



## POLICY REPORT

Report Date: October 30, 2018  
Contact: Karen Hoesse  
Contact No.: 604-871-6403  
RTS No.: 12796  
VanRIMS No.: 08-2000-20  
Meeting Date: November 13, 2018

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 3435 East Hastings Street

### **RECOMMENDATION**

- A. THAT the application, by Cornerstone Architecture on behalf of 51561 B.C. Ltd. (Steiner Properties Ltd.), to rezone 3435 East Hastings Street [*PID: 014-686-155, Lot A Of The South 1/2 Of Lot 48 Town Of Hastings Suburban Lands Plan 22411*] from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.00 to 3.18 and the building height from 13.8 m (45.3 ft.) to 22.6 m (74.0 ft.) to permit the development of a six-storey mixed-use building with commercial at grade and 45 for-profit affordable rental housing units, be referred to a Public Hearing, together with:
- (i) plans prepared by Cornerstone Architecture, received February 7, 2018;
  - (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 the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval 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 after Public Hearing, Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning 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 Arts, Culture and Community Services.

- C. 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 by-law, generally as set out in Appendix C, for consideration at the Public Hearing.

- D. THAT, subject to approval of the rezoning application, 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.

- E. THAT Recommendations A through D be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

## **REPORT SUMMARY**

This report evaluates an application to rezone 3435 East Hastings Street from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building, with commercial at grade, and 45 secured for-profit affordable rental housing units over one level of underground parking. A height of 22.6 m (74 ft.) and an FSR of 3.18 are proposed.

Staff have assessed the application and conclude that it meets the intent of the *Secured Market Rental Housing Policy* (Rental 100). The application is also consistent with the Development Cost Levy (DCL) By-law definition of “for-profit affordable rental housing” for which DCLs may be waived, as well as with the Parking By-law definition of “secured market rental housing” for which a reduced parking requirement may be applied.

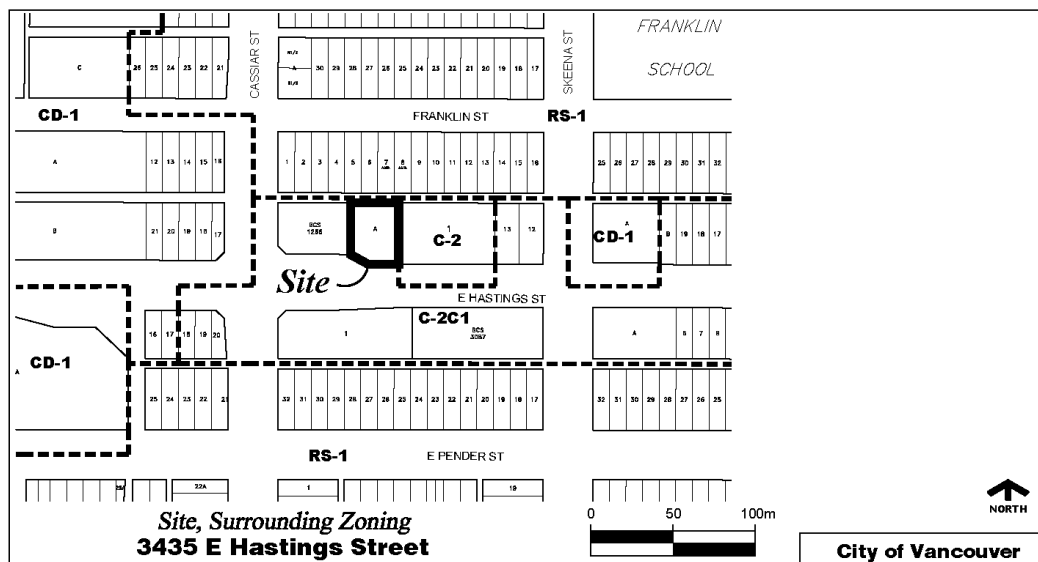
If approved, the application would contribute 45 for-profit affordable rental housing units towards achieving the City’s affordable housing goals as identified in the *Housing Vancouver Strategy*. Staff recommend the application be referred to a Public Hearing, with the recommendation of

the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing, along with the conditions of approval outlined in Appendix B.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- *Secured Market Rental Housing Policy (Rental 100) (2012)*
- *Housing Vancouver Strategy (2017)*
- *Rental Incentive Guidelines (2012, amended 2018)*
- *C-2C1 District Schedule and guidelines (1996, amended 2016)*
- *Hastings-Sunrise Community Vision (2004)*
- *High-Density Housing for Families with Children Guidelines (1992)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *Green Buildings Policy for Rezoning (2010, last amended 2017)*
- *Community Amenity Contributions through Rezoning (last amended 2017)*
- *Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2017)*

**Figure 1: Site and Surrounding Zoning**



## **REPORT**

### **Background/Context**

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

This 1,055.94 sq. m (11,366 sq. ft.) site is on the north side of East Hastings Street, between Cassiar and Skeena streets (see Figure 1). The site contains one legal parcel with a frontage of 30.75 m (100.88 ft.) along East Hastings Street. Site depth is 31.32 m (102.77 ft.) on the west property line and 37.16 m (121.9 ft.) east property line.

