

SUMMARY AND RECOMMENDATION

3. REZONING: 61-95 West Hastings Street

Summary: To rezone 61-95 West Hastings Street from DD (Downtown) District to CD-1 (Comprehensive Development) District to permit the development of a 10-storey mixed-use building with three commercial units at grade and 132 residential units above. A height of 32 metres (105 ft) and a floor space ratio (FSR) of 7.62 are proposed.

Applicant: Gair Williamson Architect Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of February 20, 2018.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Gair Williamson Architect Inc., on behalf of W East Holdings Limited, to rezone 61-95 West Hastings Street [*Lot A (Reference Plan 355) of Lot 10, Block 3, Old Granville Townsite, Plan 168, and Lot 9, Block 3, Old Granville Townsite Plan 168; PIDs 010-825-762 and 009-849-076, respectively*] from DD (Downtown) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 5.00 to 7.62 to allow for the construction of a 10-storey mixed-use building with three commercial units at grade and 132 residential units above, all of which will be secured as market rental housing, generally as presented in Appendix A of the Policy Report dated January 16, 2018, entitled "CD-1 Rezoning: 61-95 West Hastings Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Gair Williamson Architect Inc., and received November 14, 2016, including revised underground parking level plans received September 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 comply with allowable building height.

Note to Applicant: The maximum achievable building height is 32.0 m (105 ft.). If rooftop access is to be excluded from the calculation of

height, it must be provided in accordance with Section 10 of the Zoning and Development By-Law and the *Urban Agriculture Design Guidelines for the Private Realm* and *Roof-mounted Energy Technologies and Green Roofs - Discretionary Height Increases Bulletin*.

2. Design Development of the Hastings Street public realm interface to provide greater space and amenity for pedestrians.

Note to Applicant: The intent is to accommodate additional at grade public space for the adjacent bus passenger queuing, loading, and passersby. This can be achieved with additional setting back of the exterior walls at the ground floor facing Hastings Street to at least 0.6 m (2 ft.) in between the building columns and providing improved opportunities for waiting, standing, or sitting under cover.

3. Design development to increase the provision of useable private outdoor open space.

Note to Applicant: This may be achieved by providing balconies for the north facing two bedroom unit types labeled F, G, and K.

4. Design development to improve the access to daylight and views for the lightwell facing dwelling units.

Note to Applicant: The intent is to provide for a high level of liveability and comply with the minimum horizontal angle of daylight regulations. Revisions may be achieved with the following general strategies:

- (i) Revising layout to eliminate shadowing of windows below caused by cantilevered elements;
- (ii) Enhancing the near view with visually interesting elements such as planters, vegetative walls, or unique material treatments; and
- (iii) providing confirming dimensions that the clear distance from property line to face of glazing for primary living spaces is a minimum of 4.9 m (16 ft.) and no less than 15.15 m (49.75 ft.) in the north south direction.

5. Consideration to reinforce the characteristic sawtooth street wall profile indicative of the Victory Square context.

Note to Applicant: This may be achieved by varying roof heights, increasing upper level setbacks, cornices and shadow lines, or changes in materiality.

6. Consideration to express the southwest building corner above the at-grade chamfer as fully glazed rather than as a suspended metal panel column.

7. Design development to the rooftop outdoor amenity area to include an area suitable for a range of children's play activity.

Note to Applicant: Play equipment is neither required nor encouraged but a soft surface play area and a landscape providing a range of creative and motor-skills developing play activity is encouraged (features may include natural soft surface play areas, opportunities for sand play, balancing logs, boulders, etc.).

8. Consideration to include accessible urban agriculture planters on the rooftop common amenity area along with supporting infrastructure including high efficiency irrigation and/or hose bib, potting bench, tool storage and compost box.

9. At time of development permit, provision of:

(i) Detailed section drawings with notes and dimensions including planter and soil depths, balcony railing design, weather protection, rooftop overhead structures and other indicative exterior details.

(ii) High quality durable materials, noted in the drawings, that maintain the level of exterior detailing and finish necessary to accomplish the intended expression of the building in this application.

