



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: October 17, 2017
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Meeting Date: October 31, 2017

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 177 West Pender Street

RECOMMENDATION

- A. THAT the application by the Vancouver Affordable Housing Agency (VAHA), as agent for the City of Vancouver, to rezone 177 West Pender Street [*Lots 37 and 38, Block 28, District Lot 541, Plan 210; PIDs 004-355-521 and 004-355-547 respectively*] from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 6.00 to 6.93 and the height from 32.0 m (105.0 ft.) to 33.3 m (109.2 ft.), to allow for the construction of a 10-storey residential building containing 90 social housing units, be referred to a Public Hearing, together with:

- (i) plans prepared by DYS Architecture, received June 12, 2017;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability 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, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary Sign By-law amendment generally as set out in Appendix C for consideration at the Public Hearing.

- C. 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.

- D. 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.

- E. THAT, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in 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 such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.

- F. THAT Recommendations A through E 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 by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone the City-owned site at 177 West Pender Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 10-storey residential building containing 90 units of social housing. This application is being considered under the *Downtown Eastside Plan (DTES Plan)*. If approved, the application would contribute to the City's housing goals, as identified in the *Housing and Homelessness Strategy*, as well as the market rental housing goals as set out in the *DTES Plan*.

As part of the Emerging Directions from the City of Vancouver's new *Housing Vancouver Strategy*, the City has committed to prioritize affordable housing projects through the approval process in order to deliver more affordable housing at a faster pace. This application is one of the sites being processed through the City's new pilot affordable housing priority process.

Staff have assessed the application and conclude that it is generally 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 General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Housing Vancouver Emerging Directions (2017)
- Downtown Eastside Plan (2014)
- Rezoning Policy for the Downtown Eastside (2014)
- Downtown Official Development Plan (1975, last amended 2015)
- Victory Square Policy Plan (2005)
- Victory Square Guidelines (2006)
- Housing and Homelessness Strategy (2011)
- Housing Plan for the Downtown Eastside (2005)
- High-Density Housing for Families with Children Guidelines (1992)
- Micro Dwelling Policies and Guidelines (2014)
- Green Buildings Policy for Rezoning (2009, last amended 2017)
- Vancouver Neighbourhood Energy Strategy (2012)
- Urban Agriculture Design Guidelines for the Private Realm (2009)
- Community Amenity Contributions – Through Rezonings (1999, last amended 2014)
- Financing Growth Policies (2003)
- Development Cost Levy By-law (2008, last amended 2017)
- Public Art Policies for Rezoned Developments (2014).

REPORT

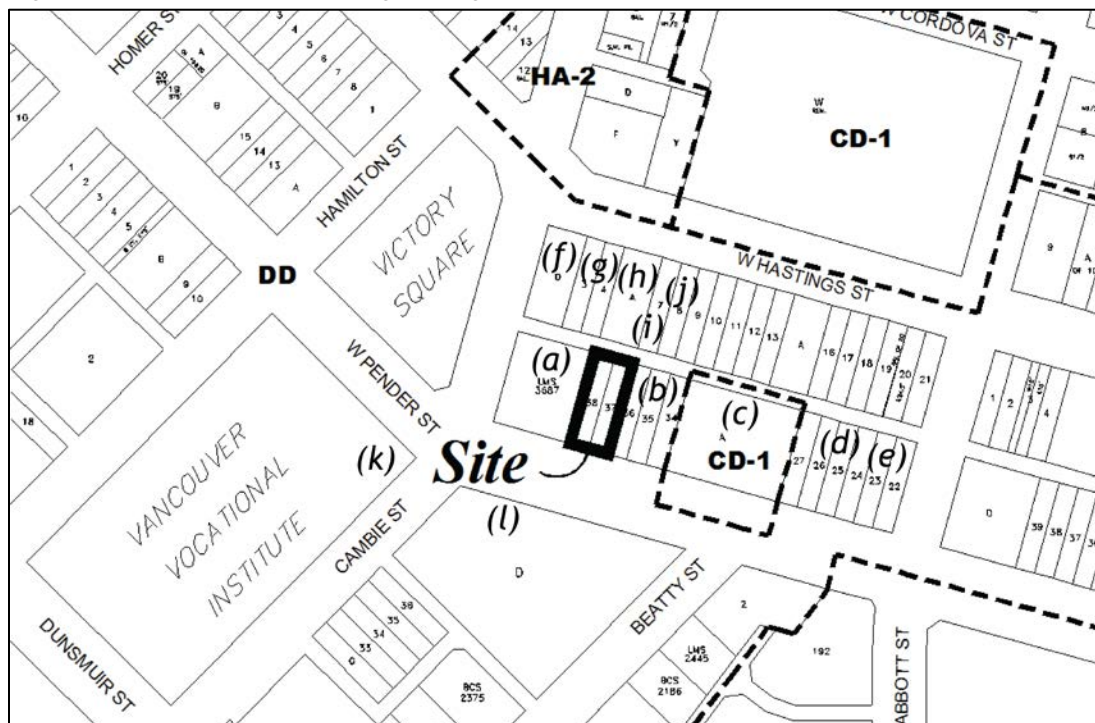
Background/Context

1. Site and Context

The subject site is located on the north side of Pender Street, between Cambie and Abbott streets. This 557.7 sq. m (6,003 sq. ft.) site has a frontage of 15.2 m (50 ft.) on Pender Street and a depth of 36.6 m (120 ft.). The site is comprised of two legal parcels and is currently vacant. This mid-block site is flanked by two heritage buildings: the three-storey Architectural Institute of British Columbia (AIBC) building to the west, and the four-storey

Avalon Hotel to the east. A third heritage building is located across the lane, to the north, and a three-storey parking structure is located across the street to the south.

Figure 1 - Site and surrounding zoning



The blocks surrounding the subject site contain a mixture of residential, institutional, office and mixed-use buildings, ranging from three to nine storeys. Significant developments in the immediate area are shown in Figure 1 and are listed below:

- (a) the "Edgett Building" at 440 Cambie Street, a three-storey, stratified office, designated heritage "B" building;
- (b) the "Avalon Hotel" building at 169 West Pender Street, a three- and four-storey residential building containing 85 residential rooms designated under the *Single Room Accommodation (SRA) By-law*;
- (c) the "Pendera" building at 133 West Pender Street, a nine-storey residential building containing 114 social housing units managed by the Vancouver Native Housing Society;
- (d) the "Shelly Building" at 119 West Pender Street, a six-storey heritage "C" commercial building;
- (e) the "Lotus Hotel" at 455 Abbott Street, a six-storey residential and commercial building containing 110 rooms designated under the *SRA By-law*;
- (f) the "Vancouver Film School" building at 198 West Hastings Street, an eight-storey heritage "A" building;
- (g) 160 West Hastings Street, a two-storey commercial and residential rental building;
- (h) 152 West Hastings Street, a three-storey heritage "C" commercial building;
- (i) 150 West Hastings Street, a three-storey heritage "C" commercial building;
- (j) the "Regal Hotel" at 146 West Hastings Street, an eight-storey heritage "C" building with 40 units of social housing;
- (k) the "Vancouver Community College" building at 250 West Pender Street, a five-storey heritage "A" building'; and

- (l) 150 West Pender Street, a five-storey parkade building.

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 meets 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 Downtown Eastside without displacing Vancouver's most vulnerable citizens.

The subject site is located in the Victory Square area of the *DTES Plan*. In this area, *DTES Plan* policy supports the continuation of Victory Square as a mixed-use neighbourhood. This area is to include a mix of housing types, including market residential, social housing, secure market rental housing, and affordable home ownership.

Rezoning Policy for the Downtown Eastside – In March 2014, Council approved the *Rezoning Policy for the Downtown Eastside*. For sites in the Victory Square area, rezoning may be considered in accordance with the *Victory Square Policy Plan* and the *DTES Plan*, which allow rezoning to be considered for market projects providing public benefits including social housing, secured market rental housing, and/or heritage building rehabilitation.

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.

Housing Vancouver (2017) – A new 10-year strategy known as 'Housing Vancouver' is currently in preparation with the aim of improving housing affordability by creating the right types of homes to meet the needs of the people who live and work in Vancouver. An 'Emerging Directions' report was presented to Council in spring 2017 outlining initial proposals and priority actions. A further update was provided to Council in July 2017 detailing proposed targets of 72,000 new homes in Vancouver over the next 10 years. Of the 72,000 new homes target, 12,000 units are targeted for social and supportive housing. This application will make a significant contribution towards the City's social and supportive housing target. The completed Housing Vancouver strategy is expected to be considered by Council in November 2017.

As part of the Emerging Directions report, the City has committed to prioritize affordable housing projects through the approval process in order to deliver more affordable housing at a faster pace. The goal of this process is to reduce the approval timeline for affordable housing projects. There are three primary objectives:

1. Increase delivery of affordable housing;
2. Improve coordination of internal processes; and

3. Enhance relationships with non-profits, private and public agencies that deliver affordable housing.

This application is one of the projects being processed through the City's new pilot affordable housing priority process.

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), intended for single occupancy, which are smaller than 29.7 sq. m (320 sq. ft.) and may be as small as 23.2 sq. m (250 sq. ft.). 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 for affordable housing for moderate income renters in the Downtown Eastside.

Victory Square Guidelines — In April 2006, Council approved the *Victory Square Guidelines*, which anticipate conservation and retention of the existing scale, form and fabric of Victory Square's heritage environment while encouraging a sensitive, creative and contemporary approach to new construction within the heritage context.

Victory Square Policy Plan — In July 2005, Council approved the *Victory Square Policy Plan*, which anticipates retention of the area's heritage buildings, scale and character; improvement of existing low-income housing; revitalization without displacing low-income residents; and partnership with the community. Relevant to this application is the objective of providing of a range of housing types, including an increase in the number of market units, rental and affordable homeownership options, as well as a revitalized commercial-retail business area, with an increased level of commercial activity serving existing and new residents.

Strategic Analysis

1. Proposal

The application is to rezone the City-owned site at 177 West Pender Street from DD (Downtown District) to CD-1 (Comprehensive Development) District. The proposal is for a ten-storey residential building with 90 units of social housing.

2. Land Use

The proposal includes 3,864 sq. m (41,593 sq. ft.) of residential floor area, proposed as social housing. The existing zoning is area "C2" of the Downtown District, with land use regulated by *the Downtown Official Development Plan (DODP)*. The DODP is structured in such a way that if a site within its boundaries is rezoned to Comprehensive Development (CD-1) District, the rezoned site is automatically removed from the Downtown District (DD) zoning district (no amendments to the DODP are required) and, as a result the DODP no longer applies to the rezoned site. Although no longer part of the DODP, the relevant urban design and land use policy considerations (in this case the *Victory Square Guidelines*) are applied where appropriate to the new CD-1.

The boundaries of DODP area C2 are consistent with those of the Victory Square area of the Downtown Eastside Plan (DTES Plan). To encourage a range of new housing units, including market and non-market housing, policy in this area allows consideration of rezoning applications to achieve public benefits including social housing, secured market rental housing, and/or heritage building rehabilitation. Ground-floor retail and service uses may be considered in this area, but are not required in either the DODP or the *Victory Square Policy Plan*, and an all-residential building may be supported in this part of Victory Square.

With a total of 90 social housing units, 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, including replacement of existing SRO units. 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 garden plots are proposed on the site, where residents are able to grow food and improve connectedness.

Figure 2 - Proposed Building as viewed from Pender Street



3. Housing

This application, if approved, would support and advance a number of City housing policy objectives and strategic directions including those articulated in the emerging directions of *Housing Vancouver* as well as the *Downtown Eastside Plan*.

City-wide and DTES Housing Targets: The project would include 90 new self-contained social housing units, which would contribute towards the stated near- and long-term targets in the *Housing and Homelessness Strategy* (see Table 1). The approval of these units would bring the total number of social and supportive housing units completed, under construction or approved since 2011 to 4,694.

Table 1: Progress towards Social and Supportive Unit Targets as set in the *Housing and Homelessness Strategy* 2012-2021 (September 30, 2017)

	TARGETS		CURRENT PROJECTS	GAP	
	Long Term (2012-2021)	Short Term (2012-2018)		(2018 Target)	(2021 Target)
Supportive Housing Units	2,900	2,700	1,702	998	1,198
All Other Non-Market Housing Units	5,000	3,500	2,902	598	2,098
Total Social & Supportive Housing Units	7,900	6,200	4,604	1,596	3,296

Targets are established in the *Housing and Homelessness Strategy*.

