In response to the 2014 application a total of 21 comment sheets were submitted from individuals.
- A total of 30 letters, e-mails, and online comment forms were submitted from individuals.

Those who provided feedback regarding the proposal cited the following concerns, grouped by theme and listed in order of frequency:

#### Parking

Respondents were concerned that the development would not be providing any parking for staff or visitors. Commenters referred to existing parking issues in the neighbourhood.

#### Unit Mix

Some feedback raised concern that the proposal does not support the strategy to replace Single Room Occupancy rooms with self-contained housing. There was support to replace studio units with family units for women and children.

#### Housing Management

Some respondents were concerned about the reputation of management practice of nearby housing management agencies.

#### Height

There was concern that the height of the proposal did not fit the existing neighbourhood, and that it could set a precedent in the area. Generally, suggestions for height modification thought 4 shipping containers would better suit the area.

#### Built Form

Some respondents commented that the character of the building did not fit with the existing neighbourhood. There was concern over the shipping container design being too different from the existing built form.

### Safety and Security

There was concern for neighbourhood safety and security, particularly in reference to visitors to the building. It was raised that the emphasis of services and housing in the DTES is compounding and that another location should be sought for this proposal.

Comments from those supporting the application cited the following concerns, grouped by theme and listed in order of frequency:

### Housing

A majority of respondents commented that it was important to support vulnerable populations living in the neighbourhood and that finding housing for single women is an integral part of providing this support.

### Housing

Some respondents supported the idea of having an engaging frontage at grade with space that would be accessible to the local neighbourhood.

### Built Form

There was support for the use of shipping containers in the design of the building, and the subsequent practicality of these materials in providing affordable housing.

### Neighbourhood Fit

Some feedback supported the location within the neighbourhood, adding that it will help maintain the intrinsic character of the neighbourhood as an area that welcomes and houses lower-income people.

The revised rezoning application responded to concerns about the proposed unit mix, density and ground floor residential use.

## **Revised Rezoning Application: October 23, 2015**

Public responses to the revised proposal have been submitted to the City as follows:

- A total of 93 letters, e-mails, and online comment forms were submitted from individuals.

Those who provided feedback regarding the proposal cited the following concerns, grouped by theme and listed in order of frequency:

### Height

There was concern regarding the proposed 7-storey height. It was expressed by some that the difference in height between the proposed development and adjacent buildings was too great.

### Safety and Security

Some feedback raised concern that low-income housing will attract anti-social behaviour. Examples were provided of issues with existing nearby developments with social housing sites.

#### Housing Management

Concern was raised about the potential management of any future social housing on the rezoning site.

#### Location

Some feedback stated concern that additional social housing was being proposed for this neighbourhood.

#### Land Use

Commenters expressed concern that retail and industrial land use was being lost. This included concern that a retail service would be beneficial to the existing neighbourhood, and without it would leave a commercial gap along Hastings Street.

#### Policy

Some commenters expressed that the Hastings Street and Kiwassa urban design guidelines should be completed to better understand the future context of the site.

#### Built Form

There was concern that the proposed built-form did not fit the character of the neighbourhood, that the proposal is too dense and tall and will subsequently impact access to sunlight on adjacent properties. There were also suggestions to have the proposed development sit flush with the Rice Block. Some commenters were not supportive of the materials being used.

#### Views

Residents in the surrounding area expressed concern that their private views would be affected by the proposal. In addition, there was some concern that public views from MacLean Park would be impacted by proposed development.

#### Housing

Some commenters would like to see all 2-or-3 bedroom suites for mothers with children, suggesting that it would fit better with the neighbourhood.

Comments from those supporting the application cited the following concerns, grouped by theme and listed in order of frequency:

#### Housing

A majority of the comments received strongly supported the notion for affordable housing on this site. Specifically the proposal for an intergenerational, multi-family unit mix was welcomed. Feedback strongly identified the proposal as a welcome addition to the community and noted the importance of vulnerable populations being close to services and having low-barrier access to housing. It was noted that there should be more housing for women and children who are independent. There was support for an increase in the number of multiple bedroom suites over single room suites.

#### Land Use

There was support for an amenity space being available to the public at street level. Some suggested that the ground services should be accessible to and offer services for low-income people.

#### Built Form

There was support for the resourceful building materials used in the design, including its innovative design. Some referred to the successful design of other shipping container projects in Vancouver.

### 3. Comments from Building Code Specialist

The following comments are based on the architectural drawings prepared by Boni Maddison Architects dated November 27, 2014, submitted as part of the rezoning application for 420 Hawks Avenue. Given the proposed use of repurposed shipping containers as the building superstructure, this is a cursory review in order to identify issues which do not comply with the 2014 Vancouver Building By-law #10908 which became effective on January 1, 2015:

1. It is recommended that the applicant engage a Building Code consultant to provide a detailed analysis of the proposal as regards compliance with the 2014 Vancouver Building By-law. The containers are not exempt from having to comply with the Building By-law via Clause 1.1.1.1.(2).(g) of the Building By-law nor do they conform to a strict interpretation of any of the Group C Articles in Subsection 3.2.2 of the Building By-law. They fall within the scope of Sentence 3.2.2.2.(1), "Special and Unusual Structures".
2. Elevations show that the floor level of the uppermost storey is not more than 18 m above grade. On that basis, Subsection 3.2.6 (Additional Requirements for High Buildings") would not be applicable to this building.
3. The plans show a basement. It is presumed that this will be of conventional poured concrete construction. If this assumption is not correct then the applicant should comment on what construction method will be used.
4. The method of achieving fire resistance ratings of fire separations, and, STC ratings of assemblies will be reviewed at the Building Permit application stage. Plans do not show this level of detail at this time.
5. The applicant should be asked for clarification as to what thermal insulation measures will be applied, what types of materials will be used, and what the design RSI values achieved will be.
6. Enhanced accessibility for disabled persons has not been met for all of the proposed dwelling units as required by Clause 3.8.2.27.(4).(f) re: 450 mm minimum clearance to the latched side of the suite entry doors. NOTE: the option of providing pre-wiring for residential style door openers that was part of the 2007 Building By-law has been removed from the 2014 Building By-law.