East Hastings Street is a primary arterial street and part of Metro Vancouver's frequent transit network. The site is well served by regular transit and is currently developed with a two-storey commercial building and structured parking.

The site is located in the Hastings-Sunrise Community Vision area. The surrounding context includes a mix of C-2C1, C-2, RS-1 and CD-1 zoning. The adjacent site to the east is owned by the City of Vancouver currently leased to the Community Builders Benevolence Foundation operating as Skeena House providing temporary transition housing to 57 residents. One block to the east on the northeast corner of East Hastings Street and Skeena Street, CD-1 (610) has been approved under the *Secured Market Rental Housing Policy* for a six-storey development with 87 rental units built to Passive House standards which recently completed construction.

## 2. Policy Context

**Housing Vancouver Strategy (2017)** – In November 2017, Council approved the *Housing Vancouver Strategy (2018-2027)* and *3-Year Action Plan (2018-2020)*. The strategy seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The *Housing Vancouver* targets were based on the core goals of retaining diversity of incomes and households in the city, shifting housing production towards rental to meet the greatest need, and coordinating action with partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the next 10 years, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. Nearly 50 per cent of the new units will serve households earning less than \$80,000 per year, and 40 per cent will be family-size units. This application will contribute towards the targets for purpose-built market rental units and units for families.

**Secured Market Rental Housing Policy** – This application has come in under the *Secured Market Rental Housing Policy* (approved by Council in May 2012), commonly known as the Rental 100 policy, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified rental housing. The rental units are secured by a housing agreement for the longer of 60 years or the life of the building.

**Rental Incentive Guidelines** – The intent of the *Rental Incentive Guidelines* is to inform the way in which rental incentives, taken at the applicant's discretion, are applied to specific projects. These incentives include, additional floor area subject to urban design review, parking relaxations, a Development Cost Levy (DCL) waiver for the residential rental floor area of the project, and relaxation of unit size provided that the design and location of the unit provides satisfactory living accommodation. For sites zoned C-2C1, the guidelines provide consideration of heights up to six storeys with a commensurate achievable density.

**Development Cost Levy By-law** – Under Section 3.1A of the Development Cost Levy By-law, for-profit affordable rental housing projects are eligible for a development cost levy waiver for the rental portion of the development. The waiver regulates maximum unit sizes and maximum average rents by unit type for the project. Current rental rates and unit sizes are outlined in the *Rental Incentive Guidelines* and are updated on an annual basis.

## Strategic Analysis

### 1. Proposal

In accordance with the Rental 100 policy, this application proposes a six-storey mixed-use building with commercial uses at grade and 45 for-profit affordable rental housing units above (see Figure 2), over one level of underground parking. The proposed building height is 22.6 m (74 ft.) and the proposed density is 3.18 FSR.

**Figure 2: View of the Proposed Development from East Hastings Street**



### 2. Land Use

This site located at 3435 East Hastings Street is zoned C-2C1 (Commercial) District. The intent of the C-2C1 (Commercial) District Schedule and Design Guidelines is to provide for a wide range of goods and services, to maintain commercial activities and personal services that require central locations to serve larger neighbourhoods while increasing the residential component and limiting office use. Building design that furthers compatibility among uses ensures livability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity is emphasized.

This proposal includes commercial and residential land uses and is consistent with the Rental 100 policy and the intent of the C-2C1 (Commercial) District. A total of 245.08 sq. m (2,638.0 sq. ft.) of commercial are proposed at grade.

#### Housing

The *Housing Vancouver Strategy* seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types, shifting housing

production towards rental to meet the greatest need, and coordinating action with partners to deliver housing for the lowest income households. Rental 100 and the accompanying *Rental Incentive Guidelines* allows consideration of rental buildings up to six storeys at this location with commensurate achievable density for projects where 100 per cent of the residential floor space is secured rental housing.

This application meets the requirements of the policy and would deliver 45 for-profit affordable rental housing units in the form of studio, one-bedroom, two-bedroom and three-bedroom units. This application would deliver approximately 16 family-oriented units (36%: 10 two-bedroom and 6 three-bedroom units) thereby exceeding *Family Room: Housing Mix Policy in Rezoning Projects*.

All 45 units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building or 60 years, which will preclude the stratification and/or separate sale of individual units. The addition of 45 new secured for-profit affordable rental housing units to the City's inventory of market rental housing contributes toward the *Housing Vancouver* targets (see Figure 3). Conditions related to securing the units are contained in Appendix B.

**Figure 3: Progress Towards 10-Year Housing Vancouver Targets for Secured Market Rental Housing as of September 30, 2018**

Housing Type	10-YEAR TARGETS	CURRENT PROJECTS
		Units Approved Towards Targets
<b>Secured Market Rental Housing Units</b>	20,000	1,839

*Note: Tracking progress towards 10-year Housing Vancouver targets began in 2017.*

*\* Unit numbers exclude the units proposed on the subject site, pending Council approval of this rezoning application.*

Vancouver has one of the lowest vacancy rates in Canada. In fall 2017, the vacancy rate in the City was 0.9%. That means only 9 out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3.0% is considered to be a balanced rental market. The vacancy rate in the Hastings-Sunrise neighbourhood was also very low at 0.4%.