* 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 2. Since the DTES Plan was approved, there have been 815 new units of social housing approved or completed inside the Downtown Eastside. If approved, this project would increase this number to 905.

Table 2: Progress towards DTES Plan Housing Targets (September 30, 2017)

		TARGETS	CURRENT PROJECTS				GAP
		10-Year Target (2023)	Completed	Under Construction	Approved	Total	(2023 Target)
Social Housing inside the DTES	Total Units	1,400	465	303	47	815	565
	Units at Welfare		367	119	21	516	
Secured Market Rental Housing inside the DTES	Total Units	1,650	74	312	148	534	1,116

1. Unit numbers exclude the units in this proposal, pending Council's approval of this application.
2. 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.

The DTES Plan recognizes the importance of designing new social housing that meets the needs of the community through identifying specific affordability requirements in the definition of social housing, recognizing that it is important to provide affordable housing options to residents on very low incomes across the City and enabling new forms such as micro dwellings in this community. As a result, units for singles (i.e. studios and one-bedrooms) that rent at or below the equivalent of the shelter component of Income Assistance across the City are now tracked towards the DTES Plan's SRO replacement target. Measured against the current housing targets, city-wide, 892 completed social housing units have been designated for singles and rent at the shelter component of Income Assistance, and are therefore counted towards the Downtown Eastside replacement targets. If approved and once completed, this project would increase the number of SRO replacement units to 922.

If approved, this project will support both city-wide and DTES Plan housing objectives to provide affordable self-contained social housing units.

Affordability: In order to qualify as 'social housing' under the DTES Plan, at least one third of the units must be occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement, and must be rented at rates no higher than the shelter component of Income Assistance. At least 30 of the units (one third) will be secured at or below the shelter component of Income Assistance for singles. The remaining 60 units will rent at the BC Housing Income Limits (BC HILs) up to affordable market rents, if required to maintain the long-term viability of the building.

This project aims to exceed the affordability targets for social housing as set out in the DTES Plan, and maximize the number of welfare units that contribute towards the DTES Plan's SRO replacement target. Staff continue to work with VAHA to identify additional grants or equity investments that could increase the affordability while maintaining long-term financial viability of the building.

Security of Tenure: Typically, obligations related to tenure and affordability are secured through a Housing Agreement that is registered on title. This project has been included in the bundle of sites for which VAHA has issued a Request for Proposals (RFP) to seek a development and operating partner. The RFP process is scheduled to close in late October. Staff will report back to Council on the proposed lease and operating terms, including additional detail on the proposed level of affordability, once the process is completed. A Housing Agreement will ensure that the property is managed and operated as social housing over the long term, with no fewer than one third of units to be rented at or below the shelter component of income assistance.

Micro Dwelling Units: The *Micro Dwelling Policies and Guidelines* delineate a set of principles for livability, which include light and ventilation, privacy, amenity and outdoor space. The smallest micro dwelling units proposed in this building are 23 sq. m (247.4 sq. ft.), just under the required minimum size of 23.2 sq. m (250 sq. ft.), and a condition of approval has been included to require all micro dwelling units to meet this minimum size (see Appendix B). As anticipated in the guidelines, each unit has its own bathroom and kitchenette; the living/sleeping areas have a minimum dimension of 3 m (9.8 ft.), and units have windows with operable vents. Outdoor amenity space is provided to tenants through accessible roof decks

on levels 3 and 10 which provide approximately 160 sq. m (1,720 sq. ft.) of shared outdoor space. Through a design development condition, it is recommended that “Juliet” balconies be included for all micro dwelling units, along with expanded outdoor amenity space (see Appendix B). As this City-owned site is on a small sloping lot, micro dwelling units optimize the floor space and deliver the maximum number of social housing achievable.

Unit mix: The units proposed at 177 West Pender Street are primarily micro dwelling units (82) with eight studio units, of which five are accessible (see Table 3). The unit mix including accessibility component is consistent with the Council-approved *DTES Plan* and *Micro Dwelling Policies and Guidelines* (see Table 3).

Table 3: Proposed Unit Breakdown

Unit type	Number	% of Total
Micro Dwelling	82	91%
Studio	8	9%
Total	90	

Family Housing: Unless otherwise indicated, the target for family housing will be 25 percent of all social housing units in new development. In this case, delivering the majority of the units as micro dwelling units is supportable as this project is intended to serve existing SRO tenants in the DTES as well as from the Downtown Core. The *DTES Plan* identifies the long term goal to replace all SRO rooms with self-contained social housing for low-income tenants. Staff are recommending this unit mix because it presents a good opportunity to contribute this goal and also supports the longstanding *Victory Square Policy Plan* to house existing SRO tenants.

4. Density, Height and Form of Development

Density: Under the DODP, the allowable density on the site is a floor space ratio (FSR) of 5.0 for all uses, with residential uses limited to a maximum of 3.0 FSR. A discretionary increase in density to 6.0 FSR can be considered, if social housing comprises a minimum of two-thirds of the floor space ratio or if secured market rental housing comprises all of the residential units, provided a site has a maximum frontage of 23 m (75 ft.).

Through the *DTES Plan* and *Rezoning Policy for the Downtown Eastside*, rezoning applications may be considered to achieve public benefits including social housing, secured market rental housing, and/or heritage building rehabilitation, with the maximum density subject to urban design performance.

The rezoning application, as submitted on June 12, 2017, proposes an overall floor area of 3,864 sq. m (41,593 sq. ft.), equivalent to 6.93 FSR.

Building Height: The maximum permitted height in area C2 of the DODP is 22.9 m (75 ft.), and a discretionary increase to 32 m (105 ft.) can be considered for sites where social housing comprises a minimum of two-thirds of the floor space on a site, or if secured market rental

housing comprises all of the residential units. The *Rezoning Policy for the Downtown Eastside* does not provide direction for additional height to be achieved through rezoning.

A height of 32 m (105 ft.) to top of parapet is proposed, and the façade on Pender Street is a seven-storey, 21.3 m (70 ft.) streetwall, with the upper three storeys set back 3 m (10 ft.) as anticipated in the *Victory Square Guidelines*. The site has a significant slope, dropping 1.2 m (4 ft.) across the street façade, and 2.6 m (8.5 ft.) from the street to the lane.

The height as proposed is consistent with the *DTES Plan* and accompanying rezoning policy; however, staff recommend an increase in height of up to 33.3 m (109.2 ft.) to achieve minimum floor-to-ceiling heights of 2.7 m (9 ft.) for all micro dwelling units. If approved, this additional height would improve livability of the proposed studio and micro dwelling units, and would better meet the intent of the *Micro Dwelling Policies and Guidelines* (see Appendix B). Given the site's location on the north side of the street, and the proposed upper storey setbacks, staff do not anticipate additional shadow or view impacts as a result of the recommended height increase.

Form of Development: The main characteristics of the Victory Square urban form are: narrow building frontages; characteristic "sawtooth" street wall profile created by varying building heights; dense site coverage and robust continuous street walls; masonry as a predominant building material; façade features such as punched window openings and projecting cornices; and contemporary architectural expression for new development.

The proposed building conforms to the above characteristics. The Pender Street elevation is a simple brick façade, with a grid of punched windows with Juliet balconies, and strong cornice lines above the storefront and at the 21 m (70 ft.) streetwall height. Because the building is flanked with lower heritage buildings, the exposed side walls will be highly visible. Staff recommend that these walls be treated with a simple surface that can be readily adapted for future murals and public art (Appendix B).

A 7.3 m by 7.3 m (24 ft. by 24 ft.) courtyard is located mid-way in the building depth, on the east property line. Although the *Victory Square Guidelines* recommend a 9 m (30 ft.) courtyard, the dwelling units facing the courtyard nonetheless meet a relaxed standard for horizontal angle of daylight. Staff recommend treating the exterior walls of the courtyard in a light colour, to increase reflected light into the units (see Appendix B). At the lane, the building is set back 3 m (10 ft.) at Level 2 and above. Assuming that future development across the lane has a similar setback, a 12.2 m (40 ft.) separation between residential units will be achieved.

Amenities: Currently, there is a large indoor common amenity room at Level 1 (facing the street) and a small common roof patio above Level 9. Staff are seeking refinements to these common amenities, including: a more functional multi-purpose room at Level 1; additional, smaller gathering spaces on the upper levels; and a larger rooftop patio space above Level 10 (see Appendix B).

Urban Design Panel: The rezoning application and the proposed form of development was reviewed and supported by the Urban Design Panel on August 23, 2017 (see Appendix D).

Staff have reviewed and assessed the proposed density, height and form of development on the site and have concluded that the proposal is an appropriate response to the site and its context, subject to the design development conditions (see Appendix B).

It is recommended, subject to the Public Hearing, that the proposal be approved in principle, subject to the conditions in Appendix B, which seek further design refinement at the Development Permit stage. The architectural 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 15 vehicle parking spaces and no loading space. No vehicle parking spaces are proposed, with one Class A loading space proposed at the lane. Engineering staff have reviewed the application and support a relaxation to zero 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: A total of 68 bicycle spaces are proposed in the basement level, with access from the lane. Engineering staff have reviewed the application and support the proposed relaxation, as reflected in the recommended *Parking By-law* amendment (Appendix C) and in the recommended conditions of approval (Appendix B).

Located on West Pender Street, the subject site is well located with regard to rapid transit, less than five minutes' walk from Stadium-Chinatown SkyTrain Station and less than 10 minutes' walk from Waterfront Station. Bus service is available on Pender Street, as well as Hastings Street and Cordova Street to the north, Cambie Street to the west, and Carrall Street to the east. Bicycle routes are available on nearby streets, including Carrall, Beatty, Dunsmuir and Pender streets.

6. Environmental Sustainability

In July 2016, City Council adopted the *Zero Emissions Building Plan* (ZEBP), that directed staff to require all new City-owned and Vancouver Affordable Housing Agency (VAHA) projects to be Certified to the Passive House standard or alternate zero emission building standard, and use only low carbon fuel sources, in lieu of certifying to LEED Gold, unless it is deemed unviable by VAHA, in collaboration with Sustainability, for new VAHA projects.

While the project was in-progress at the time the *Zero Emissions Building Plan* was adopted and therefore not subject to the new policy requirements, a detailed study was conducted in parallel with the development process to understand the viability of Passive House for this application. This case study has produced a greater understanding of the construction cost and operational savings of Passive House in high-rise concrete construction, and the lessons learned will continue to inform this project and others. Due to the advanced nature of this application, VAHA, in collaboration with Sustainability, opted to not pursue Passive House for this project in order to not compromise their project timeline.

As this application was received after the May 1, 2017 implementation date of the updated *Green Buildings Policy for Rezonings*, the application was developed as one of the first

applications to follow the updated rezoning policy, including meeting limits on energy use, heat loss, and a nearly 64% reduction in greenhouse gases compared to the preceding policy.


PUBLIC INPUT

Public Notification: A rezoning information sign was installed on the site on June 30, 2017. A total of 9,688 notifications were distributed within the neighbouring area on or about July 13, 2017. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps). A community open house was held on July 31, 2017 at the Chinese Cultural Centre Auditorium (50 East Pender Street). Staff, the applicant team, and a total of 9 people attended the Open House.

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

- In response to the July 31, 2017 open house, a total of 4 comment sheets were received from the public.
- A total of 5 letters, e-mails, online comment forms, and other feedback were received from the public.

Figure 2: Public Notification and Response (July 31, 2017 Open House)

Total notifications		9688
Open House attendees	9	
Comment sheets	4	
Other feedback	5	

Those who provided feedback noted general support for the proposal, including the building design and proposed social housing, and proposal to include zero vehicle parking spaces. Concerns included the potential for blank walls, with a suggestion to include green walls, along with concerns about the size of the micro dwelling units.

Recommended conditions of approval in Appendix B address the livability of the units by adding additional outdoor amenity space, including space for urban agriculture, and recommend design development to address the proposed blank walls and provide opportunities for future mural artwork.

A more detailed summary of the public comments on this application can be found in Appendix D.

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 various engineering infrastructure. This site is subject to the City-wide DCL rate, effective September 30, 2017, which is \$168.13/sq. m (\$15.62/sq. ft.) for residential in development over 1.5 FSR. Under Section 523D(10)(d) of the *Vancouver Charter*, DCLs are not payable where a parcel of land that is owned by the City will, after construction, be used for social housing, which is defined in the DCL By-law for this site to mean rental housing 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 registered on title restricts the use of such units, and
- The housing is owned by or on behalf of the City, the Province or Canada, or by a non-profit co-operative association or a non-profit organization.