7. Structural design that meets Part 4 of the Building By-law will be a major issue that must be addressed in the design of this building.
8. The building must be fully sprinklered and have a standpipe system and a fire alarm system.
9. Spatial separation and the construction of exposing building faces will be reviewed at the Building Permit application stage.
10. The applicant must be prepared to demonstrate how compliance with Part 5 (Environmental Separation) of the Building By-law will be met.
11. It isn't clear what type of construction is used for the exterior passageways at floor levels 2 through 7 however the assembly must be of non-combustible construction.
12. The bike room at the Northeast corner of the basement does not comply with the disabled access requirements of Sub-Clause 3.3.1.13.(10).(b) of the Building By-law as regards the required clear level areas both sides of the door and the minimum dimension to the wall nearest the latched side of the door. Access to this room by disabled persons is required by Clause 3.8.2.27.(4).(e) of the Building By-law.
13. The exterior passageways at floor levels 2 thru 7 do not appear to comply with 3.4.4.3 and must therefore be separated from the remainder of the building by a fire resistance rated fire separation, i.e. suite walls facing the passageway must have a fire resistance rating and be constructed as fire separations, including a fire protection rating of all closures (suite entry doors/frames) that face the exterior passageways.
14. The North stair from the basement level does not lead to an acceptable open space protected from fire exposure from the building as per the definition of "exit" in the Building By-law. As such, the building's floor areas are not served by the minimum required 2 exits. The stair discharges to a ground floor covered area which functions like an exit lobby with dwelling units that open directly onto this space contrary to Clause 3.4.4.2.(2).(c) of the Building By-law.

It is recommended that the applicant continue to work with a qualified Building Code consultant. Failure to address these issues may jeopardize the ability to obtain a Building Permit or delay the issuance of a Building Permit for the proposal.