The applicant has requested and qualifies for a waiver of DCL fees for the residential floor area (see Appendix F) in exchange for meeting maximum average rental rates and unit sizes. The applicant has estimated the rental rates for each unit type. Figure 4 compares proposed rents to average rents in newer buildings in the east area of Vancouver. When compared to home ownership costs, the proposed rents in this application will provide an affordable alternative to homeownership, particularly for the larger units.

**Figure 4: Comparable Average Market Rents and Home-Ownership Costs (Eastside)**

	<b>3435 East Hastings Street Average Proposed Rents</b>	<b>Average Market Rent in Newer Buildings - Eastside (CMHC, 2017)<sup>1</sup></b>	<b>DCL By-Law Maximum Averages - Eastside (CMHC, 2017)<sup>2</sup></b>	<b>Monthly Costs of Ownership for Median-Priced Unit – Eastside (BC Assessment 2017)<sup>3</sup></b>
Studio	\$1,496	\$1,531	\$1,496	\$2,278
1-bed	\$1,730	\$1,689	\$1,730	\$2,739
2-bed	\$2,505	\$2,284	\$2,505	\$3,817
3-bed	\$3,365	No data available	\$3,365	\$5,432

1. Data from the October 2017 CMHC Rental Market Survey for buildings completed in the year 2008 or later on the Eastside of Vancouver
2. For 1- and 2-bedroom units, the maximum DCL rents for the Eastside of Vancouver are the average rents for all residential units built since the year 2005 city-wide as published by CMHC in the Fall 2017 Rental Market Report. For 3-bedroom units, the maximum DCL rents for the Eastside of Vancouver are the average rents for all residential units built since the year 2000 city-wide as published in CMHC's website "Housing Market Information Portal" for 2017.
3. Based on the following assumptions in 2017: median of all BC Assessment recent sales prices in Vancouver Eastside in 2017 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 – 250 monthly strata fees and monthly property taxes at \$2.56 per \$1,000 of assessed value.

The DCL By-law allows for rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum allowable increases under the Province's Residential Tenancy Act. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the occupancy permit in order to ensure compliance with the maximum increases authorized by the DCL By-law. After occupancy, rent increases are regulated by the Residential Tenancy Act.

Through the Development Permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out by DCL By-law.

### **3. Density, Height and Form of Development** (Refer to drawings in Appendix E and statistics in Appendix G)

While Rental 100 allows for increased height and density, performance objectives of the C-2C1 District Schedule and guidelines inform the urban design response. The proposed density of 3.18 FSR is a modest increase from the permitted 3.00 FSR under the existing C-2C1 District Schedule and the proposed six-storey height is consistent with policy. The proposed form of development is considered to be in keeping with the land use intent for the area.

**Figure 5: Proposal Looking Southwest at Lane Interface**

The upper storey of the building has been stepped back to be more compatible with the neighbouring context with an incremental six-story massing at the residential entry. Setbacks at the rear are consistent with the C-2C1 and neighbouring C-2 design guidelines (to the east). Shadow impacts based on the shadow studies provided are minimal to the properties to the north. Commercial space is proposed at grade with an amenity room located on the second storey.

The Urban Design Panel reviewed and supported this application on May 2, 2018 (see Appendix D). Staff are supportive of the application subject to the conditions outlined in Appendix B. The conditions include improvements to the retail and residential frontage, improvements to privacy between units and common outdoor amenity space. The proposal will also undergo further design development during the development permit review process.

#### **4. Transportation and Parking**

The proposal meets the current requirements of the Parking By-law with 27 vehicle parking spaces, one Class B loading space, 56 Class A bicycle spaces, and six Class B bicycle spaces. Any Development Permit application submitted after January 1, 2019 will need to meet the updated Parking By-law requirements.

Changes to the Parking By-law were approved by City Council on July 25, 2018. Development Permit applications received after January 1, 2019 will be subject to new requirements for vehicle parking, bicycle parking, pick-up-drop-off spaces, and transportation demand management.

The site is well served by transit. Frequent bus service is available on East Hastings Street and the Kootenay bus loop is less than two blocks to the east.

## 5. Environmental Sustainability

The *Green Buildings Policy for Rezoning* (amended by Council on April 28, 2017) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements are mandatory for all rezoning applications received on or after May 1, 2017.