This project meets the definition of social housing and is therefore exempt from paying DCLs. The value of this exemption is estimated to be approximately \$649,683.

Public Art Program – *The Public Art Policy for Rezoned Developments* requires rezonings having a floor area of 9,290.0 sq. m (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 Rezoning* policy provides an exemption for social housing which meets the DCL By-law definition.

As the public benefit arising from this application is the provision of 90 social housing units, 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 \$649,683. The 90 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.

VAHA is in the process of securing development and operations partners, finalizing project budget and funding sources and will report back at a later date.

Social

The new social housing for singles would fill identified needs in the community as outlined in the *DTES Plan*.

CONCLUSION

Assessment of this rezoning application has concluded that the proposed land uses, density and height are supported, subject to the recommended changes 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 Victory Square area of the Downtown Eastside.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A and with a recommendation that these be approved in principle, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

* * * * *

177 West Pender Street
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 approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Multiple Dwelling, and Micro Dwelling, subject to the provisions of section 11.27 of this By-law; and
 - (b) Accessory Use customarily ancillary to any use permitted by this section.

Density

- 3.1 Computation of floor space ratio must assume that the site consists of 557.7 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 3.2 The floor space ratio for all uses combined must not exceed 6.93.
- 3.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.

- 3.4 Computation of floor area must exclude:
- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
 - (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 m² for a dwelling unit there will be no exclusion for any of the residential storage area above base surface for that unit.
- 3.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
- (a) amenity areas, except that the exclusion must not exceed, in aggregate, the lesser of 20 % of the permitted floor area or 929 m².
- 3.6 The use of floor area excluded under section 3.4 or 3.5 must not include any use other than that which justified the exclusion.

Building Height

- 4.1 Building height, measured from base surface, must not exceed 33.3 m [109.2 ft.].

Horizontal Angle of Daylight

- 5.1 Each habitable room must have at least one window on an exterior wall of a building.
- 5.2 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.
- 5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.

- 5.4 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 the unobstructed view is not less than 3.7 m;
- the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.
- 5.5 An obstruction referred to in section 5.2 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 (___).
- 5.6 A habitable room referred to in section 5.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10 % or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

- 6.1 A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

* * * * *

177 West Pender Street
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 DYS Architecture and stamped "Received City Planning Department, June 12, 2017" provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

- 1. Design development to improve the livability of the dwelling units, as follows:
 - (i) Increase ceiling height of all micro dwelling units to minimum 2.7 m (9 ft.);
 - (ii) Add weather protection (cantilevered canopies, maximum 5ft. depth) at entries to private terraces at Level 8; and
 - (iii) Revise the exterior walls of the courtyard to a light colour, to maximize reflected light in the units.

Note to Applicant: The Director of Planning may consider a building height up to 33.3 m (109.2 ft.) to facilitate improved ceiling heights and livability, to meet the intent of the *Micro Dwelling Policies and Guidelines*.

- 2. Design development to improve the building elevations, as follows:
 - (i) Simplify the design of the exposed side walls, and provide an appropriate surface for future mural and/or public art installation; and
 - (ii) Consideration to add more vibrant colours and detailing to the front façade, to better relate to the surrounding neighbourhood.

Note to Applicant: Given that delivery of public art may not be secured through the rezoning application process, the side walls should be designed to have visual interest on an "as is" basis (i.e. through the use of colours and/or a simple surface pattern).

3. Design development to improve the building entry, as follows:

- (i) Provide windows from the office and/or amenity room, to improve transparency and security;
- (ii) Provide racks for on-site bike spaces for visitors (refer to Engineering Condition 13); and
- (iii) Consideration to provide an event board, planters, special lighting or other features to activate the entry niche.

Note to Applicant: It is anticipated that the entry niche may need to be widened to accommodate bike parking. A reduction in the number of Class B bicycle spaces and/or the provision of angled bike racks may be explored, in order to minimize the impact on the office and amenity spaces.

4. Design development to improve the common amenities, as follows:

- (i) Create a more functional common amenity room at Level 1;
- (ii) Provide a second common amenity room at Level 10, contiguous to the rooftop patio;
- (iii) Enlarge and further develop the rooftop patio(s), to accommodate separate spaces for socializing, dining and urban agriculture (refer to Landscape condition 8);
- (iv) Add weather protection (cantilevered canopies, maximum 1.5 m (5 ft.) depth) at the entry to the common outdoor space(s);
- (v) Consideration to provide small amenity spaces (i.e. lounges, or seating areas adjacent to hallways) on floors above Level 1.

Note to Applicant: The Level 1 common amenity space is oversized, and would not function well as a single room. Within this space, a generous multi-purpose room should be defined (approximately 74-93 sq. m, or 800-1,000 sq. ft.), with good solar exposure, a kitchenette, and a nearby accessible bathroom. The remaining space may be programmed with bulk storage, meeting rooms, or other activity rooms, as is suitable for the operator.

5. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

Crime Prevention Through Environmental Design (CPTED)

6. 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

7. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning - Process and Requirements* (amended April 28, 2017 or later).

Landscape

8. Design development to increase the amount of common outdoor area and expand programming by providing intensive green roof to the entire rooftop, as a common amenity area.

Note to Applicant: This should include additional, diverse programming that promotes social interaction. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting. Refer also to Urban Design condition 4.

9. Design development to further detail and demonstrate where illustrated precedent images are proposed.

Note to Applicant: Precedent images are supported and encouraged.

10. Design development to improve sustainability and expand programming to include edible plants integrated into landscape design, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

11. 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: Planters may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should exceed BCSLA standard.

12. At the development permit submission stage:

(i) A full Landscape Plan for the 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.

(ii) 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 be dimensioned and confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.

(iii) 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.

(iv) New proposed street trees should be coordinated with the Park Board and Engineering and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". 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.

(v) A high-efficiency automatic irrigation system to be provided for all planters on slab.

(vi) 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

13. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Provision of a minimum of 2 Class B bicycle parking spaces to be provided fully on private property.
- (ii) Provision of design elevations at all entrances and at all four corners of the Class A loading space to calculate the slope and the crossfall.

Note to Applicant: No more than 5% slope and crossfall is permitted for the Class A loading.

- (iii) Update drawing A2.01 to show the access door to the 14 Class A bicycle storage room.
 - (iv) Provision of automatic door openers on the doors providing access to the bicycle rooms.
14. The owner or representative is advised to contact Engineering Service to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
15. Clarification is required as to whether the encroachments beyond the property lines onto City street and neighbouring properties shown on pages A3.01 to A3.04 are actually proposed or merely drafting errors: the metal roof cornice, the projection at the Level 8 balcony, the Juliet balconies and the projection above Level 2.
- Note to Applicant: None of these encroachments appear on any plan view. All encroaching elements are to be deleted.
16. Provide improvements to the access to the garbage rooms to facilitate pick up. Provide a door (rollup or swing) wide enough so garbage bins can be removed from the storage area.
17. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system and should consider the dripline such that maximum sidewalk coverage is provided by the proposed canopy.
18. The following areaway decommissioning requirements are to be met:
- (i) The areaway cut-off wall shall be designed by a Professional Structural Engineer and constructed on the property owner's side of the property line. A signed and sealed drawing of the cut-off wall shall be submitted to Engineering Services.
 - (ii) The property owner shall be responsible for removing and/or relocating all utilities, mechanical equipment, construction materials, debris etc. located in the areaway.

- (iii) The areaway cut-off wall shall be waterproofed and drained to the satisfaction of the property owner.
 - (iv) The areaway void shall be backfilled in accordance with the City's *Street Restoration Manual*. No demolition material or construction debris shall be used as backfill.
 - (v) The existing areaway roof structures (sidewalk) shall be removed and the outer areaway walls shall be broken down to a minimum of 1.5 m (5 ft.) below grade.
 - (vi) The sidewalk shall be reconstructed to match the sidewalk standard for the area and in accordance with the City's *Street Restoration Manual*.
 - (vii) A record of inspection of the completed cut off wall shall be submitted to Engineering Services.
 - (viii) Update the site and landscape plan to reflect the areaway removal, sidewalk and street tree provisions.
19. Rezoned property must include a storm water and rain water management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and comply with the Sewer and Watercourse By-law. The plan shall achieve the following:
- (i) Retention or infiltration of the 6-month storm event volume (24 mm) onsite;
 - (ii) Treat the 2-year event (48mm) on site; and
 - (iii) Maintain the pre-development 2014 IDF-10 year storm event rate. The post development estimate shall use the 2100 IDF curve to account for climate change.
20. For building fixtures, install Energy Star rated appliances (e.g. clothes washers) and meet the Jan 1, 2018 Vancouver building code plumbing fixture rates.
21. At the time of occupancy, the applicant is to commit to providing parking usage statistics such as occupancy counts throughout the day, number of parking passes sold and/or distributed, for vehicle parking and bicycle parking by staff and residents after one full year of operation of the new building.

Housing Policy & Projects

- 22. Design development to explore opportunities to locate the heat treatment room closer to the loading space.
- 23. Increase the amount of storage space provided for each unit and explore opportunities to relocate some of the storage lockers to level 1.

Technical Review

24. Each micro dwelling unit must measure no less than 23.2 sq. m (250 sq. ft.).
25. Compliance with the *Roof Mounted Energy Technologies and Green Roofs - Discretionary Height Increases* Bulletin for relaxation of building height above the top of 10th level roof parapet to the satisfaction of the Director of Planning.

Note to Applicant: Appurtenances such as guardrails and roof top access structures can be relaxed from building height with compliance of the above noted bulletin. Guardrails should be set back from the outer perimeter of the roof and be no higher than the minimum required by Vancouver Building By-law.

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, Urban Design and Sustainability, the General Manager of Community Services, the General Manager of Engineering Services, 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 Lots 37 & 38, Block 28, DL 541, Plan 210 to create a single parcel.
2. Discharge of Easement & Indemnity Agreement BM276986 from title.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the release.

3. Provision of a Services Agreement to detail the on 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) Decommissioning of the existing areaway (cavity below the city sidewalk) adjacent the site. See Development permit conditions for detailed requirements.
 - (ii) Provision of new CIP concrete sidewalks on Pender Street adjacent the site in keeping with areaway standards.

- (iii) Provision of street trees adjacent the site where space permits.
 - (iv) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
4. 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.
5. 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.

In addition, 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.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

6. Provision of a letter of commitment from the building operator to provide the City with information on bicycle ownership, utilization of Class A bicycle spaces, and issues or challenges related to bicycle storage or accommodation in the building, and actions to address those issues or challenges, six months after occupancy, and afterwards from time to time at the request of the City.

Sustainability

7. The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Housing

8. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Housing Agreement for 60 years or the life of the building, whichever is greater, which will contain the following terms and conditions:
 - (i) A no separate sales covenant;
 - (ii) A no stratification covenant;
 - (iii) A provision that none of such units will be rented for less than one month at a time;
 - (iv) A requirement that a minimum of 30 units (33%) be rented for no more than the shelter component of Income Assistance;
 - (v) A requirement that all units comply with the definition of "social housing" in the applicable City development cost levy by-law; and
 - (vi) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Environmental Contamination

9. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have 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 registered charges pursuant to 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.

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177 West Pender Street
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 6510

Amend Schedule A by adding the following:

"177 West Pender Street [CD-1 #] [By-law #] DD"

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

Amend Schedule A (Activity Zone) by adding the following:

"[CD-1#] [By-law #] 177 West Pender Street

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking requirements
177 West Pender Street	()	()	No vehicle parking spaces are required. Loading and bicycle spaces in accordance with by-law requirements, except that there must be: (i) A minimum of one Class A loading space; (ii) Class A bicycle parking provided at a rate of 0.75 spaces per unit; and (iii) A minimum of 2 Class B bicycle parking spaces.

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177 West Pender Street
ADDITIONAL INFORMATION

1. Urban Design Panel

The Urban Design Panel (UDP) reviewed this rezoning application on August 23, 2017. The UDP supported the proposal with recommendations.

EVALUATION: SUPPORT WITH RECOMMENDATIONS

- **Introduction:** Linda Gillan, Rezoning Planner, introduced the project as a rezoning application comprised of a single lot on the north side of Pender St, between Cambie and Abbott streets.

The rezoning site has a frontage of 50 feet on Pender Street, and is 120 feet deep, with a site area of just under 6,000 square feet. The site is currently vacant. It is zoned DD, or Downtown District. Across Hastings Street to the north is the Gastown Historic Area (HA-2) and the Woodwards site, which is zoned CD-1. Victory Square and Vancouver Community College are located in the block to the west.