\* \* \* \* \*

420 Hawks Avenue  
FORM OF DEVELOPMENT

Figure 1: Basement Plan

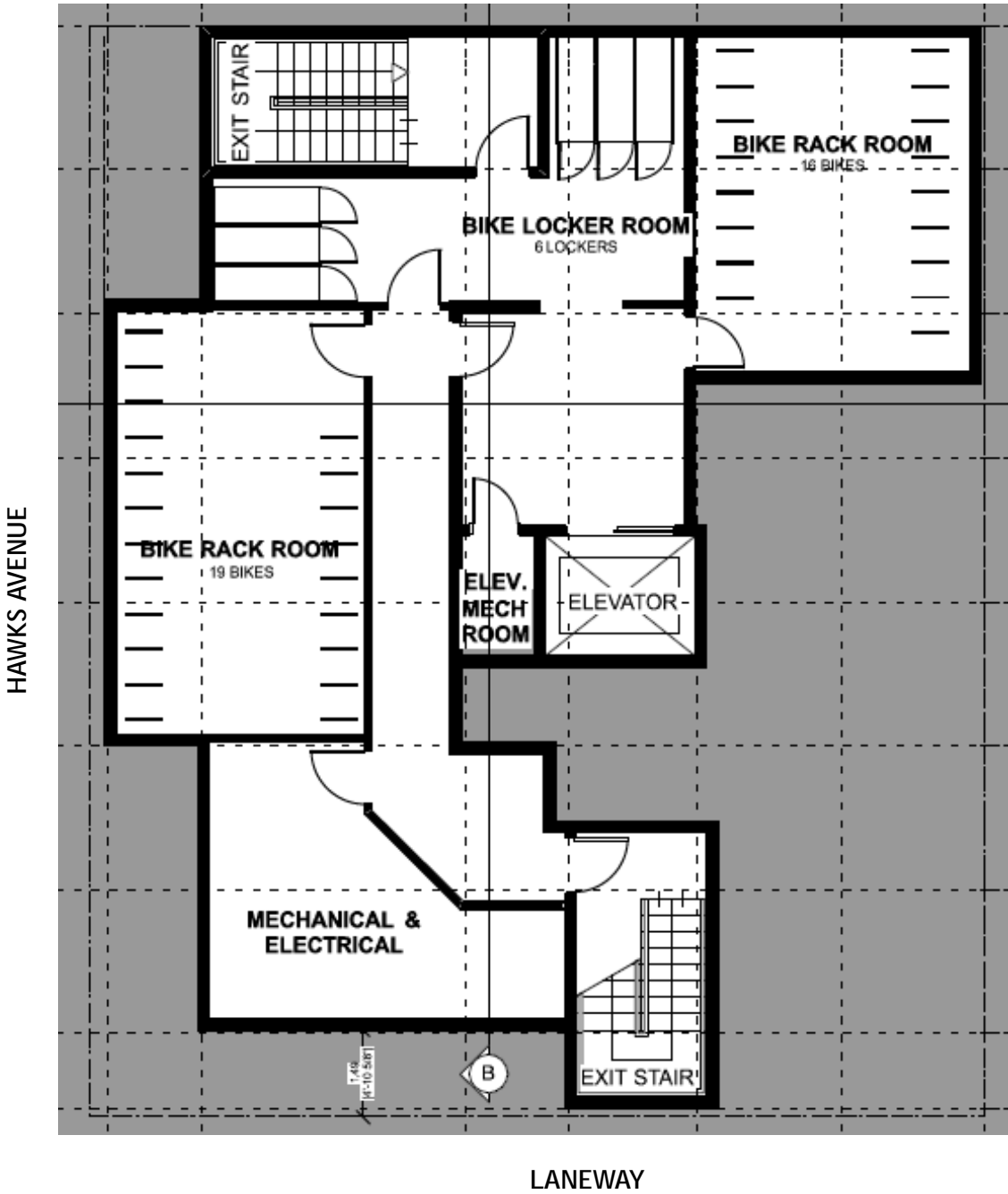


Figure 2: Ground Floor Plan