(iii) Design to ensure that mechanical units and service equipment including any anticipated cell antennas, mechanical screen structures and parkade exhaust ventilation do not compromise the integrity of the architectural expression.

(iv) Confirmation that vertical vent space is provided to accommodate exhaust from the commercial level.

Note to Applicant: Intent is to allow for a wider range of uses, including restaurants, without requiring the retrofitting of exhaust ducting on the outside of the building.

(v) The proposed unit mix, including 83 studio units (63%), 4 one-bedroom units (3%), and 45 two-bedroom units (34%) is to be included in the Development Permit drawings.

Note to Applicant: Any changes to the unit mix from the rezoning application are at the discretion of the Director of Planning or Development Permit Board.

(vi) Submission of a bird-friendly strategy for the design of the building.

Note to Applicant: Refer to the *Bird-Friendly Design Guidelines* for examples of built features that may be applicable. For more information, see the guidelines at:

<http://guidelines.vancouver.ca/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

10. Identify on the drawings strategies that consider the principles of CPTED including the following conditions:
 - (i) Limiting unobserved access or activity and encouraging natural visual surveillance;
 - (ii) Mail theft;
 - (iii) Site lighting developed with considerations for safety and security; and
 - (iv) Reduced opportunities for graffiti.
11. Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
 - (i) Overhead lighting and step lights at exit stairs and doors;
 - (ii) 24-hour lights and walls painted white; and
 - (iii) Visibility at doors, lobbies, stairs and other access routes.

Sustainability

12. 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: Provide an updated LEED® checklist and sustainable design strategy at time of Development Permit application outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

Landscape

13. Design development responding to street tree retention measures noted in the arborist report and tree management drawing.

Note to Applicant: The applicant will need to coordinate closely with the Park Board, Engineering and Planning Departments with regard to working near the trees. There will need to be careful attention to construction methods, materials and arboricultural practices recommended by the arborist. If additional root zone protection is necessary, design development may be needed to setback the underground parking garage. The applicant will need to coordinate with

Engineering Sewer Design with regard to exploring options to locate underground service locations away from trees, where possible.

14. At the development permit submission stage:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of large scale architectural and landscape sections [typical] through planted areas, including the slab-patio-planter relationship.

Note to Applicant: The sections should include the planter materials, tree stems, canopy and root ball (where applicable).

- (iii) Provision of high efficiency irrigation for all planted areas.

Note to Applicant: Illustrate symbols (irrigation stub locations), written specifications and notations on the landscape plans in this regard. The green roof will have special irrigation requirements during the establishment phase.

- (iv) Provision of plan details and documentation/calculations that support achievement of LEED storm water credit(s) and integrated rainwater management, including absorbent landscapes, soil volumes and detention systems.

Note to Applicant: Landscape related solutions and detention systems should be shown on the plan. The LEED consultant should provide detailed calculations to describe how the various best management practices contributed to the quality and quantity targets.

- (v) Provision of a vegetative surface area calculation overlay plan.

Note to Applicant: The plan should differentiate between extensive and intensive green roof types and provide a percentage ratio of soft and hard surface cover proposed.

- (vi) Provision of a revised development permit phase arborist report.

Note to Applicant: The expanded report should inform public realm design and methods for street tree retention. Include any construction limitations such as the location of construction

storage materials, temporary structures, utility conflicts, site access, development phasing and temporary irrigation requirements.

- (vii) Provision of an arborist supervision assurance letter.

Note to Applicant: The letter should outline the important construction milestones where the arborist will need to be notified in advance to attend the site and provide services. The letter should be signed by the applicant/owner, the arborist and the contractor.

Engineering

- 15. Provision of a minimum 12-foot knock-out panel that is aligned with the manoeuvring aisle and at the top of corner-cut to facilitate two-way flow and a corner-cut into the neighbouring site to the east in the future.

Note to Applicant: A 12-foot wide knock-out panel is sufficient if the adjacent property being accessed contains no more than 20 vehicle spaces. The design should consider turning sweep in setting the knock-out panel width (may require slightly more than 12 feet.) If over 20 vehicle spaces are anticipated in the adjoining parking structure a 20-foot wide knock-out panel will be required.