The application is being considered under the *Downtown Eastside Plan* and *Victory Square Policy Plan*. Under the policy, rezoning applications may be considered for market projects, where there is a public benefit including social housing, secured market rental housing, and heritage building rehabilitation. Through rezoning, the maximum height is 105 feet and the allowable density is based on urban design performance. The *Green Buildings Policy for Rezonings* also applies for this site and the applicant team are pursuing Option B requires a low emission green building.

The application is to rezone from DD to CD-1 to allow for a 10-storey residential building. It includes 90 social housing units, including 82 micro units and eight studio units, five of which are accessible units. The basement level includes zero vehicle parking, 68 Class A bike parking spaces and one Class A loading space. The proposed density is 6.93 FSR and proposed height is 105 feet.

Danielle Wiley, Development Planner, noted a few considerations about the site context: The project is flanked by heritage buildings on either side and across the lane, which are likely to remain for the long term. The site is also sloped in two directions: 4 feet across the Pender Street elevation and 9 feet from the street to the lane.

Ms. Wiley further noted a policy consideration: The District Schedule and Downtown Eastside Plan allow 6.0 FSR and 105 foot height for social housing projects. The proposal is seeking a rezoning to request an additional 0.93 FSR, but otherwise complies with base zoning.

On West Pender St, the 10-storey massing meets 105 foot height limit. Levels 8-10 are set back approximately 12 feet to create 70' streetwall, as is consistent with the Victory Square guidelines. The side walls will be exposed for the long term, so the proposal aims to add visual interest with surface patterns.

The lane accommodates loading, a PMT and an emergency exit. Because the site slopes 10 feet to the lane, lane-fronting units at Level 1 are raised above grade. The setback at Level 2 and above is 10 feet, less than the typical 20 feet setback for residential uses.

The *Victory Square Guidelines* seek minimum 30 feet depth for courtyards, whereas the proposed courtyard/lightwell is 24 feet by 24 feet. The roof of the adjacent Avalon Hotel is approximately 25 feet above the courtyard floor. Units facing courtyard are the most challenged for livability, but meet a “relaxed” standard for horizontal access to daylight.

The main entry on Pender Street is flanked by common amenity space and offices. Due to site slope, the entry is in a deep niche with a ramp and guardrail at sidewalk. The amenity space is 3 feet above the sidewalk. The storefront windows and canopy create a “commercial” appearance.

Materials and detailing include:

- Dark brick on Pender Street elevation, with horizontal metal cladding for upper levels;
- Strong cornice lines at Level 2 and Level 7;
- A simple composition of square “bays” for each unit, with large windows and “Juliet” balconies;
- A glass railing and spandrel, as modern detailing in simple masonry façade;
- “Blind” side walls are corrugated metal in a grid pattern, to echo the window bays.

Staff is seeking improvements to the amenities. The indoor amenity at L1 is oversized and requires programming and design development. The rooftop patio is approximately 1500 square feet, and does not meet guidelines. Storage is provided in lockers at Level 2.

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

1. Is the overall density and massing supportable?
2. Are the resolution of the storefront and main entry successful?
3. Is the resolution of the street elevation and “blind” side elevations successful?
4. Have issues of livability been appropriately addressed? (Consider daylighting of dwelling units, and common indoor/outdoor amenity spaces.)

The planning team then took questions from the panel.

- **Applicant’s Introductory Comments:** The applicant noted the project is within the height envelope and characteristics of the area. The goal is smaller units in the area. The implied windows reference a historic ‘Chicago’ style. The entry ramp is a challenge due to grades. The amenity space is as of yet undefined.

Enlarging the courtyard/light well would sacrifice units. This semi-public courtyard is intended as a quiet, contemplative space, but is also an opportunity for public art. The rooftop design has as much urban agriculture as possible, to activate the space. The landscape features include small gestures for token habitat for birds and insects.

The applicant team then took questions from the panel.

- **Panel Consensus:** Having reviewed the project it was moved by Ms. Avini Basherat and seconded by Ms. Anderson and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORT** with following recommendations to be reviewed by City Staff:

- If supportable by the Director of Planning, explore deleting the upper storey setback, to create a full-height streetwall at West Pender Street and add space to the light well. Consider the addition of intermediary amenity spaces above Level 1.
 - Provide areas with weather protection of the common rooftop patio and private roof terraces;
 - Relocate the urban agriculture to the higher roof, to create a more active social outdoor space at the lower roof.
 - Consider more vibrant detailing and colour for the façade;
 - Consider a redesign of the sidewalls, and explore opportunities for public art/murals.
 - Consider a lighter colour for the courtyard walls, to increase light into the facing units;
- **Related Commentary:** Overall the panel supported the height, massing and density of the project. The upper-storey setback is not necessary and a stronger full-height streetwall is preferred. Due to the sloping site, there is room to add density. The blind side walls require design development. The 'pretend' windows were not supported, and some thought that these surfaces would be an opportunity for murals or public art. The courtyard should be a lighter colour for units facing the courtyard.

There is an opportunity at the 10th level to add further indoor amenity space, adjacent to the rooftop patio. The rooftop amenity space needs work, and could be expanded to the upper roof. The small units are appropriate for the site.

- **Applicant's Response:** The applicant team thanked the panel and staff. The sidewalls could provide an opportunity for local artists. The recommendations regarding the courtyard and amenity space were appreciated.

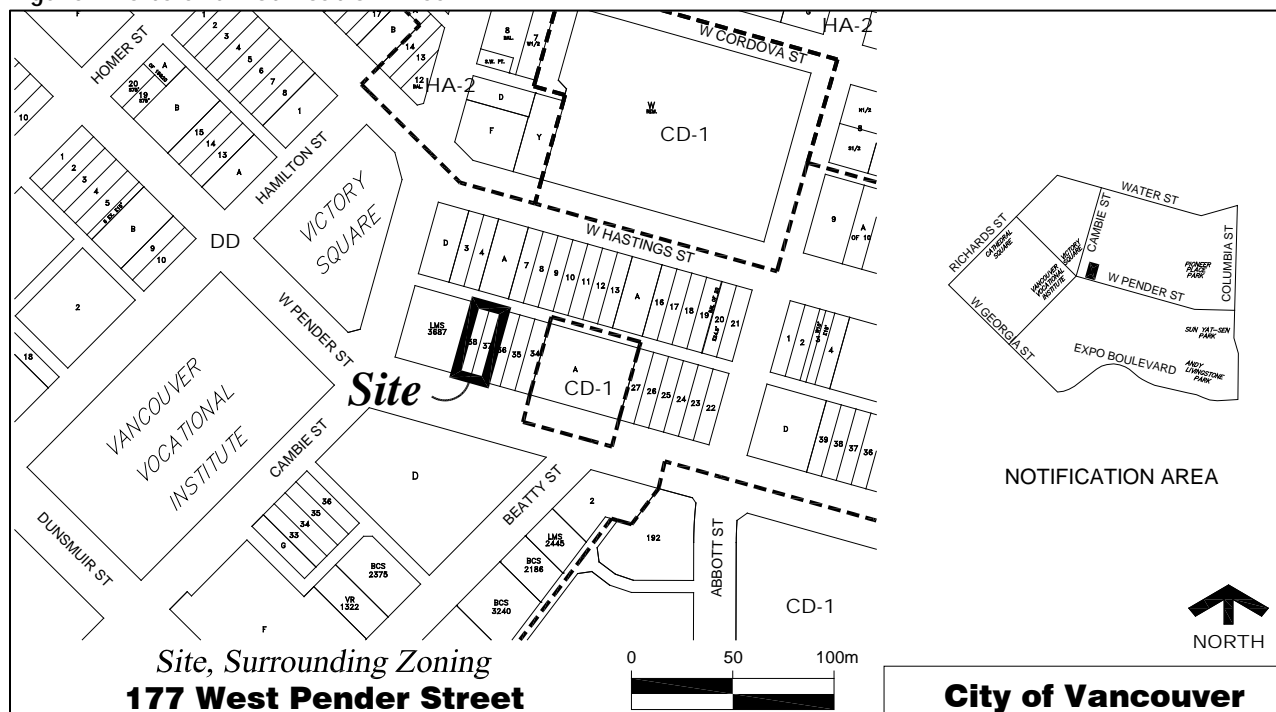
2. Public Consultation Summary

Public Notification

Public Notification

A rezoning information sign was installed on the site on June 30, 2017. A community open house was held on July 31, 2017. A total of 9,688 notifications were distributed within the neighbouring area on or about July 13, 2017. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Figure 1: Site and Notification Area



July 31, 2017 Community Open House

A community open house was held from 5-8pm on July 31, 2017 at the Chinese Cultural Centre Auditorium (50 East Pender Street). Staff, the applicant team, and a total of approximately 9 people attended the Open House.

Public Response

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

- In response to the July 31, 2017 open house, a total of 4 comment sheets were received from the public.
- A total of 5 letters, e-mails, online comment forms, and other feedback were received from the public.

Figure 2: Public Notification and Response (July 31, 2017 Open House)

Total notifications	9688
Open House attendees	9
Comment sheets	4
Other feedback	5

Below is a summary of all feedback (both online and from the open house) related to the proposal, ordered by themes of support and concerns and by level of frequency:

Comments of Support:

- **General Support:** Most respondents were generally supportive of the proposal.
- **Building Design:** Respondents generally thought the building fits well with the neighbourhood.
- **Parking:** Some respondents were happy that no parking spots were being provided.

Comments of Concern and Suggestions for Improvement:

- **Social Housing Operations:** Some respondents were concerned about the operation of the social housing units. Respondents in a neighbouring building were concerned about the appearance of the units from the exterior, such as window displays and the street aesthetic. There was a desire for the selection of an operator who will keep the units well maintained.
- **Building Design:** Some respondents suggested the inclusion of a green wall on the east side party wall of the building to mitigate the removal of views from neighbouring residents. Some respondents were concerned about the very small size of units. There was also a suggestion to remove the Juliet balconies to free up space inside the unit. Some respondents thought the building should be higher to allow for additional units.
- **Housing:** Respondents expressed a desire for 100% of the units to be at welfare rates; however, there was a general understanding of why this may not be financially feasible. Respondents hope the City will work with the Province to get more units at welfare rates.

The following miscellaneous comments were received from the public:

- Concern about the inclusion of outlets on the outside of the building becoming a place for loitering.