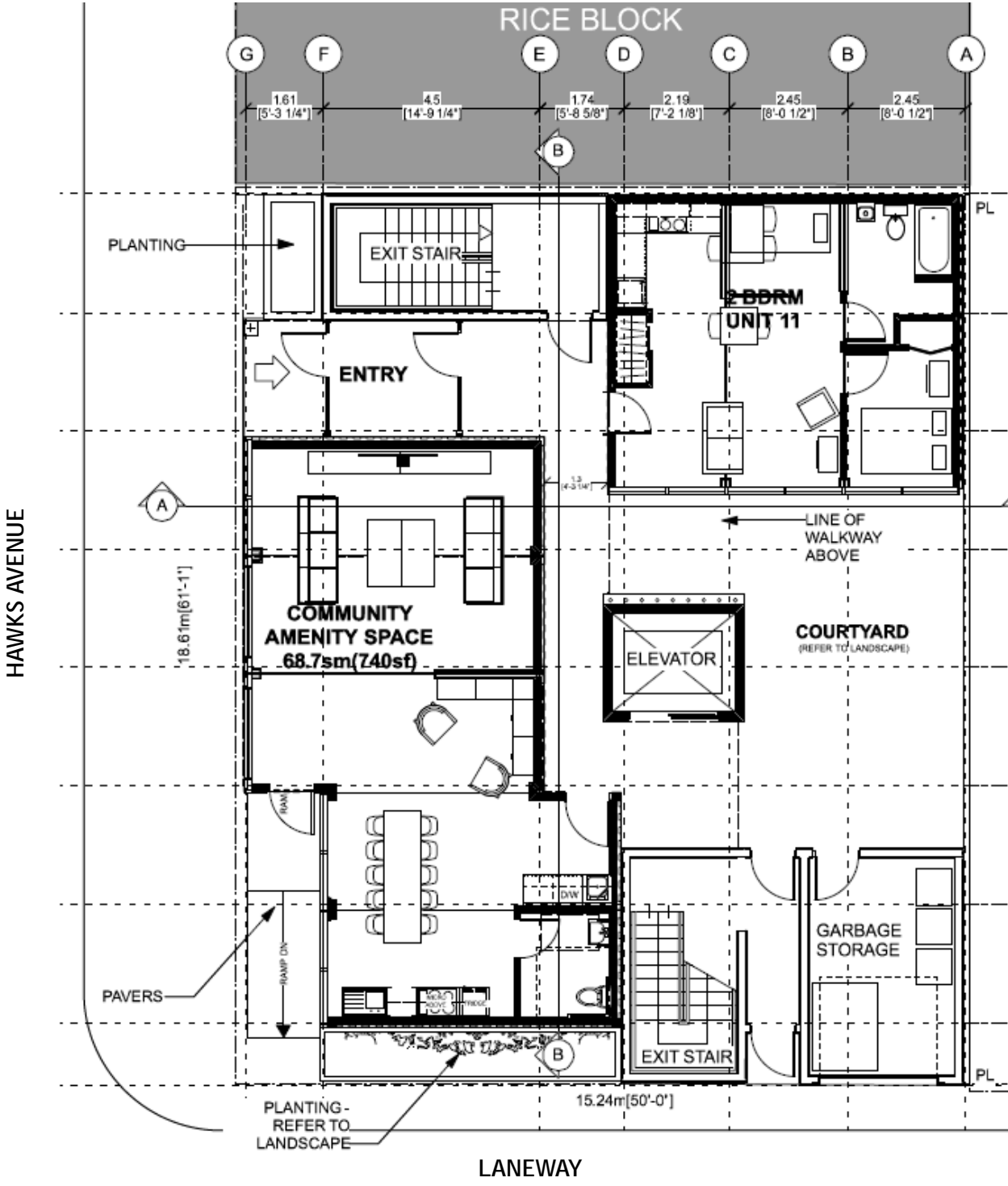


Figure 3: Second to Fourth Floor Plan

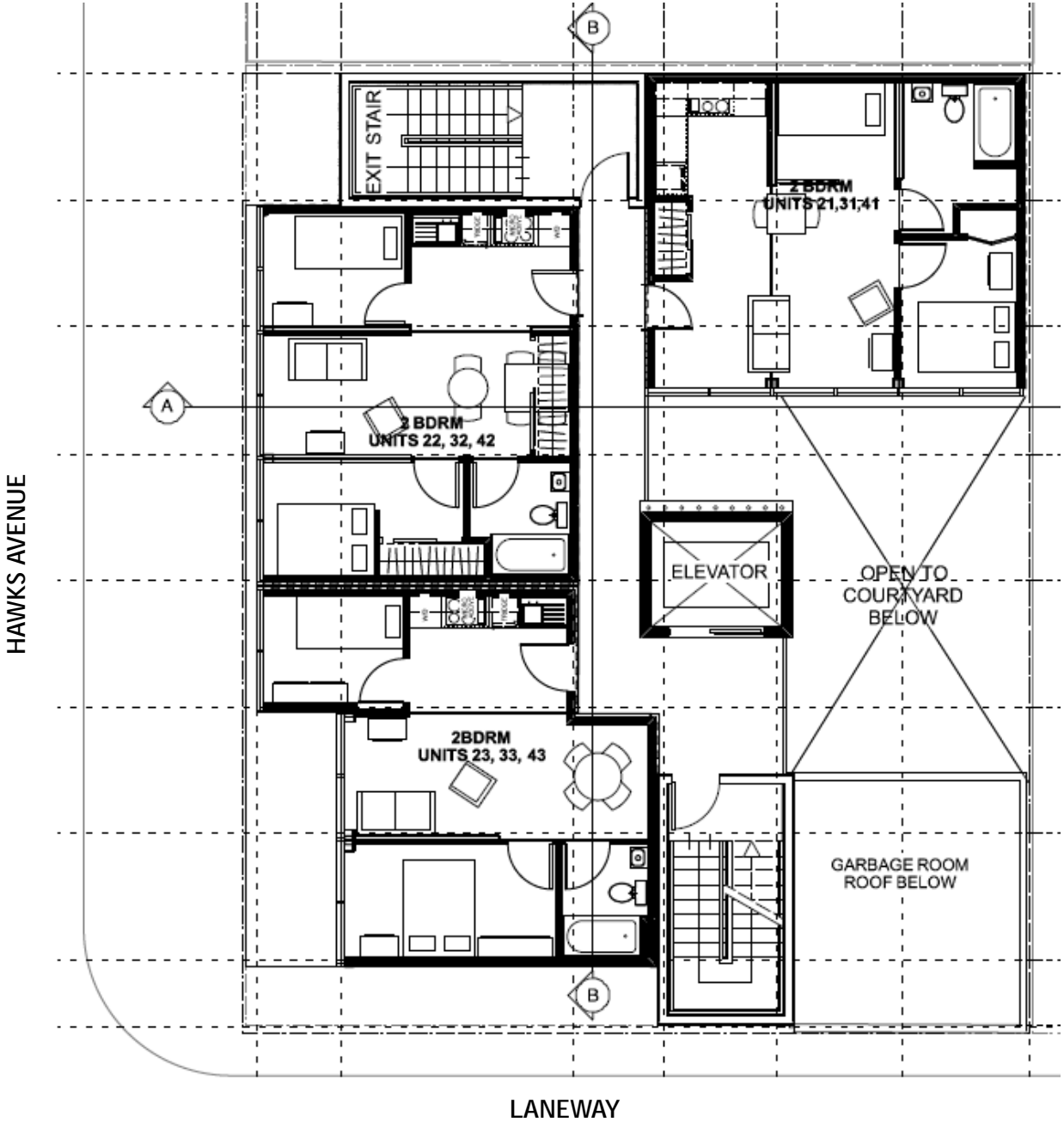




Figure 4: Fifth and Sixth Floor Plan

