

SUMMARY AND RECOMMENDATION

4. REZONING: 420 Hawks Avenue

Summary: 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 4.50 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.

Applicant: Atira Women's Resource Society

Referral: This item was referred to Public Hearing at the Regular Council Meeting of April 19, 2016.

Recommended Approval: By the Acting General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- 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 4.50 and a height of 21.6 m (70.9 ft.), generally as presented in Appendix A of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue", be approved subject to the following conditions:

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 General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Design Development

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

- (i) 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).
- (ii) 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.

- (iii) 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:

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

- (iii) 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.

- (iv) Provide in-suite storage, in the form of open or closed shelving units, for the proposed micro dwelling units.
- (v) The building is to include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
- (vi) 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.

- (vii) 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:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) 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 Rezoning 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: 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 root balls 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 2,051 mm width by 1,683 mm depth and a minimum 1,067 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 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:
 - (i) That none of the social housing units may be separately sold;
 - (ii) 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;
 - (iii) 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;
 - (iv) That the operator shall provide a draft Operations Management Plan prioritizing the social housing for DTES residents; and
 - (v) 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 m² (740 sq.ft.) amenity room on the ground floor through a Community Use Agreement.

Soils

7. If applicable:
- (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and 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.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue".

- D. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue", 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 same 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.

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[RZ - 420 Hawks Avenue]