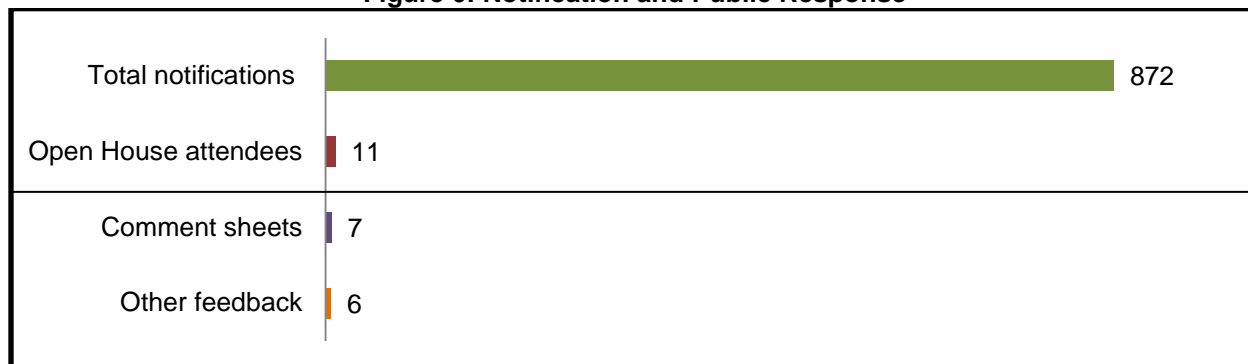
The applicant has opted to meet Passive House design standards. These high standards of energy efficient design are intended to provide residents with a comfortable living environment and reduced energy costs, resulting in long-term cost saving and affordability.

### **Public Input**

**Public Notification** – A rezoning information sign was installed on the site on March 22, 2018. Approximately 872 notification letters were distributed within the neighbouring area on or about March 23, 2018. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([Vancouver.ca/rezapps](http://Vancouver.ca/rezapps)).

**Community Open House** – A community open house was held on April 16, 2018 at the Hastings Community Centre, located at 3096 East Hastings Street. Staff, the applicant team, and 11 people attended the open house. As of September 2018, 13 public responses to this proposal have been submitted to the City as follows:

**Figure 6: Notification and Public Response**



A summary of the key themes from the public feedback is found below. A more detailed overview of public comments on this application is provided in Appendix D.

*Support for the proposal cited the following:*

- The provision of rental housing
- Appropriate levels of height and density, with some individuals offering support for increases in these areas
- Supportive of passive house design
- Acceptable location
- The provision of retail units
- Supportive of rear greenway

*Concerns expressed by respondents included the following:*

- The number of parking spaces, with many respondents suggesting that too many parking spaces are being proposed. There were also individuals with concerns that not enough parking is being proposed.
- Project location, with it being suggested this development would be better located on a non-arterial street
- Unit mix concerns over the high number of studio units proposed
- Lack of affordability
- Rezoning process timeline

**Response to Public Comments** – Public feedback has assisted staff with assessment of the application. Response to key feedback is as follows:

### Parking

Updates to the Parking By-law were recently approved by City Council on July 25, 2018. Development Permit applications received after January 1, 2019 will be subject to new requirements for vehicle parking, bicycle parking, and pick-up-drop-off spaces. This application will meet the requirements of the Parking By-law and will also have the opportunity to qualify for reduced requirements by providing a transportation demand management plan, if desired, in accordance with the Parking By-law.

### Housing

The applicant has requested a waiver of the DCLs attributed to the for-profit affordable rental housing, in accordance with the Vancouver Development Cost Levy By-law. In exchange, the applicant will meet maximum average unit sizes and maximum average initial rents. In July 2016, Council approved *Family Room: Housing Mix Policy for Rezoning Projects*, which increased the requirement for family units with two or more bedrooms from a minimum of 25% to 35%. The application will meet this policy.

### **Public Benefits**

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

### **Required Public Benefits**

**Development Cost Levies (DCLs)** – Development Cost Levies collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 245.08 sq. m (2,638 sq. ft.) of commercial floor area and 3,106.96 sq. m (33,443 sq. ft.) of residential floor area. Based on rates in effect as of September 30, 2018, total DCLs of approximately \$827,970 would be anticipated from this development.

In accordance with the provisions of Section 3.1A of the Vancouver DCL By-law, the applicant has requested a waiver of the DCLs attributed to the residential floor area as for-profit affordable rental housing. Based on rates in effect as of September 30, 2018, the value of the total DCL waiver is approximately \$776,212, resulting in approximately \$51,758 of DCLs anticipated from

the commercial component of the project. A review of how the application meets the waiver criteria is provided in Appendix F.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

**Public Art Program** – The *Public Art Policy for Rezoned Developments* requires that rezoning applications involving a floor area equal to or greater than 9,290 sq. m (100,000 sq. ft.) allocate a portion of their construction budgets to public art or provide cash in lieu as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

### **Offered Public Benefits**

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

The *Community Amenity Contributions - Through Rezonings* policy provides an exemption for routine, lower density secured market rental rezoning applications that align with the *Secured Market Rental Housing Policy (2012)* and *Rental Incentive Guidelines (2017)*. Staff note that the application is eligible for this CAC exemption. The public benefit achieved for this application is 45 secured for-profit affordable rental housing units.

See Appendix G for a summary of all of the public benefits for this application.

### **Financial Implications**

The site is subject to both the City-wide DCL and City-wide Utilities DCL; however, the secured market rental portion of the proposed project is expected to qualify for a DCL waiver with an estimated value of \$776,212. It is anticipated that the commercial component of the project will generate approximately \$51,758 in DCLs.

No additional CAC or public art contribution is expected.

The 45-unit for-profit affordable rental housing, secured by a Housing Agreement for the longer of the life of the building or 60 years, will be privately owned and operated.