- 16. The following are to be addressed at the development permit stage:
 - (i) The owner or representative is advised to contact Engineering 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.
 - (ii) Provision of a widened canopy to serve the bus bench location. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).
 - (iii) Provision of a separate application for all sidewalk treatments to the satisfaction of the General Manager of Engineering Services. Please show all off-site improvement sought by this application on the Landscape plans.
 - (iv) Please note the following statement on the landscape plans:

"A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Kevin Cavell at 604.873.7773 for details."

- (v) All existing street furniture adjacent to site to be clearly shown on Site and Landscape plans.

Note to Applicant: 50% of public seating should be accessible seating evenly spread throughout public spaces and meet accessibility standards as follows:

- o Size - Benches shall have seats that are a minimum of 160 cm long, and 50 to 60 cm deep.
- o Back Support - benches should provide back support or be affixed to a wall. Back support shall be 160 cm long and shall extend from a point 5.0 cm maximum above the seat surface to a point 45 cm above the seat surface. Back support shall be 6.5 cm maximum from the rear edge of the seat measured horizontally.
- o Height - The top of the bench seat surface shall be 43 cm minimum and 49 cm maximum above the ground.

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

- (i) Provision of design elevations on both sides of the parking ramps and ramp sections at all breakpoints, both sides of the loading bays, throughout the parking levels and at all entrances.

Note to Applicant: The slope and length of the slope sections to be shown on the submitted drawings.

- (ii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp, the residential gate and through the loading bay.

- (iii) Label minimum clearance for the loading and parking levels on the section drawings, including overhead gates and mechanical projections.

Note to Applicant: Minimum 12.5 ft. (3.8 m) vertical clearance is required for Class B loading. Minimum 7.5 ft. (2.3 m) vertical clearance is required on the main ramp for access to disability parking.

- (iv) Provision of minimum 20 ft. (6.1 m) drive aisle width at the overhead gate of the main parkade ramp for two way flow.

- (v) Provision of an updated plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp or elevator, if required.

- (vi) Provision of a dedicated bicycle elevator and bicycle elevator call button to the satisfaction of General Manager of Engineering Services.

Note to Applicant: The door opening is to be a minimum 3.5 ft. (1.07 m), with an internal chamber of 6.5 ft. (1.98 m) width by 5.5 ft. (1.68 m) depth. This to accommodate two bicycles at a time.

- (vii) Provide automatic door openers on the doors providing access to the bicycle rooms.

Please contact Jennifer White of the Parking Management Branch at 604.871.6474 for more information or refer to the Parking and Loading Design Guidelines at the following link:

<http://vancouver.ca/home-property-development/parking-policies-guidelines.aspx>

Social Policy and Projects

- 18. Arrange, to the satisfaction of the Managing Director, Social Policy and Projects, a strategy for inner-city local employment, which outlines best efforts to achieve a minimum target that 10% of working hours during the project's construction are acquired through local hiring, and to report back quarterly during construction to the Managing Director, Social Policy and Projects, assessing the strategy's success.

Note to Applicant: The intent of inner-city local employment is to ensure that benefits from redevelopment remain within the inner-city through employment opportunities for individuals living with barriers to employment (e.g. individuals living with mental health and addictions, Aboriginal residents, and newcomers whose first language is not English). Please contact Wes Regan, Community Economic Development Planner at 604.871.6894 for more information on local hiring for construction and employment-based social enterprise.