177 West Pender Street
FORM OF DEVELOPMENT

Figure 1: Site Plan

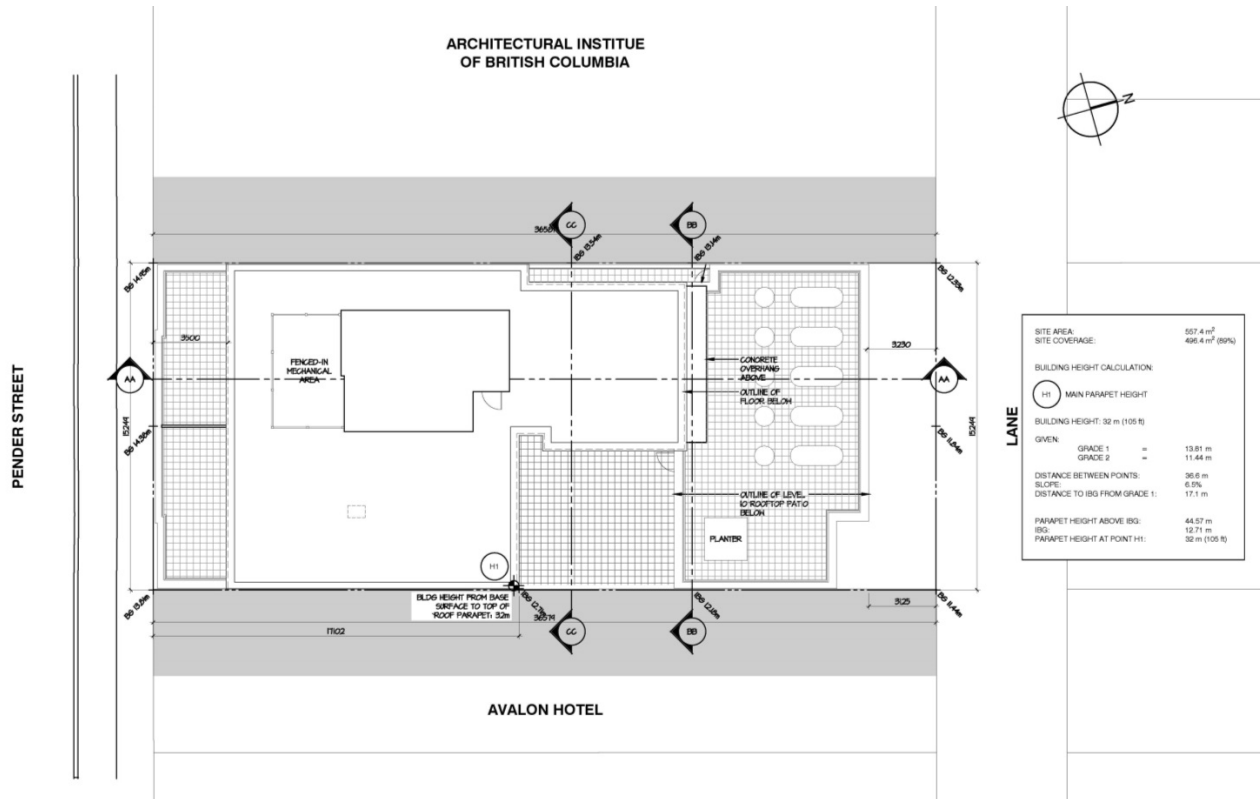


Figure 2: Basement Plan

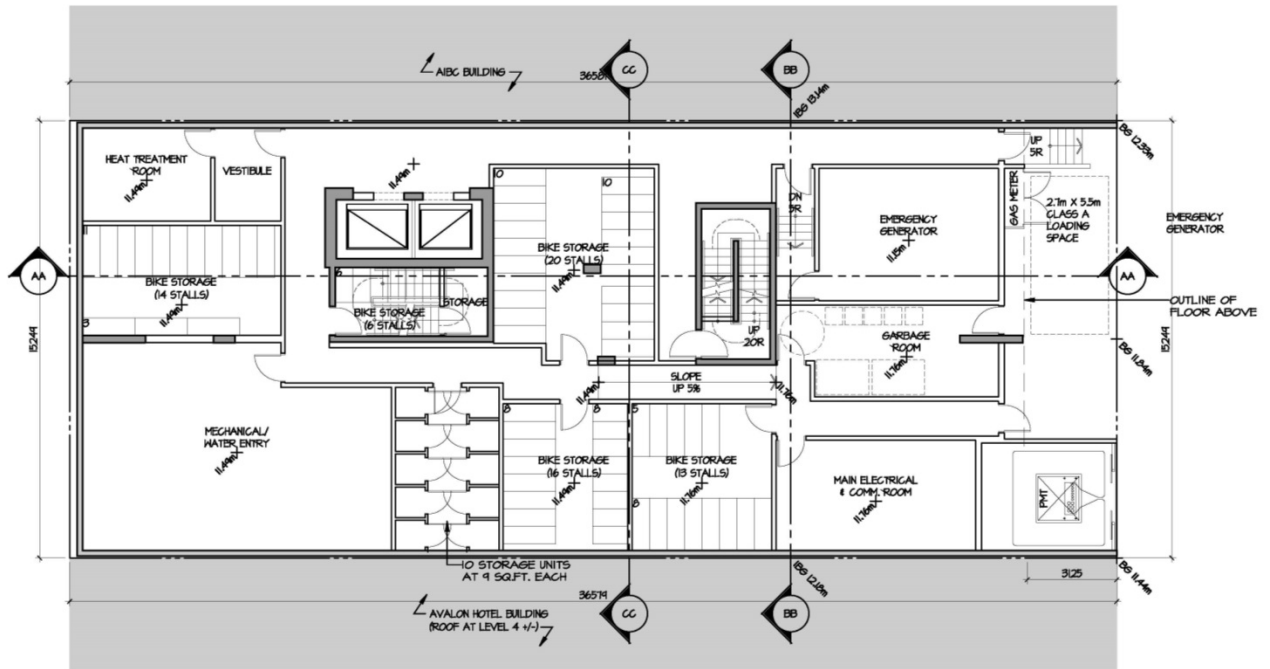


Figure 3: Level 1 Plan

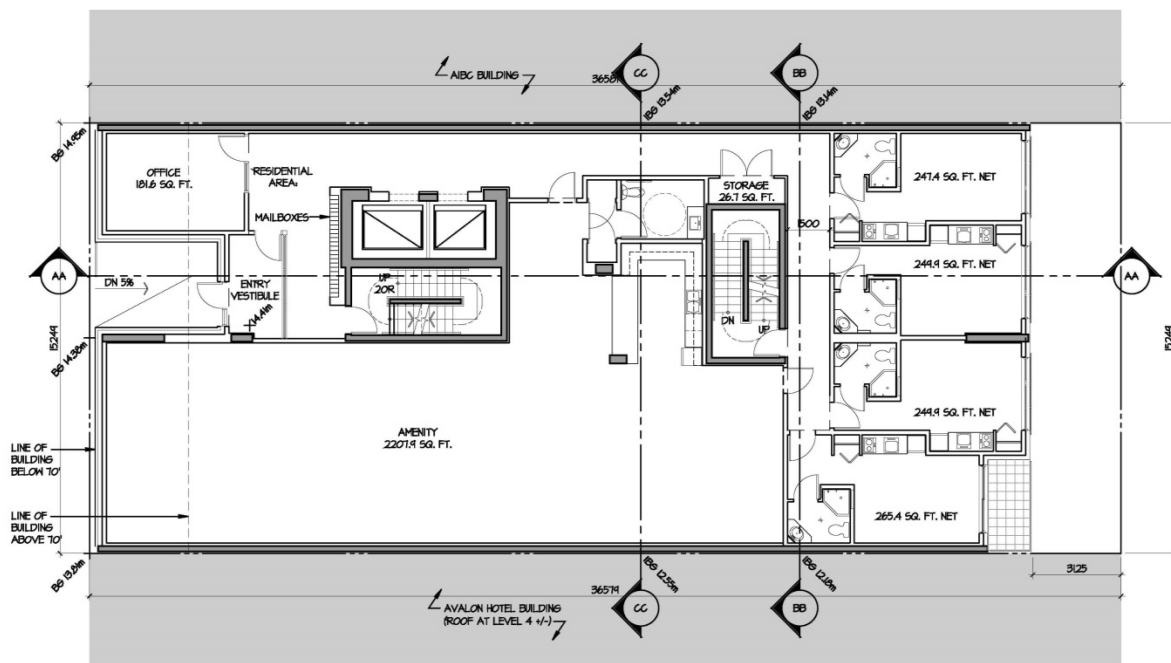


Figure 4: Level 2 Plan

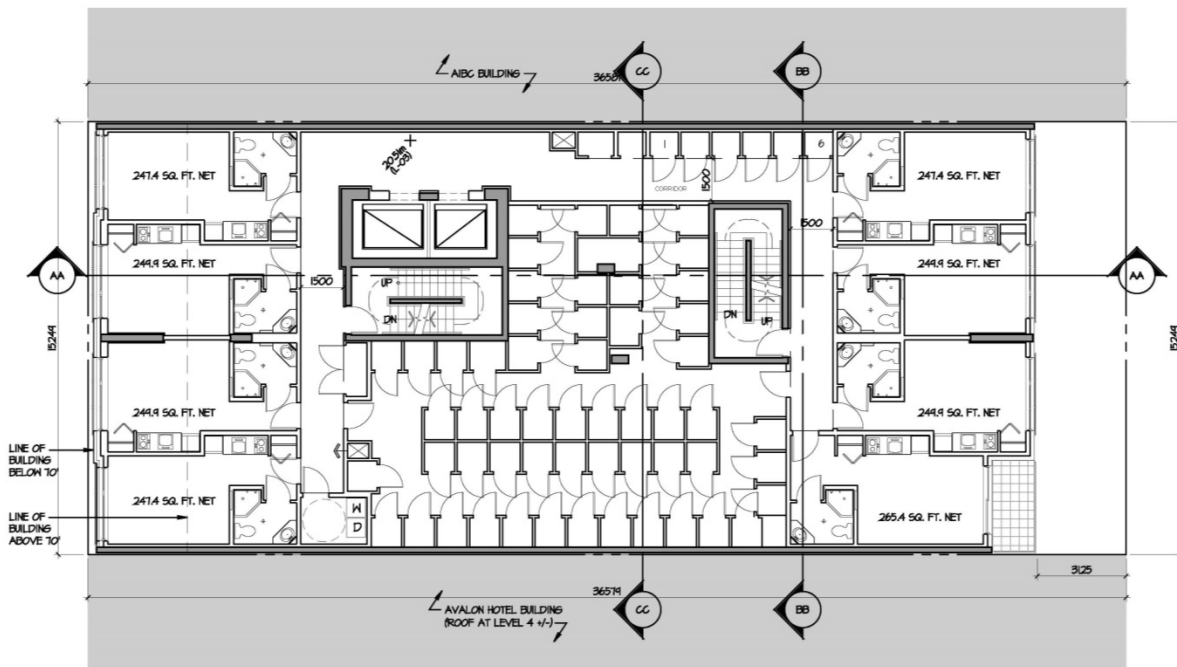


Figure 5: Levels 3-5 Plan

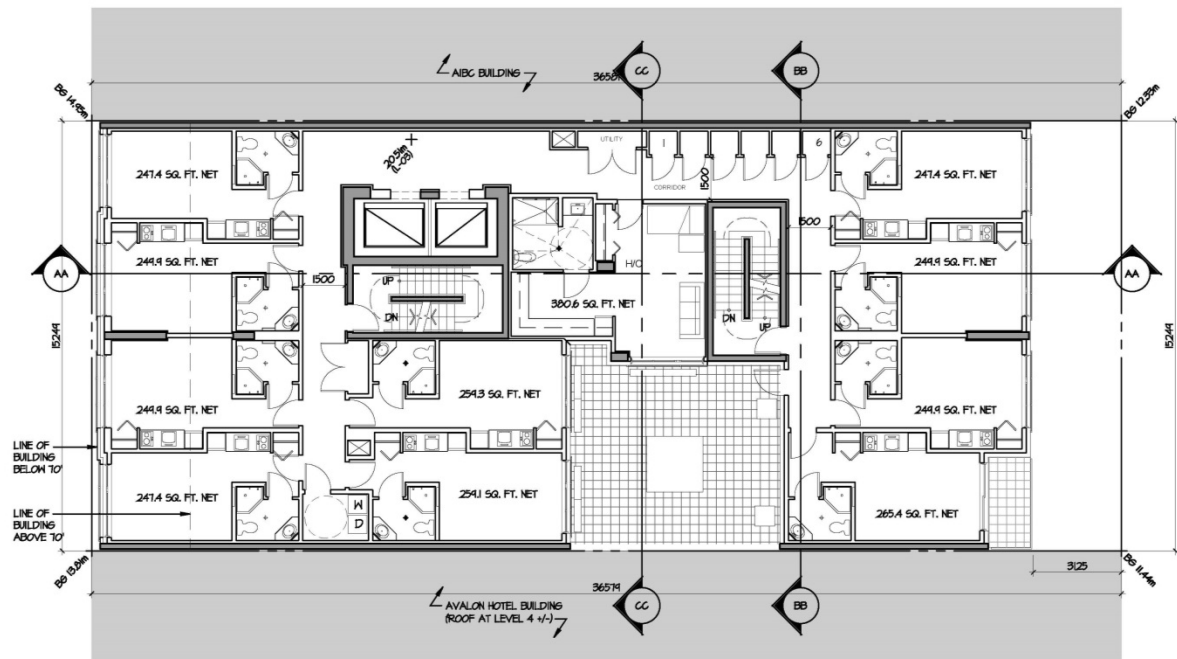


Figure 6: Level 6 Plan

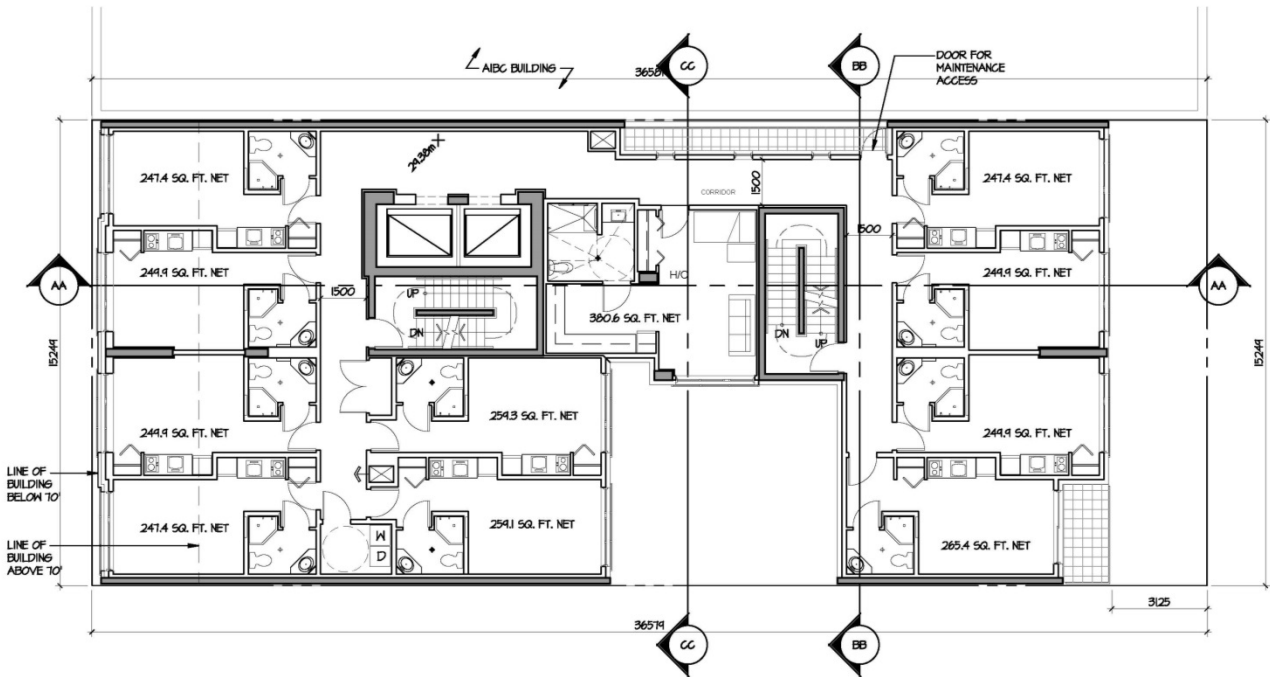


Figure 7: Level 7 Plan

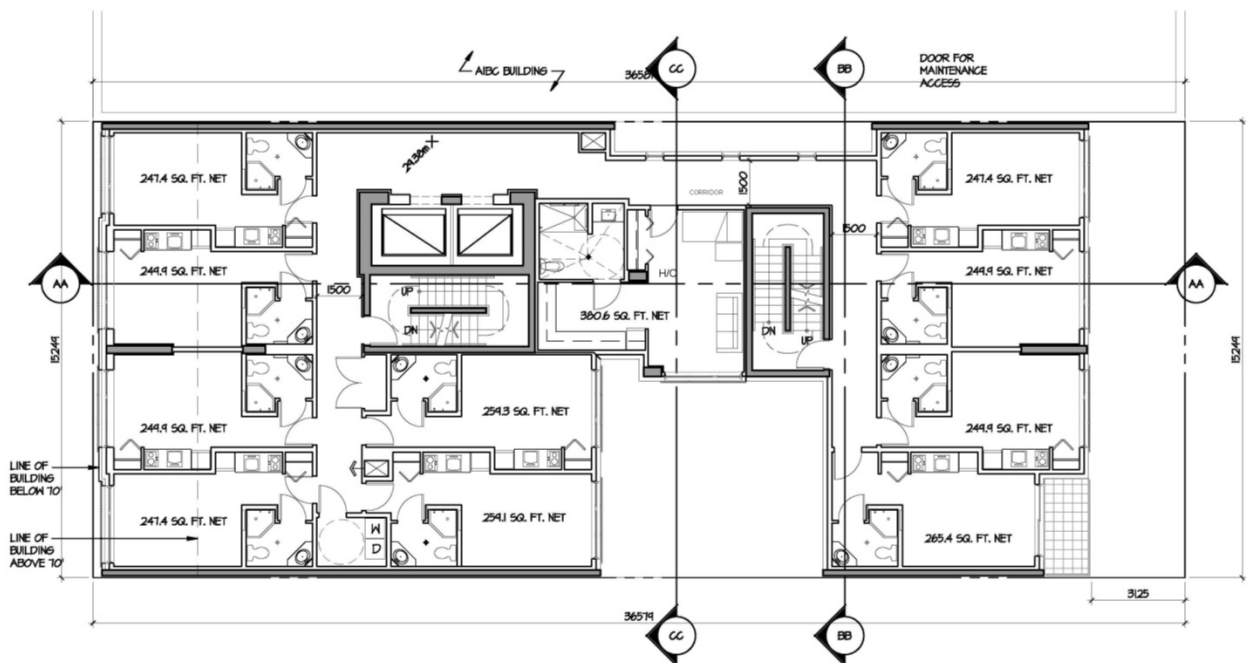


Figure 8: Level 8 Plan

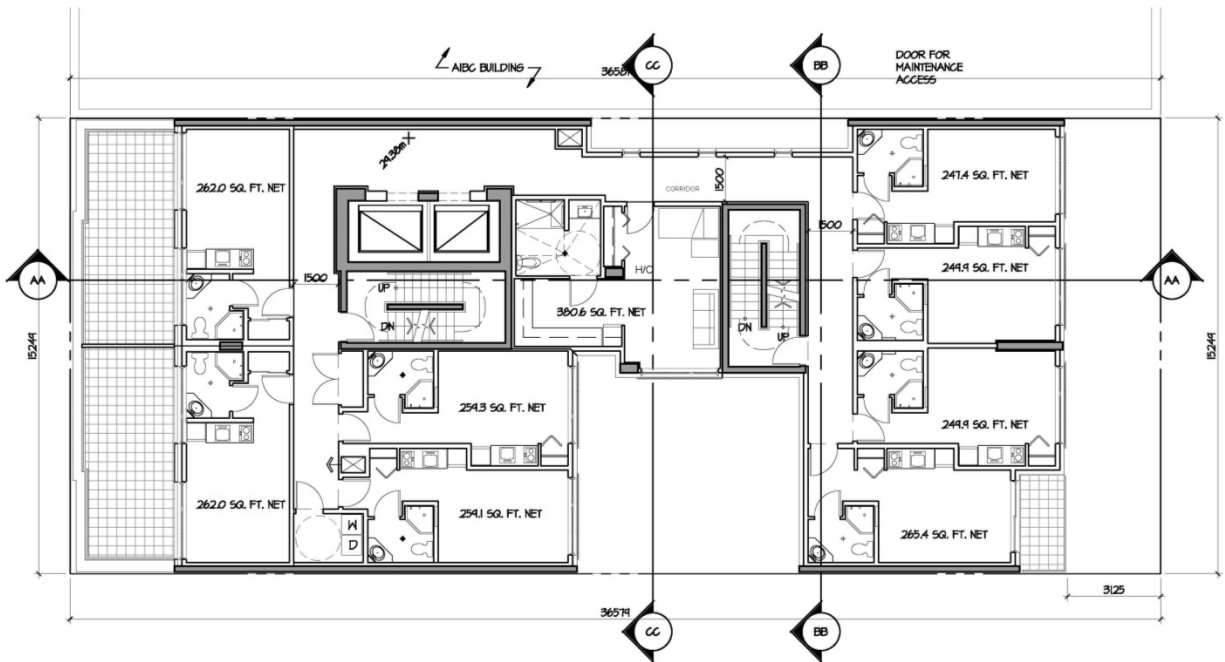


Figure 9: Level 9 Plan

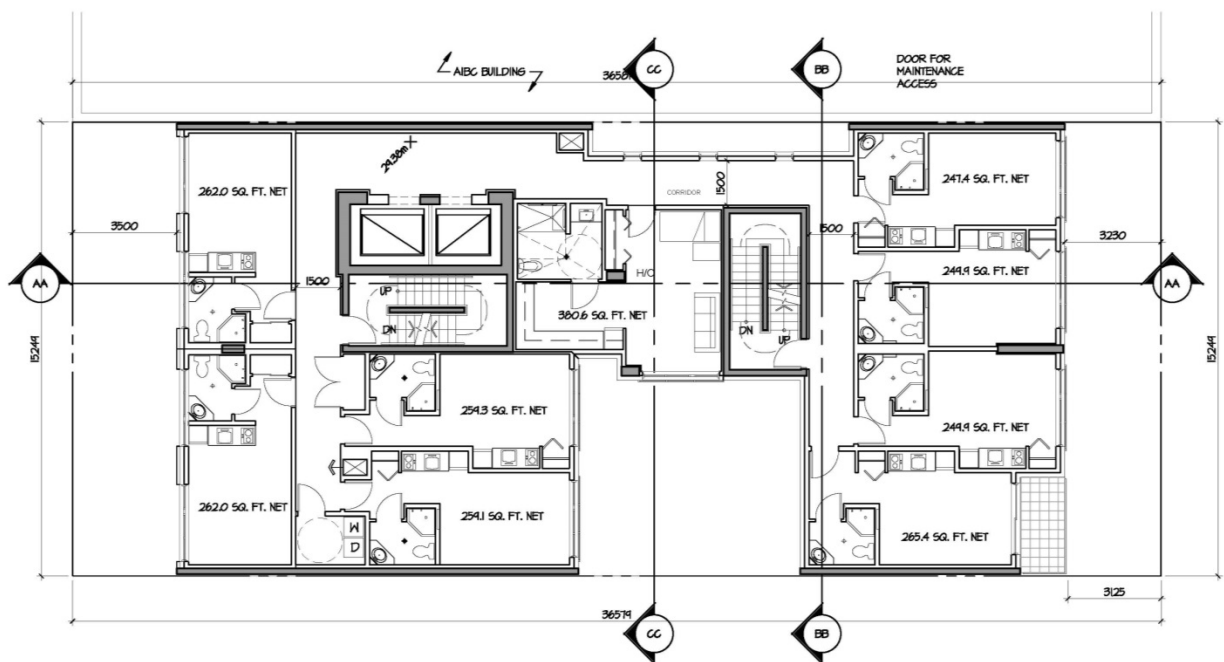


Figure 10: Level 10 Plan

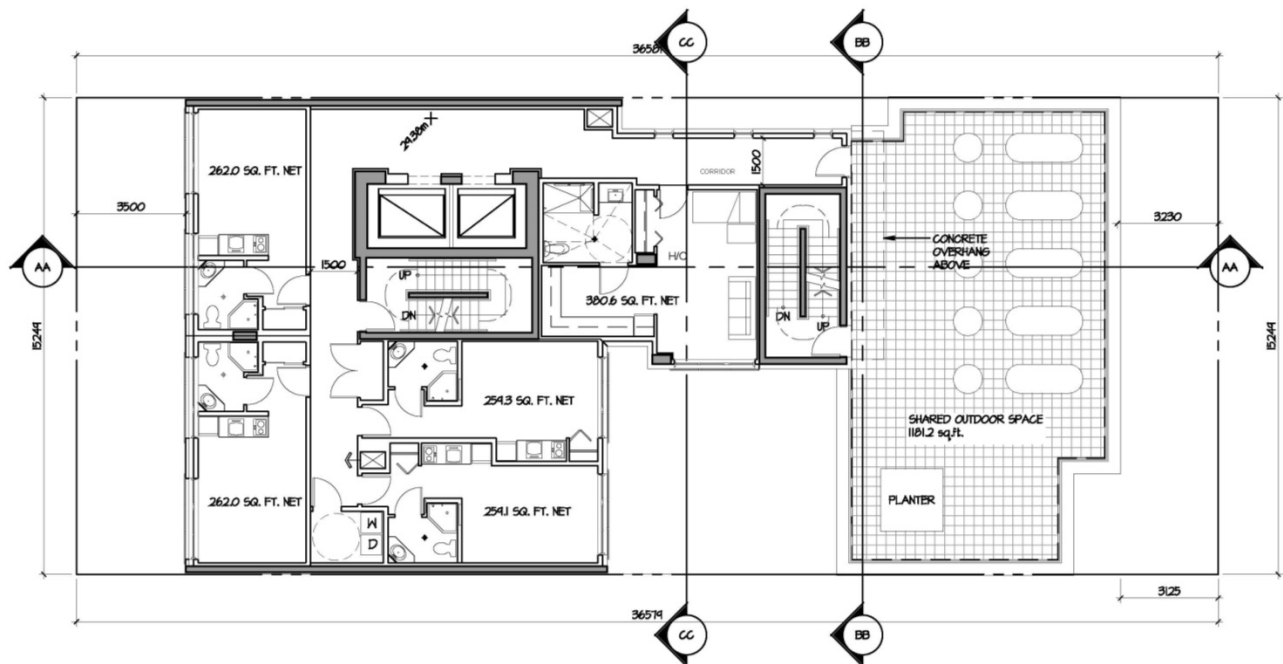


Figure 11: Roof Plan

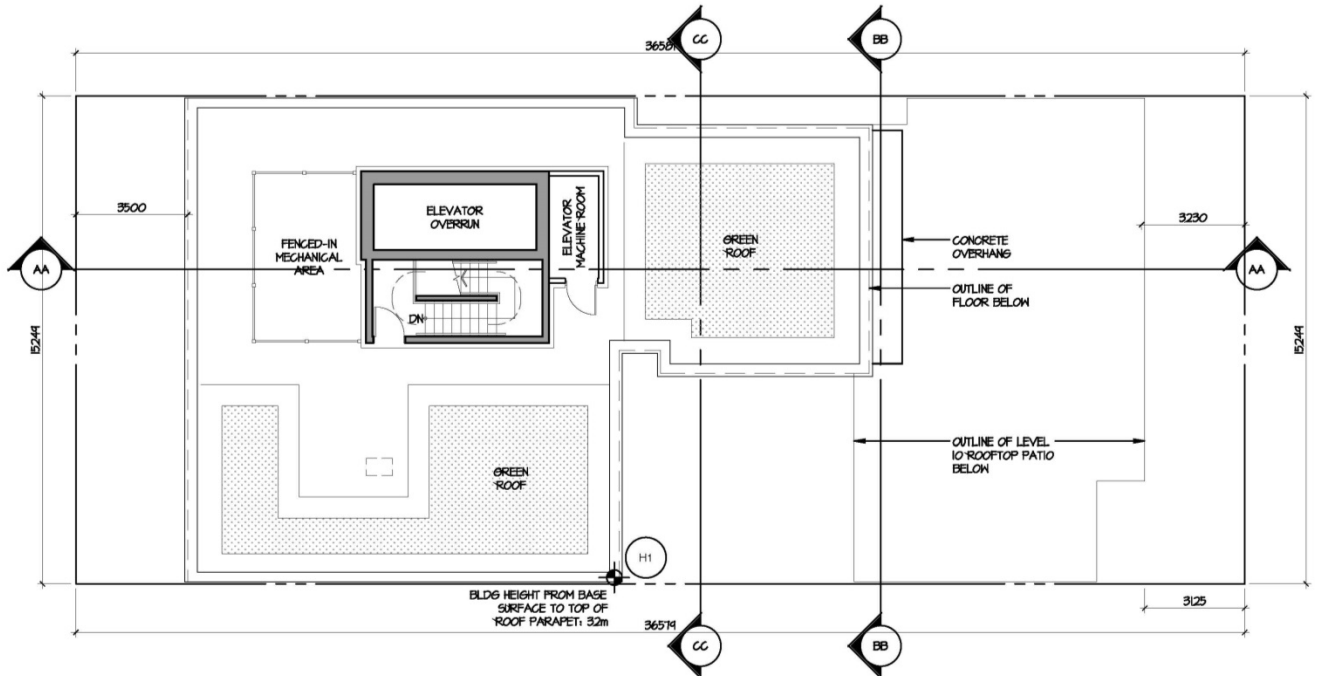


Figure 12: North Elevation



Figure 13: East Elevation

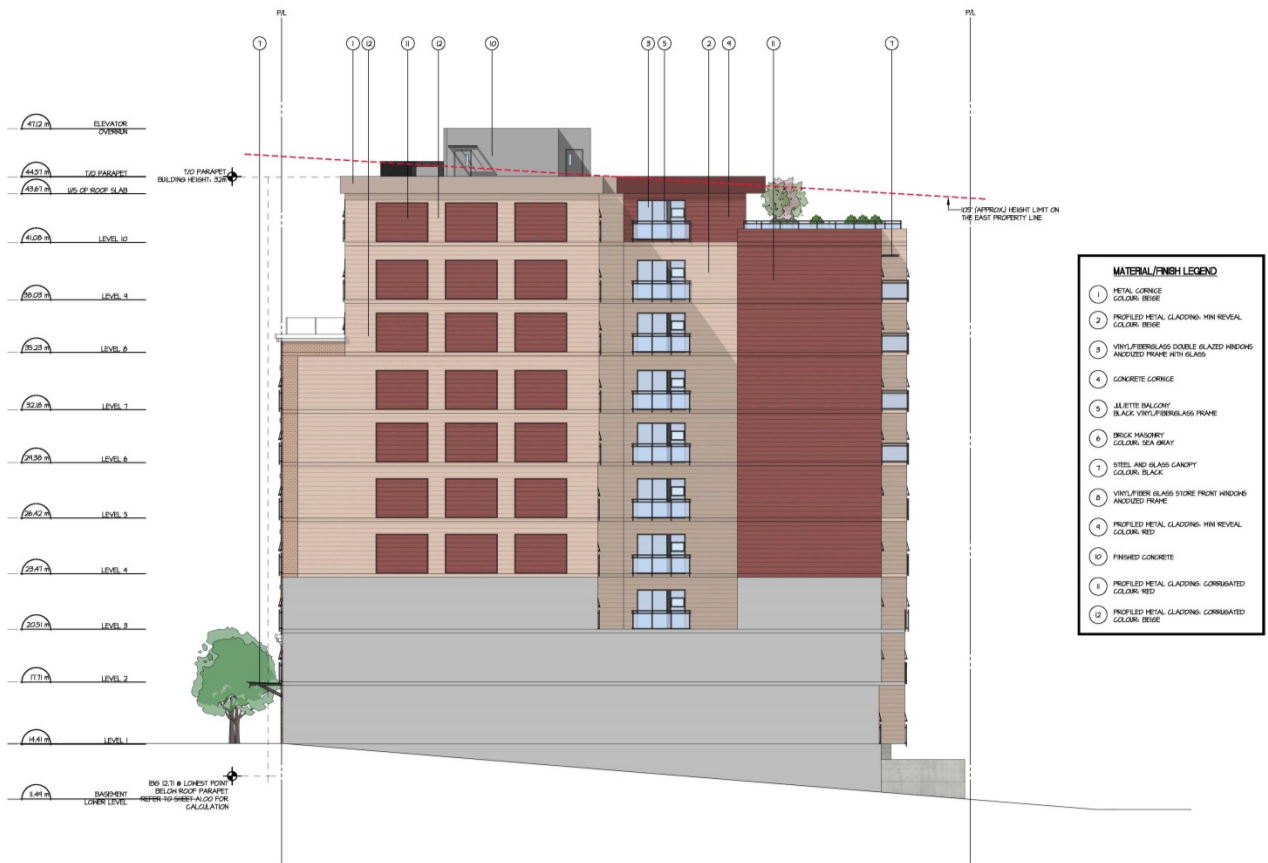


Figure 14: South Elevation

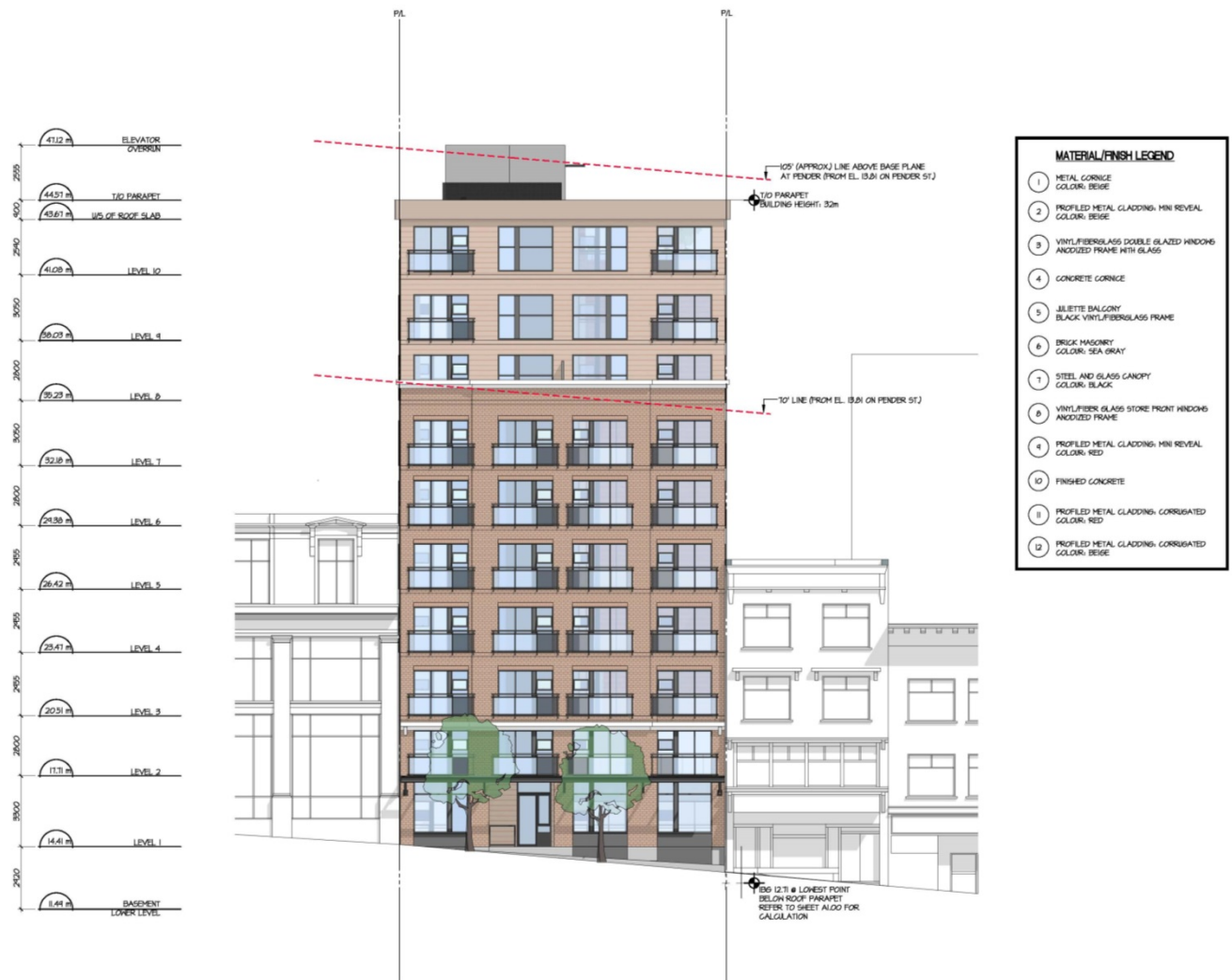


Figure 15: West Elevation

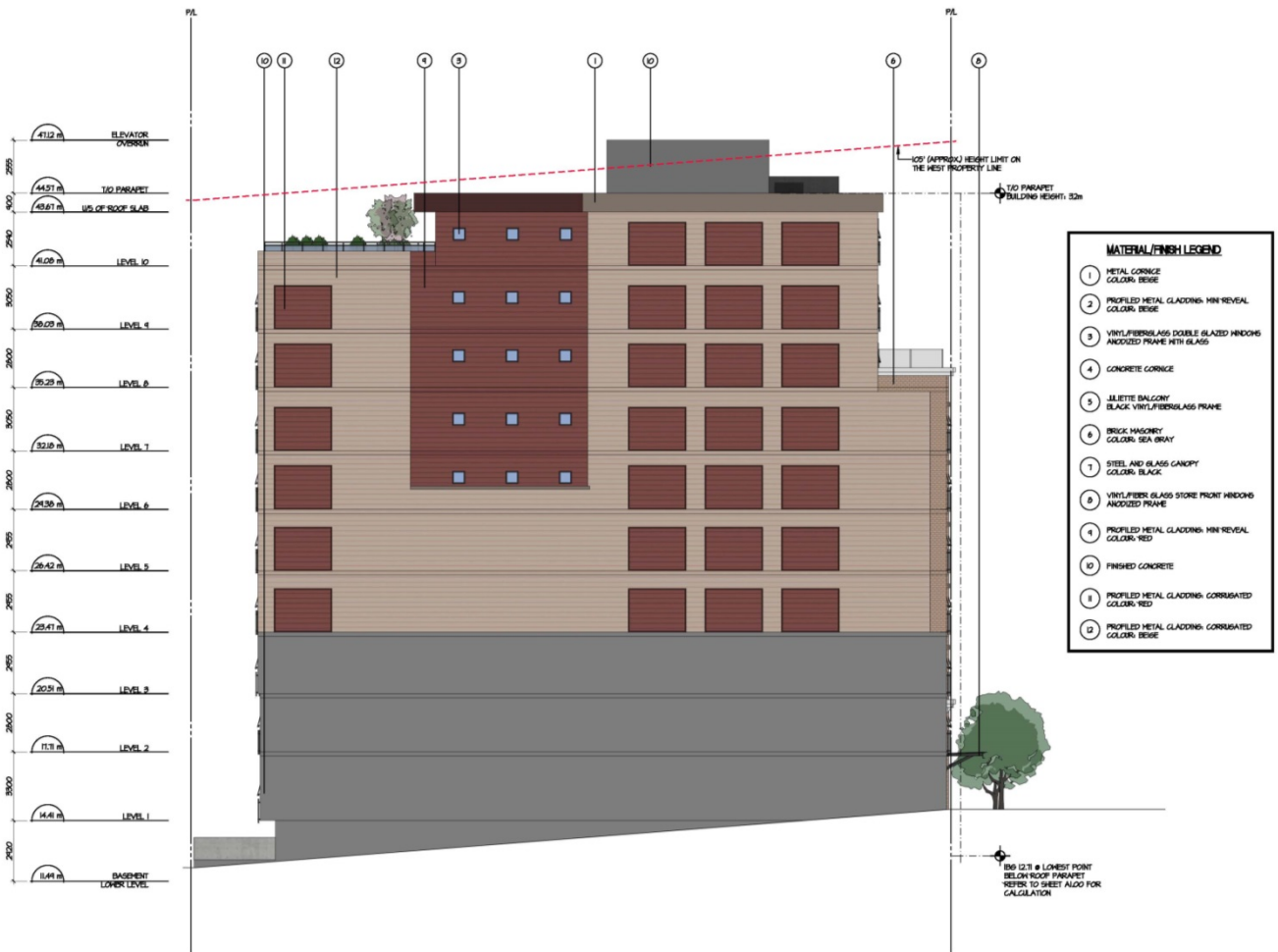


Figure 17: Building Section

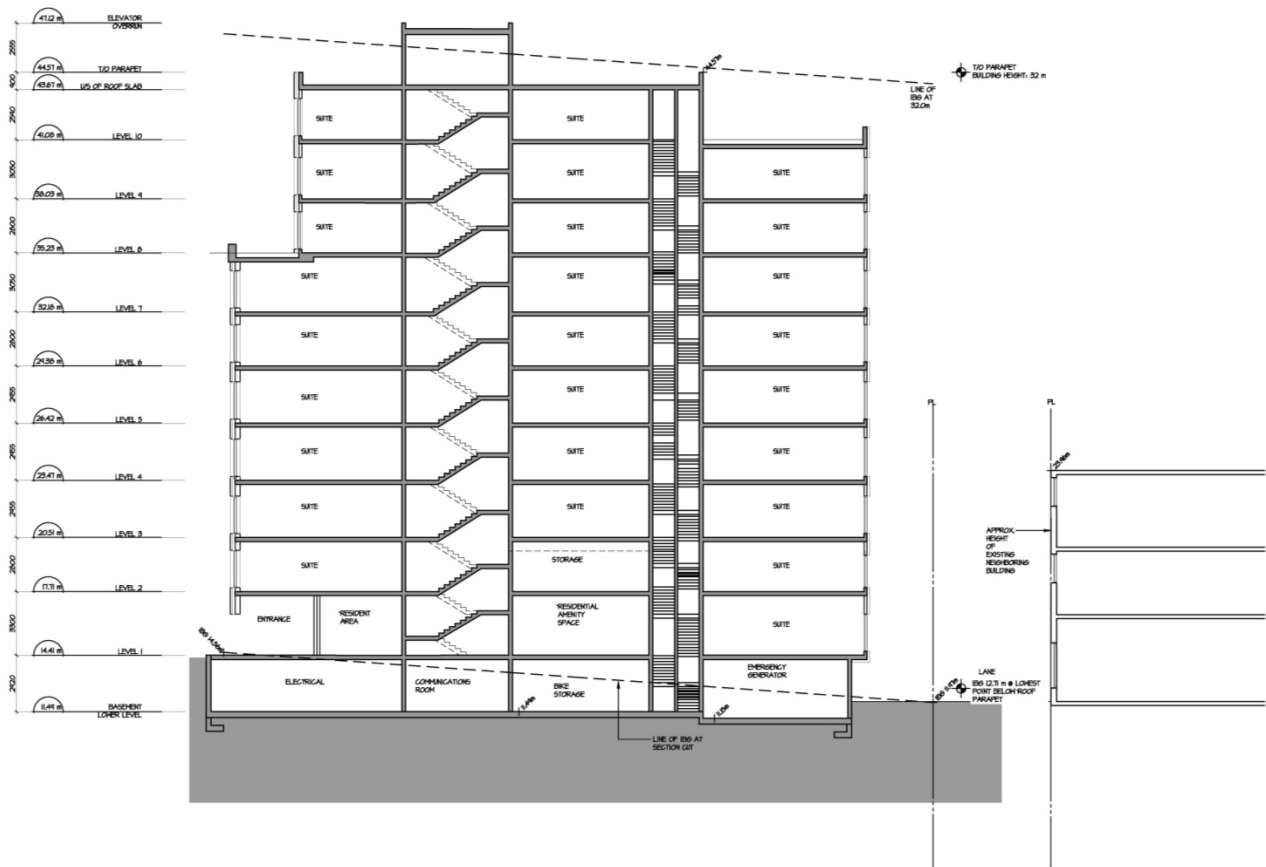


Figure 18: Landscape Plan

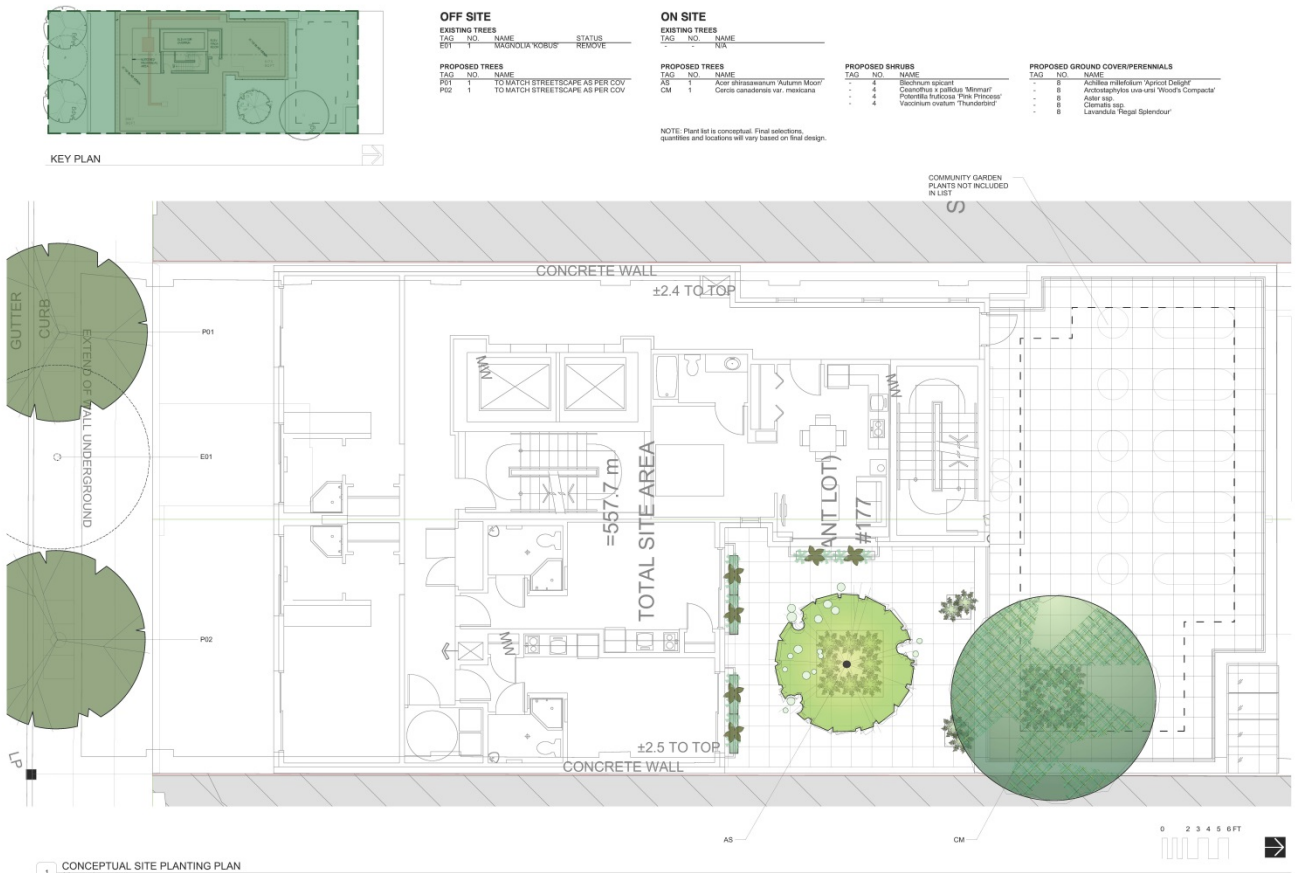


Figure 19: Shadow Studies