### **CONCLUSION**

Staff have reviewed the application to rezone the site located at 3435 East Hastings Street from C-2C1 to CD-1 to permit development of 45 for-profit affordable rental housing units with commercial uses at grade, and conclude the application is consistent with the objectives of the *Secured Market Rental Housing Policy*. The application qualifies for incentives provided to for-

profit affordable rental housing, including additional height and density, a DCL waiver, and a parking reduction. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context. If approved, this application would make a contribution to the achievement of key housing goals of the City.

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

\* \* \* \* \*

**3435 East Hastings Street  
DRAFT BY-LAW PROVISIONS**

Note: A By-law to rezone an area to CD-1 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 of 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.]*

**Designation of CD-1 District**

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 ( ).

**Uses**

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
  - (b) Cultural and Recreational Uses, limited to Artist Studio, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;
  - (c) Institutional Uses, limited to Child Day Care Facility and Social Service Centre;
  - (d) Office Uses;
  - (e) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;
  - (f) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment,

Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop – Class A, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;

- (g) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (h) Accessory Uses customarily ancillary to the uses listed in this section 3.

### **Conditions of Use**

- 4.1 No portion of the first storey of a building, within a depth of 10.7 m of the front wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 4.2 All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
  - (a) Farmers' Market;
  - (b) Neighbourhood Public House;
  - (c) Public Bike Share;
  - (d) Restaurant; and
  - (e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 4.3 The design and layout of at least 35% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms, and
  - (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

### **Floor Area and Density**

- 5.1 Computation of floor space ratio must assume that the site consists of 1,055.94 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses must not exceed 3.18.
- 5.3 Computation of floor area must include all floors of all buildings, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

**5.4 Computation of floor area must exclude:**

- (a) open residential balconies or sun decks and any other appurtenances, which in the opinion of the Director of Planning are similar to the foregoing, except that:
  - (i) the total area of all such exclusions must not exceed 12% of the permitted 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 that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted residential floor area; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

**5.5 The use of floor area excluded under section 5.4 must not include any use other than that which justified the exclusion.**

**Building Height**

- 6. Building height, measured from base surface to top of parapet, must not exceed 22.6 m.**

**Horizontal Angle of Daylight**

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.**
- 7.2 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.**
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.**
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:**
  - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and

- (b) the minimum distance of unobstructed view is not less than 3.7 m.

7.5 An obstruction referred to in section 7.2 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 ( ).

7.6 A habitable room referred to in section 7.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) 10% of less of the total floor area of the dwelling unit; or
  - (ii) 9.3 m<sup>2</sup>.

### **Acoustics**

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic 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.

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

### **Zoning and Development By-law**

9. Sections 2 through 14 of the Zoning and Development By-law apply to this CD-1 ( ).

\* \* \* \* \*

**3435 East Hastings Street  
CONDITIONS OF APPROVAL**

*Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.*

**PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Cornerstone Architecture, stamped received February 7, 2018, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.*

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 building's interface with the public realm along East Hastings Street, as follows:
  - (a) Improve the retail flexibility/interface by providing smaller units and reduced number of mullions;
  - (b) Enhance residential entry to be more prominent and inviting;  
  
Note to Applicant: Explore reducing the number of exit doors and integrating the six-storey vertical massing as an entry feature.
  - (c) Maintain brick cladding through subsequent phases of approval.
2. Design development to improve livability and common amenities as follows:
  - (a) Improve privacy and overlook between individual units (rear units);  
  
Note to Applicant: Unit orientation, window placement and screening should be used to enhance privacy.
  - (b) Consideration to enhance lobby space to allow for more social interaction.
3. Design development of exposed party walls to be carefully designed emphasizing quality materials, textures, articulation, or colour.
4. 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)

5. Design development to consider the principles of CPTED, having particular regard for:
  - (a) theft in the underground parking;
  - (b) residential break and enter;
  - (c) mail theft; and
  - (d) mischief in alcoves and vandalism, such as graffiti.

### Landscape Design

6. Design development to improve quality of the children's play area by maximizing exposure to sunlight.
7. Design development to enhance the main entry on East Hastings Street.

Note to Applicant: This can be achieved by enlarging the entry area and/or providing additional planting.
8. Design development to replace the *Thuja plicata* hedge by the loading area with a lighter and more translucent green screen to prevent any CPTED issues.
9. Design development to the landscape treatment to increase the volume of soil, tree canopy cover and planting on slab.

Note to Applicant: Wherever possible, planted landscapes on slab should be designed to maximize soil depths. This will require integration of the landscape design and the structural plan. Soil depths should exceed BCLNA Landscape Standard. At the perimeter of the building the slab can be angled downward (1 m across and 1.2 m down) to maximize contiguous soil volumes.

10. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design.
11. Consideration to improve sustainability by providing an intensive or extensive green roof.
12. Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: The sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside

dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

13. Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

14. Provision of a "Tree Management Plan".

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

15. Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

Note to Applicant: The signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

16. Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

17. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

18. Provision of enlarged detailed elevations for all vertical landscape structures and features (i.e. green walls, trellis).