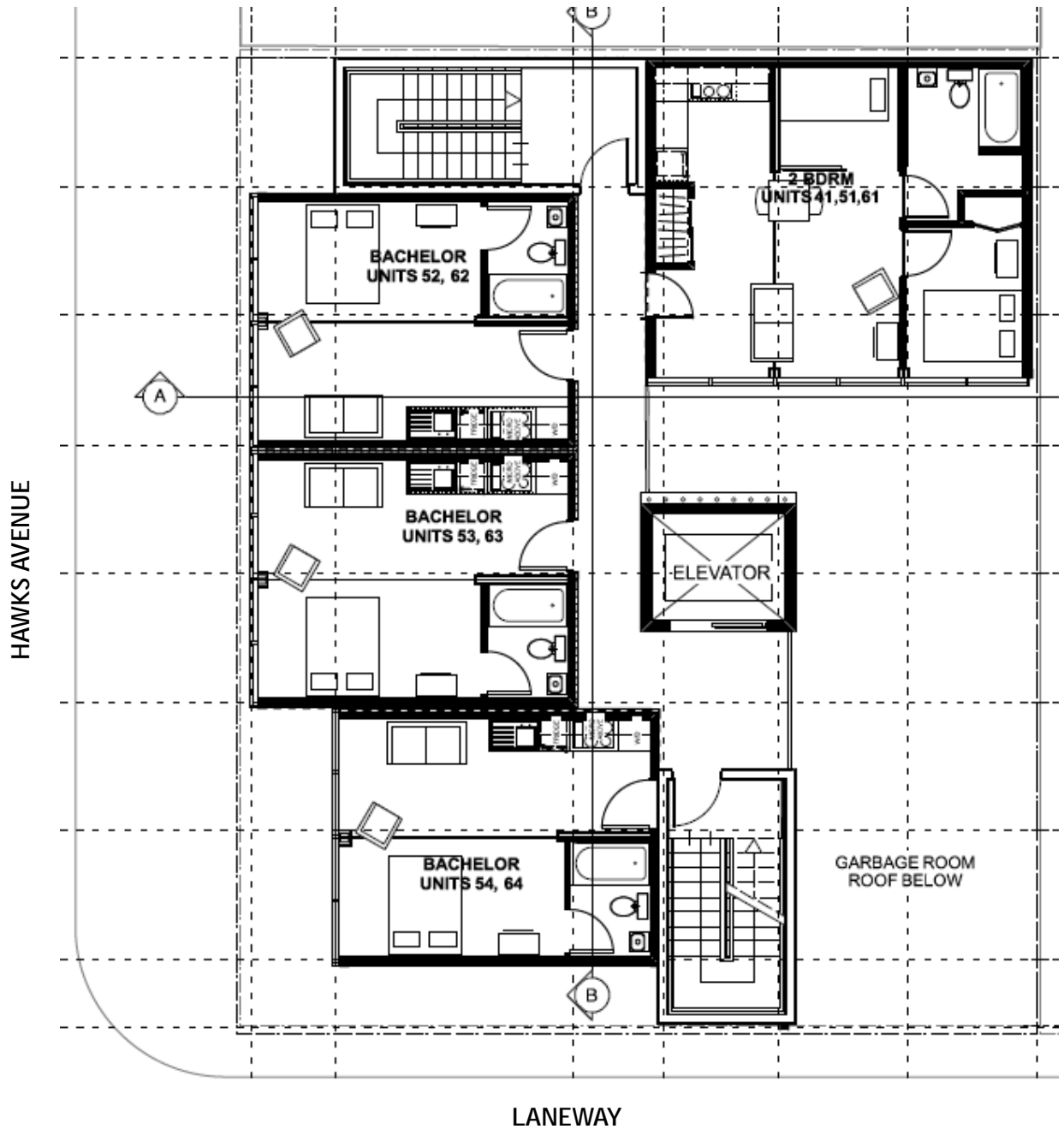


Figure 5: Seventh Floor Plan



Figure 6: Roof Plan

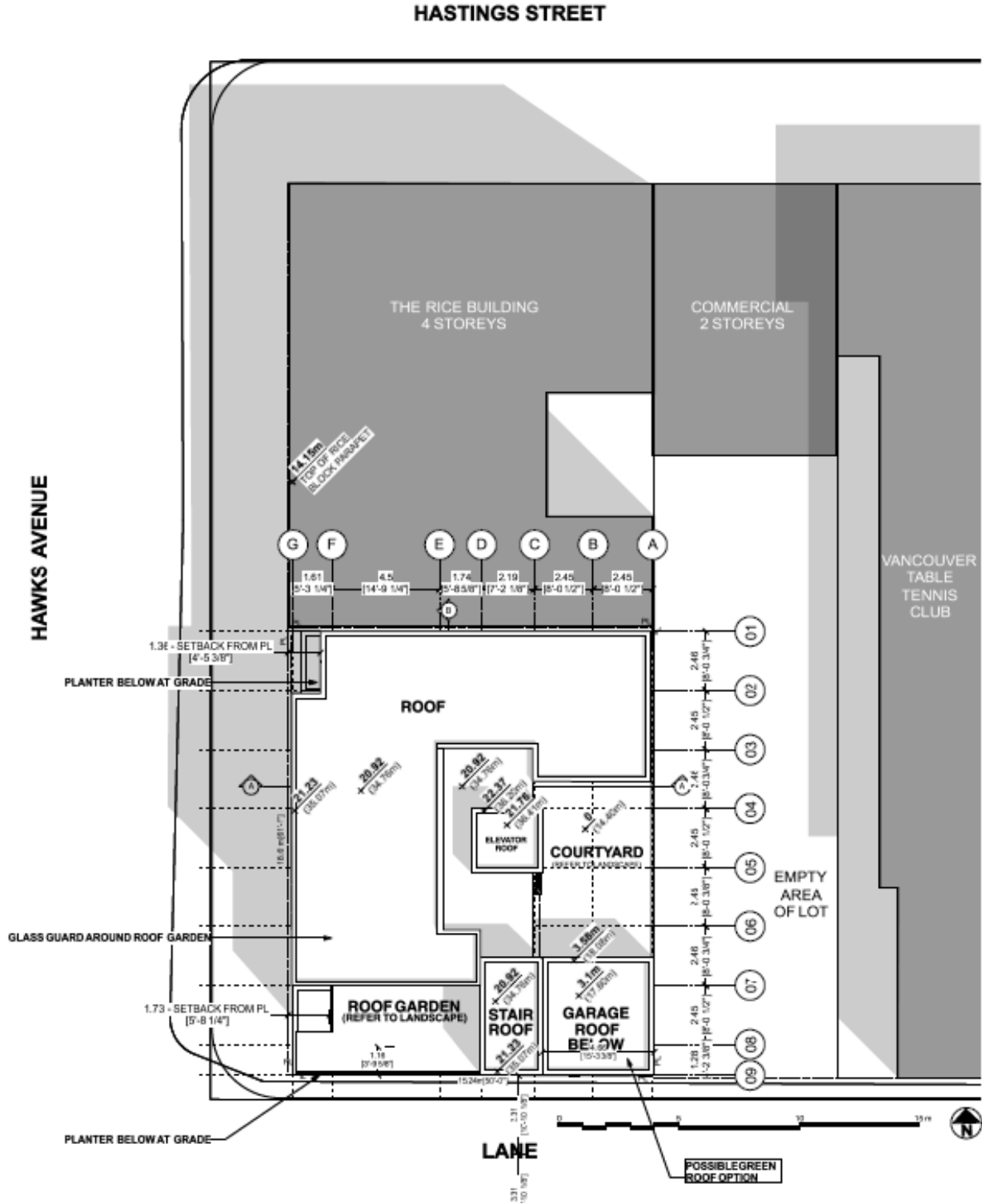


Figure 7: West Elevation (Hawks Avenue)