Figure 20: Streetscape



177 West Pender Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Ten storey residential building containing 90 social housing units.

Public Benefit Summary:

	Current Zoning	Proposed Zoning
Zoning District	DD (Area C2, DODP)	CD-1
FSR (site area = 557.7 sq. m. / 6,003 sq. ft.)	5.0 FSR (note 1) 6.0 FSR (note 2)	6.93
Floor Area (sq. ft.)	30,015 sq. ft. (note 1) 36,018 sq. ft. (note 2)	41,593 sq. ft.
Land Use	Mixed-use	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$15.62 sq. ft. residential, \$13.91 sq. ft. commercial)	\$448,304 (note 3)	None (note 4)
	DCL (Area Specific)		
	Public Art (\$1.98/sf)		None (note 4)
	20% Social Housing		
Other Public Benefits Offered	Heritage	N/A	
	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$448,304	\$0

Other Benefits (non-quantified components):

90 units of social housing

* 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: Replacement Housing (36%), Transportation (25%), Parks (18%), Childcare (13%) and Utilities (8%).

Notes:

1. Area C2 of the DODP: maximum FSR for all uses, residential limited to 3.0 FSR
2. Area C2 of the DODP: if 100% of the residential is secured market housing or two-thirds of the floor area is social housing, discretionary increases in height and density may be considered.
3. Assumes build out of 5.00 FSR, with up to 3.00 FSR of market residential use, where there is no DCL waiver anticipated.
4. Social housing is exempt from DCLs and public art contributions.

**177 West Pender Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Applicant and Property Information

Address	177 West Pender Street
Legal Descriptions	Lots 37 and 38, Block 28, District Lot 541, Plan 210; PIDs 004 355 521 and 004-355-547 respectively
Developer	Vancouver Affordable Housing Agency (VAHA)
Architect	DYS Architecture
Property Owner	City of Vancouver

Site Statistics

Site Dimensions and Area	15.2 m (50 ft.) x 36.6 m (120 ft.)	557.7 sq. m (6,003 sq. ft.)
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Development Statistics

	Permitted Under Existing Zoning	Proposed	Recommended (Other Than Proposed)
Zoning	DD (Downtown) District	CD-1 (Comprehensive Development) District	--