19. Provision of an outdoor Lighting Plan.

## Sustainability

20. 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 Passive House certification.

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, refer to the most recent bulletin Green Buildings Policy for Rezoning – Process and Requirements (amended April 28, 2017 or later).

## Engineering Services

21. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-law.

Note to applicant: Changes to the Parking By-Law were approved by City Council July 25, 2018. It is anticipated that Development applications received after January 1, 2019 will be subject to new requirements for vehicle parking, bicycle parking, pick-up-drop-off spaces, and transportation demand management. For more information:  
<https://council.vancouver.ca/20180724/documents/p10.pdf>

22. 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 & 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.
23. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
24. 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.
25. Proposed street trees to be removed from middle of the sidewalk. Tree alignment shown conflicts with future geometric design.

Note to Applicant: Place the following statement on the landscape plan; *This plan is "NOT FOR CONSTRUCTION" and 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 Engineering, Development Services and/or your Engineering, Building Site Inspector for details.”*

26. Design development to provide generous and continuous weather protection along East Hastings Street frontage.
27. Provision of a parking ramp design to the satisfaction of the GMES. The following items must be addressed:
  - (a) The parking ramp slope must not exceed 15% after the first 20 ft. from the property line. Using the design elevations shown, the ramp slope calculates to 15.6%.
  - (b) Provision of transition ramps at the top and bottom of 15% ramps. A transition ramp is required at elevations 161.92', 160.42' and 157'.
  - (c) Provision of a 5% maximum slope and crossfall within the maneuvering aisle. A 10% slope is shown across from stalls 2 and 3.
28. Provision of a loading bay design to the satisfaction of the GMES. The following items must be addressed:
  - (a) Design development to provide improved loading access from the loading space into the building. A clear loading corridor must be provided with the delivery vehicle parked in the loading bay.
  - (b) Provision of a 5% maximum slope and crossfall within the areas required for loading and maneuvering. The loading space shown would require maneuvering on the parking ramp which is sloped at 10%.
29. Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.
30. Dimension all stalls and columns encroaching into parking stalls.
31. Provision of separate commercial and visitor parking stalls.

Note to Applicant: Combined commercial and residential visitor stalls are not supported.
32. Provision of a minimum 20 ft. wide O/H gate width as 17.5 ft. is shown on the ramp and on P1.
33. Confirm 2.3 m (7'6 1/2") of vertical clearance is being provided for disability stall 1 as 7'1 7/8" is indicated on section drawing A4.6.
34. Provision minimum vertical clearance for the loading bays.

Note to applicant: A section drawing is required showing the trellis, elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 3.5 m of vertical clearance is required for Class B loading spaces and maneuvering.

35. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
36. Relocate the Class B bicycle spaces to the Hastings Street frontage.

Note to Applicant: Locate the bike rack in close proximity to the lobby entrance with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach over the property line or into the SRW.

### **Affordable Housing**

37. That the proposed unit mix, 29% studio, 36% 1-bedroom, 22% 2-bedroom and 13% 3-bedroom units, be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

38. The development is to comply with the High-Density Housing for Families with Children Guidelines, and include a kitchenette and accessible washroom in the indoor common amenity rooms.

Note to applicant: The outdoor amenity area should be designed to accommodate a range of children's play activities.

39. Prior to issuance of development permit, applicant to display a sign on the site, throughout construction, that acknowledges that secured market rental housing is being provided as part of the City of Vancouver's initiatives. Sign design, format, and location to be approved by the City.

## **PART 2: CONDITIONS OF BY-LAW ENACTMENT**

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, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### **Engineering Services**

1. Dedication of 4.3 m along south property line (the building line area) for road purposes. A subdivision is required to effect the dedication. A subdivision plan to the Subdivision and Strata Group is required. For general information see the subdivision website at: <http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>.
2. Release of Easement and Indemnity Agreements 121522M (see 167936L) (support agreement), 317817M (commercial crossing) and GD61387 (canopy encroachment) prior to building occupancy.

Note to applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit to the site. Provision of a letter of commitment will satisfactorily address this condition.

3. A solar shade (permit to use City property) application to Engineering Development Services is required for the proposed solar shades encroaching onto East Hastings Street from floors 3 to 6 and the roof. The solar shades must conform to VBBL requirements.
4. Provision of a building setback and a surface Statutory Right of Way (SRW) on East Hastings Street for public pedestrian use from a point measured from the south westernmost corner of the site a distance of 1.0 m along the west property line to a point measured from the south east corner a distance of 5.5 m along the east property line. The SRW will be free of any encumbrance such as structure, stairs, planters walls, door swing, benches, chairs and tables, and bicycle parking at grade. Small portions of building structure appear to be within the SRW area.
5. Provision of a shared loading agreement for the Class B loading space. There are No Stopping restrictions on East Hastings Street and the future geometric changes would further limit any loading activities on East Hastings Street.
6. 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.
  - (a) 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.
  - (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Development is to be serviced to the existing storm and sanitary mains on East Hastings Street.
  - (c) Provision of removal of existing driveway crossing on East Hastings Street and provision for new curb and gutter.