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 Arts, Culture and 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 Lot A (Reference Plan 355) of Lot 10, Block 3, Old Granville Townsite, Plan 168, and Lot 9, Block 3, Old Granville Townsite, Plan 168 to create a single parcel.
2. Provision of a setback and Statutory Right of Way (SRW) for a corner cut of 2.4 m x 2.4 m (8 ft. x 8 ft.) at the site's southwest corner. The SRW is to be free of any encumbrance such as structure, stairs, door swing and bicycle parking at grade but the encroaching building portions shown below grade and at the 3rd storey and above are to be accommodated within the SRW agreement. Note any portion of the parking structure within the SRW is to be a minimum of 0.3 m (1.0 ft.) below City building grade.
3. Clarification regarding the proposed parkade knockout panel at P2 and the 6th floor aisle connection proposed to connect to a future development on the adjacent lot 10 (55 West Hastings Street). Should this be desired, appropriate legal arrangements are required for these proposed future access points.
4. Provision of a shared use loading agreement amongst all of the uses within the project.
5. 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 improved sidewalks adjacent the site in keeping with the area standards.
 - (ii) Provision of a sidewalk and front boulevard treatment of brick mortared on a concrete base with concrete bands on Abbott Street in a pattern to match the east side of Abbott Street north of Cordova Street.
 - (iii) Provision of a cast-in-place light broom finish concrete sidewalk with saw cut joints and a front boulevard of brick mortared on a concrete base with concrete bands on Hastings Street similar to the Woodward's frontage on Hastings Street.
 - (iv) Provision of crushed granite gravel at the base of trees to match that used in the tree bases along the Woodward's Building.
 - (v) Provision of a standard concrete lane crossing on the east side of Abbott Street at the lane south of Cordova Street including provision of new curb returns on both sides of the lane and adjustment of curb ramps on both sides of the lane.

- (vi) Provision of intersection lighting improvements for the intersection of Abbott Street and Hastings Street.
 - (vii) Provision of an accessible pedestrian signal at the intersection of Abbott Street and Hastings Street.
 - (viii) Provision of street trees adjacent the site where space permits.
 - (ix) Provision of bus benches and adequate awning/canopy coverage on Hastings Street to provide weather protection for users and to serve the adjacent bus stop. Note: Bench(es) to be supplied by the City of Vancouver.
 - (x) 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.
6. 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.
 7. Provision of any gas service to connect directly to the building at standard utility depths and without any portion of the service connection above grade within the road right of way.
 8. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of up to 4 Shared Vehicle(s) and the provision and maintenance of up to 4 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
 - (i) Provide up to 4 Shared Vehicle(s) to the development for a minimum period of 3 years;

- (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
- (iii) Provide and maintain the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;
- (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
- (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
- (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under Section 219 of the Land Title Act of British Columbia, a SRW, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and
- (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply up to 4 car share vehicles on the site at building occupancy.

Note to Applicant: Shared vehicle spaces are required to be a minimum length of 5.5 m and width of 2.9 m.

Housing

- 9. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as rental housing, for the longer of 60 years or the life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant.
 - (ii) A no stratification covenant.
 - (iii) That none of such units will be rented for less than one month at a time.
 - (iv) Compliance with the City approved Tenant Relocation Plan.
 - (v) Such other terms and conditions as the General Manager of Arts, Culture and Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by 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

10. Make arrangements to the satisfaction of the Managing Director, Social Policy and Projects and the Director of Legal Services to enter into a legal agreement to provide at time of occupancy one fully fit and finished ground-level commercial unit, with an area of approximately 130.5 sq. m (1,405 sq. ft.), for tenancy by a non-profit organization or employment-based social enterprise acceptable to the City. Lease of the space will be at a fixed-rate of 50% market rate at time of occupancy, for not less than 20 years, with a possibility to renew at a discounted rent.

Environmental Contamination

11. 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.

- B. THAT, the application to amend Schedule A of the Sign By-law to establish regulations for this CD-1, generally as presented in Appendix C of the Policy Report dated January 30, 2018, entitled "CD-1 Rezoning: 61-95 West Hastings Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated January 30, 2018, entitled "CD-1 Rezoning: 61-95 West Hastings Street".
- D. THAT, if Council approves in principal this rezoning and the Housing Agreement described in section (b) of Appendix B of the Policy Report dated January 30, 2018, entitled "CD-1 Rezoning: 61-95 West Hastings Street", 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, 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.
- E. THAT A through D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures 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 sole 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.

[RZ - 61-95 West Hastings St]