Uses	Hotel; Light Industrial; Office Commercial; Other Commercial, including a Body-Rub Parlour; Parking Area And Parking Garage, subject to the provisions of Section 5; Parks And Open Space; Public And Institutional; Residential; Retail Commercial; Residential; Social, Recreational And Cultural, including Casino - Class 1 And Bingo Hall.	Residential	--
Floor Space Ratio (FSR)	5.0 FSR - Maximum FSR for all uses, residential limited to 3.0 FSR 6.0 FSR - If 100% of the residential is secured market housing or two-thirds of the floor area is social housing, discretionary increases to density may be considered	6.93 FSR	--
Floor Area	30,015 sq. ft. 36,018 sq. ft.	3,864 sq. m (41,593 sq. ft.)	
Maximum Height	22.9 m (75 ft.) - Basic maximum height. 32 m (105 ft.) - If 100% of the residential is secured market housing or two-thirds of the floor area is social housing, discretionary increases in height may be considered	32 m (105 ft.)	33.3 m (109.2 ft.)
Unit Mix	--	Micro Unit: 82 Studio: 8 Total: 90	--
Parking Spaces	Per Parking By-law Equivalent to 15 spaces	Zero vehicle parking	Parking relaxation is supported.
Loading	Per Parking By-law - For residential uses with less than 100 units, no residential loading is required.	Class A: 1	--
Bicycle Spaces	Per Parking By-law Class A: 68 Class B: 6	Class A: 68 Class B: 0	Class A: 68 Class B: 2