- (d) Provision of an exposed aggregate boulevard of width matching adjacent properties, 0.31 m (1 ft.) hardscape building strip, and light broom finish saw cut concrete sidewalk between front boulevard and building strip on East Hastings Street frontage.
- (e) Provision of upgraded street lighting (roadway and sidewalk) adjacent the site and E Hastings St. and Cassiar Street intersection lighting to current COV standards and IESNA recommendation.
- (f) Provision of countdown timers and LED lighting for the signal at East Hastings Street and Cassiar Street.
- (g) Provision of new duct banks adjacent the development site that meet current City standards. Duct bank is to consist of electrical and communication ducts sized to meet City needs.
- (h) Provision of lane lighting on standalone poles with underground ducts if the existing BC Hydro poles with attached lane lights in the back alley are to be removed.
- (i) Provision of new service cabinet/kiosk for East Hastings Street and Cassiar Street traffic signal and proposed roadway, sidewalk and lane lighting if the existing BC Hydro poles in the back alley are to be removed.

The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services and in conformance with Standard Specification of the City of Vancouver Lighting (draft), Canadian Electrical Code and the Master Municipal Construction Documents (latest edition).

7. 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 consultation with B.C. Hydro includes an area 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.

### **Affordable Housing**

8. 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 and Section 219 Covenant securing all residential units as for-profit

affordable housing units for the longer of 60 years and life of the building, subject to the following additional conditions:

- (a) A no separate-sales covenant.
- (b) A no stratification covenant.
- (c) That none of such units will be rented for less than one month at a time.
- (d) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit, when the Housing Agreement is entered into , prior to development permit issuance and prior to DCL calculations during building permit.
- (e) That the average initial starting monthly rents for each unit type will be at or below the following rents subject to adjustment as contemplated by Section 3.1B(c) of the Vancouver Development Cost Levy-By-law:

<b>Unit Type</b>	<b>3435 E. Hastings Street Proposed Average Starting Rents</b>
Studio	\$1,496
1-bedroom	\$1,730
2-bedroom	\$2,505
3-bedroom	\$3,365

- (f) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Arts, Culture, and Community Services and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.
- (g) 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.

## **Soils**

9. As applicable:

- (a) Submit a site profile to Environmental Services (Environmental Protection);
- (b) 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

- (c) 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 Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

\* \* \* \* \*

**3435 East Hastings Street**  
**DRAFT CONSEQUENTIAL AMENDMENTS**

Note: By-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 11879**

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

“3435 East Hastings Street                      [CD-1 #]                      [By-law #]                      C-2C1”

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

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

“[CD-1#]                      [By-law #]                      3435 East Hastings Street”

\* \* \* \* \*

**3435 East Hastings Street  
ADDITIONAL INFORMATION**

**1. Urban Design Panel**

The Urban Design Panel reviewed the application and supported it with recommendations on May 2, 2018.

**EVALUATION: SUPPORT with RECOMMENDATIONS**

- **Introduction:** Derek Robinson, Rezoning Planner, introduced the project as a proposal to rezone under the Secured Market Rental Housing policy providing 100% rental housing over ground-floor commercial uses. The policy allows for consideration of rezoning proposals up to 6 storeys. The proposal is located 100 meters east of the Cassiar tunnel on the north side of East Hastings Street.

Zoning to the east is C-2 while zoning to the west and across Hastings St is C-2C1. There is RS-1 to the north and south. The site is currently occupied by a 2 storey commercial building with structured parking accessed off of Hastings Street. The applicant is proposing a 6-storey mixed-use building with 45 secured market rental units, 35% of which are family-oriented 2- and 3-bedroom units, at an overall density of 3.18 FSR. Due to a crossfall of 17 ft. down from the lane, a large portion of the ground level is dedicated to underground parking accessed off the lane. 28 parking stalls are proposed. Indoor and outdoor amenity areas are provided on the northeast corner of the 2nd level facing the lane. Future road widening is planned along this section of East Hastings, and Engineering will be seeking an SRW (statutory right of way) which aligns with the future curb line. Currently levels 2-5 encroach over the SRW up to about 5' at the southwest corner.

Susan Chang, Development Planner, introduced the project as falling under The Secured Market Rental Housing policy which can consider increases up to 6 storeys and commensurate achievable density. There is a context of C-2C1 along E Hastings. The neighbouring lot to the east is C-2 with RS-1 across the lane.

This is a challenging site. The site is an approximately 95'x110'. There is a notch at the southwest corner where the on-ramp begins to access Hwy 1. There is a combined 4.3m building line and 4.5m SRW along E. Hastings. The main storey is meeting the SRW but the upper storey was allowed to meet the building line due to the notch at the southwest corner.

There is also a cross fall from northeast to southwest corner of 17' feet and approximately 12' feet from rear to front property line. The loading was allowed to be located parallel to the lane to allow 7'-6" height clearance for the parking entry resulting in an approximate 18' ceiling height at the main storey facing East Hastings.

All entries and most of the exiting is located at East Hastings. Amenity space is located at the second storey at the rear/ north faces about 3' above the lane. There is some softening of the façade and shading with planting at the southern face. Rear setbacks transition from the C-2C1 to C-2 form of development creating some overlook concerns between rear units.