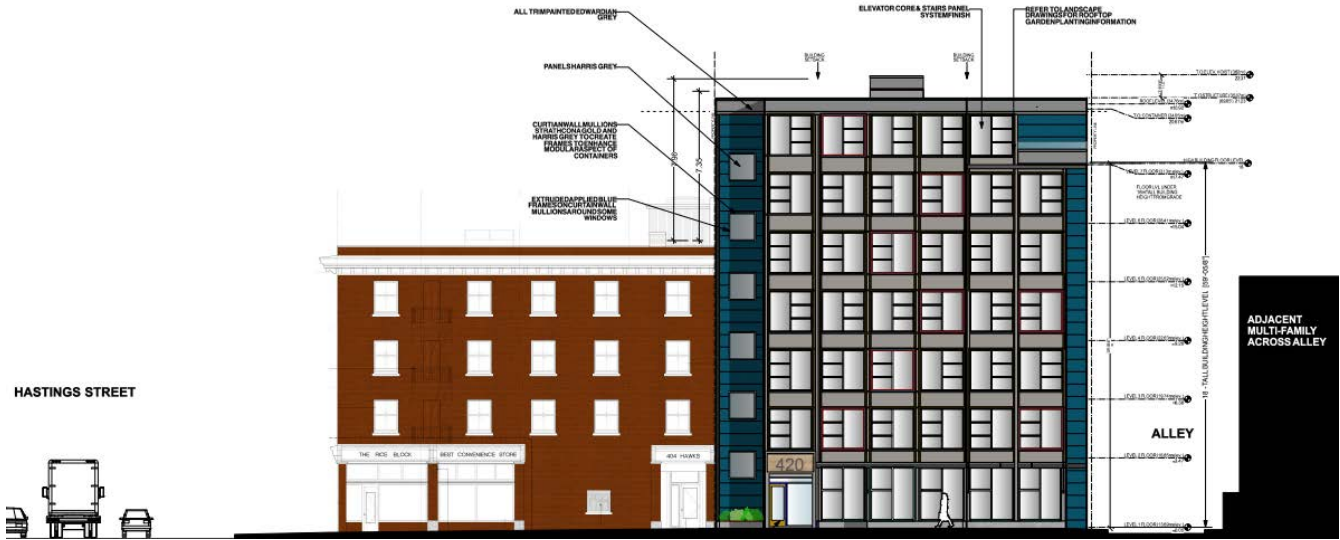


Figure 8: South Elevation (laneway)

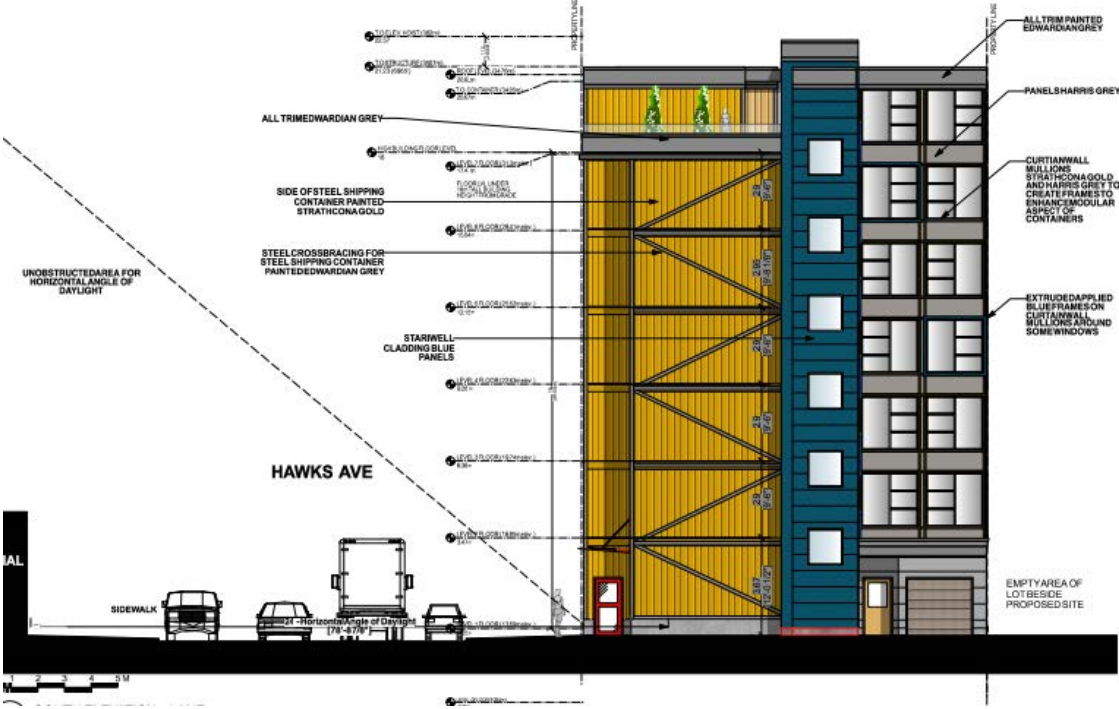


Figure 9: East Elevation

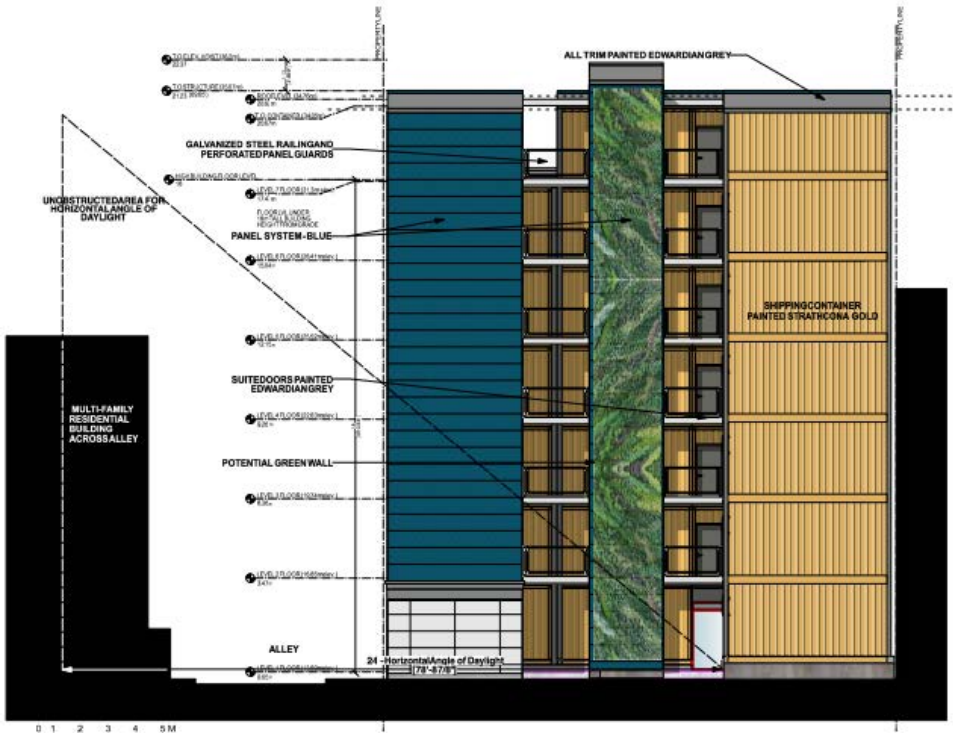


Figure 10: East-West Section



Figure 10: North-South Section



Figure 11: Shadow Studies

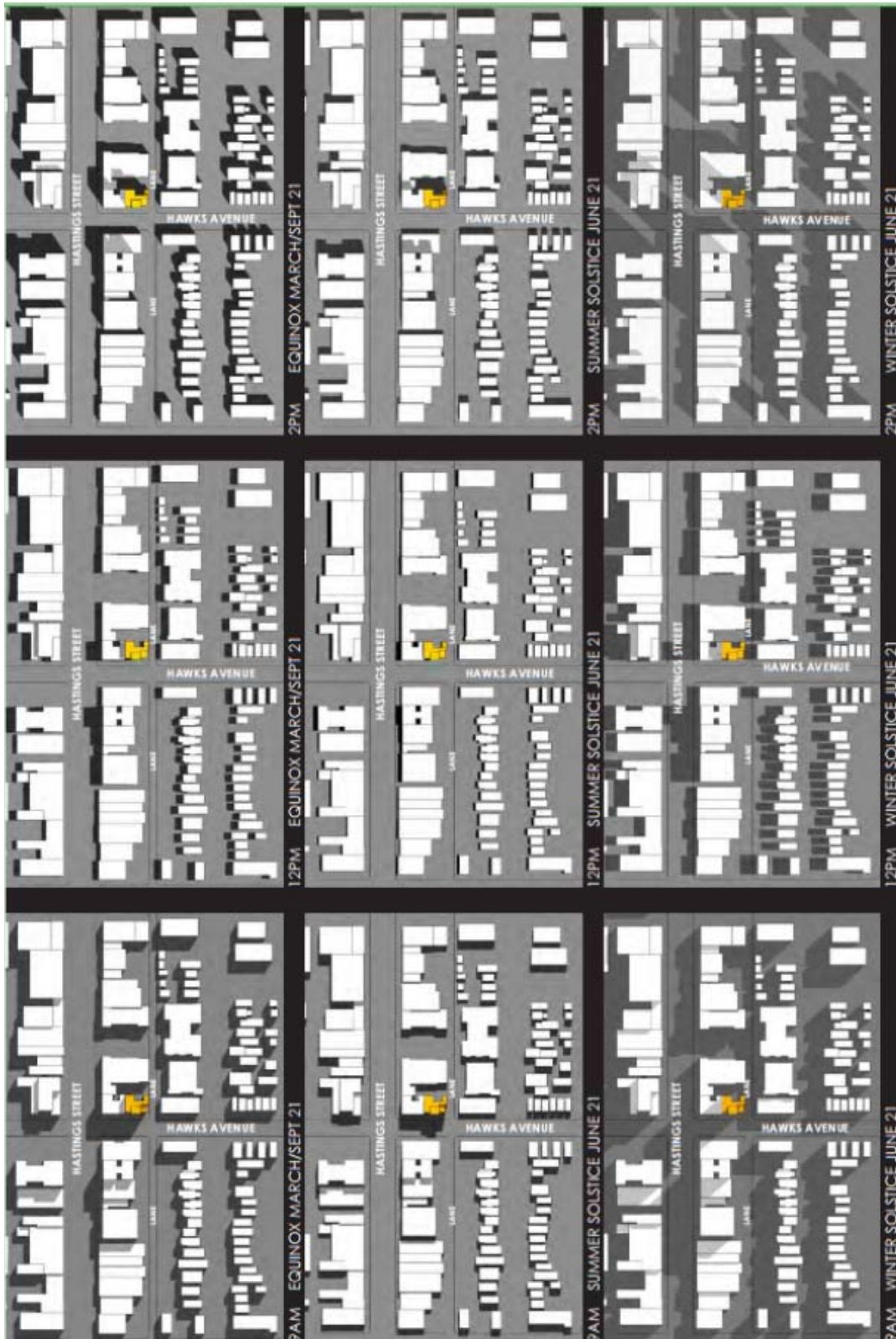


Figure 12: View Analysis (Hawks Avenue and East Pender Street)

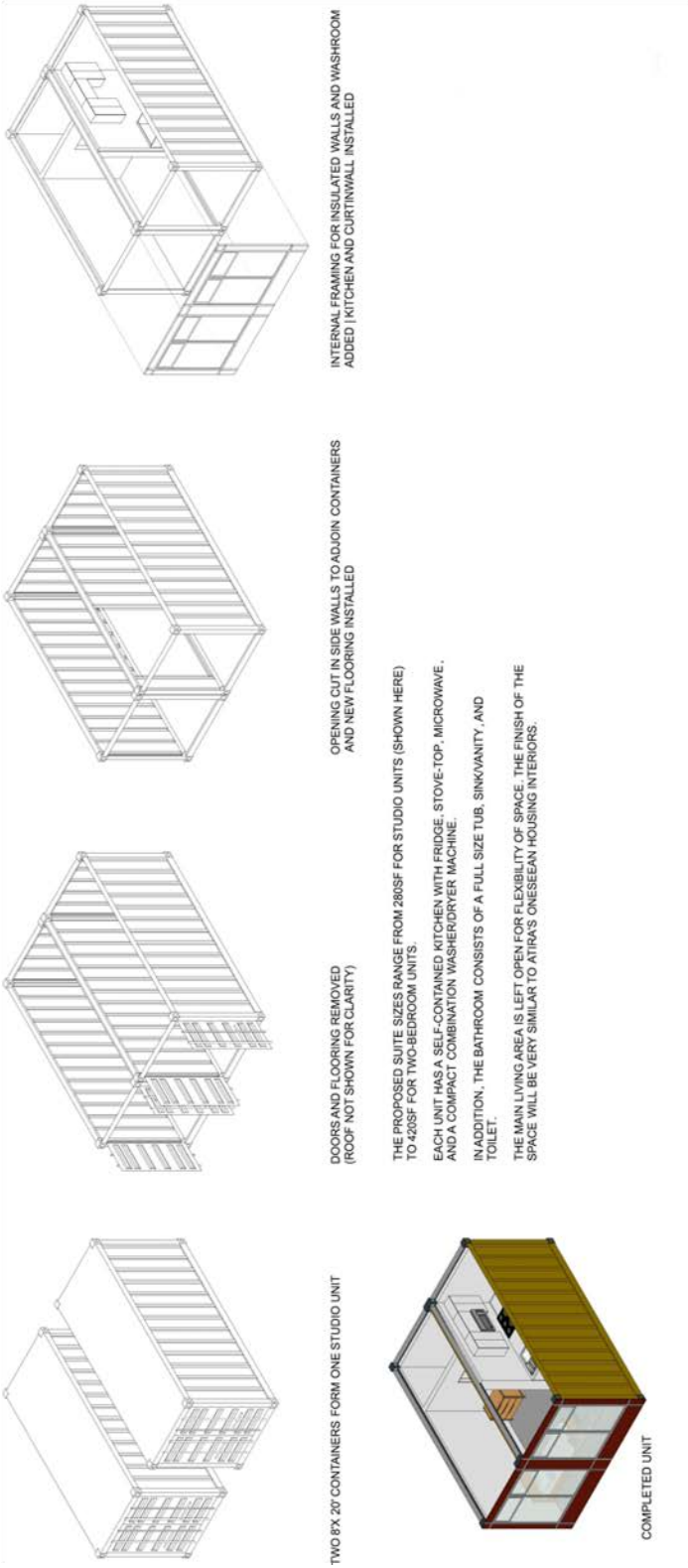


Figure 13: View Analysis (Southwest Quadrant of MacLean Park)





Figure 14: Proposed Container Assembly Sequencing



420 Hawks Avenue  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Seven-storey building, with 21 social housing units and a ground-floor amenity space accessible to community members as well as building residents.

**Public Benefit Summary:**

21 units of social housing.

	Current Zoning	Proposed Zoning
Zoning District	M-1	CD-1
FSR (site area = 283.4 m <sup>2</sup> / 3,050 sq. ft.)	5.0	4.5
Floor Area (sq. ft.)	15,251 sq.ft.	13,725 sq.ft.
Land Use	Industrial uses	Residential uses

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$5.31/sq. ft.)	\$80,982 (Note 1)	None (Note 2)
	DCL (Area Specific)		
	Public Art (\$1.81/sf)		None (Note 2)
	20% Social Housing		
Other Public Benefits Offered	Heritage		
	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>			<b>\$80,982</b>

**Other Benefits (non-quantified components):**

21 units of social housing, with a ground-floor meeting room that would be accessible to community members as well as building residents.

\* 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 for each of the Area Specific DCL Districts.

Notes:

1. The current DCL rate for industrial uses is \$5.31/sq. ft. The DCL of \$80,982 assumes full build out at 5.00 FSR, although industrial developments rarely utilize all of the available density in the zoning.
2. Social housing is exempt from DCLs and public art contributions.

420 Hawks Avenue  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	420 Hawks Avenue
Legal Descriptions	The South Half of Lots 1 and 2, all of Block 66, District Lot 181, Plan 196; PIDs: 015-577-791 and 015-577-813, respectively.
Developer and Property Owner	Atira Women's Resource Society
Architect	Boni Maddison Architects

Development Statistics

	Permitted Under Existing Zoning	Proposed	Recommended (Other Than Proposed)
Zoning	M-1 (Industrial) District	CD-1 (Comprehensive Development) District	--
Uses	Industrial	Dwelling uses, Accessory Uses	--
Max. Floor Space Ratio (FSR)	5.0 FSR (M-1 zoning) 4.5 FSR (under policy <i>Downtown Eastside Plan</i> and <i>Rezoning Policy for the Downtown Eastside</i> )	4.5 FSR	--
Floor Area	1,416.7 m <sup>2</sup> (15,251 sq. ft.)	1,275 m <sup>2</sup> (13,725 sq. ft.)	--
Maximum Height	30.5 m (100 ft.)	21.6 m (70.9 ft.)	--
Unit Mix	--	Micro-unit 7 Two-bedroom 14 Total 21	--
Parking Spaces	For Industrial uses: 18	Required: For residential uses: 13 Proposed: For residential uses: 0	Staff support the requested vehicle parking relaxation.
Loading	For Industrial uses: Class B 2	0 (Note 1)	--
Bicycle Spaces	For Industrial uses: 1	Required: Class A 26 Class B 6 Proposed: Class A 41 Class B 6	

Note 1: For residential uses with less than 100 units, no residential loading is required.