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

1. Does the Panel support the overall massing, height, and density?

2. Can the Panel comment on the street interface in terms of providing a buffered and pedestrian experience?
  - a. Prominence and character of the residential entry?
  - b. Success of the retail frontage?
3. Comment on the livability of the rear units in terms of privacy and overlook
4. Please comment on the overall Landscape plan including the rear outdoor spaces

The planning team then took questions from the panel.

- **Applicant's Introductory Comments:** The applicant noted the step down to reduce overlook concerns and shadowing. The biggest impact of shadowing is the neighbouring garages. The stepping of the building is intended to create more exterior walls and windows. Privacy screens are planned. The two entries are designed at both sides of the building.

The building is intended to be marketable. The landscape is a response to the current conditions on the site. The applicant then took questions from the panel.

- **Panel Consensus:**

Having reviewed the project it was moved by Mr. Newfield and seconded by Mr. Neale and was the decision of the Urban Design Panel:

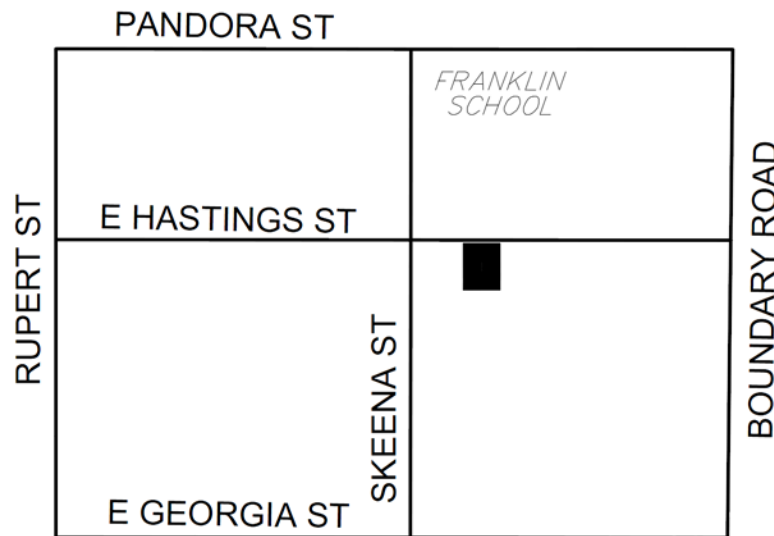
THAT the Panel **SUPPORT** the project with the following recommendations to be reviewed by City Staff:

- Pursue design development of the public realm, residential lobby and retail flexibility.
  - Pursue design development of the north facing units to increase privacy and mitigate overlook between the individual units.
  - Explore noise mitigation measures along E. Hastings.
- **Related Commentary:** The panel supported the height massing and density as appropriate. The panel commended the provision of rental housing and passive house standards that are being achieved. The pedestrian experience could be developed and be unique to draw people in. The retail design could provide smaller units, less mullions and be further developed. The Residential entry needs to be more prominent and inviting. Lobby could be treated as an amenity space. The livability and privacy and overlook of the north facing units needs work. The sun access of the north facing units needs design development. The noise on the Hastings Street side needs to be mitigated in the units. A panel member noted there may not be enough amenities for families in the building considering the surrounding context. The bike racks behind the hedge is a CPTED concern. Overall, the panel recognized the view of the mountains from the residential units and that the colour and vibrancy is welcome.
- **Applicant's Response:** The applicant team thanked the staff, and noted the concerns about over-heating.

## 2. Public Consultation Summary

**Public Notification** – A rezoning information sign was installed on the site on March 22, 2018. Approximately 872 notification letters were distributed within the neighbouring area on or about March 23, 2018. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (Vancouver.ca/rezapps).

### Notification Area



**Community Open House** – A community open house was held from 5:00-7:00 pm on April 16, 2018 at the Hastings Community Centre, located at 3096 East Hastings Street. Staff, the applicant team, and a total of 11 people attended the open house.

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

- In response to the April 16, 2018 open house, a total of 7 comment sheets were received from the public.
- A total of 6 emails and online comment forms were also received.

Of the 13 comments received seven were in support, five expressed strong concerns, and one individual was unclear as to whether or not they support the project.

Below is a summary of all feedback received from the public by topic, and ordered by frequency:

#### *Comments of Support:*

- **The provision of rental housing (approximately 3 responses):** Respondents expressed support for the provision of more purpose built rentals in Vancouver. One individual considered the site's proximity to shopping and public transit to be an ideal fit for new rental housing.
- **Appropriate density (approximately 2 responses):** Respondents consider the project density to be acceptable with one person suggesting that a higher FSR, given the sites location on an arterial, would lower costs.

- **Supportive of building height (approximately 1 response):** Respondent suggested that the building could be even higher.
- **Passive house design (approximately 1 response)**
- **Project location (approximately 1 response)**
- **The provision of new retail units for the area (approximately 1 response):** Respondent considered this project to be meeting a need for more retail in the east end.
- **Rear greenway (approximately 1 response):** Respondent was supportive of greenway in back of the proposed development.

*Comments of Non-support:*

- **Too much parking (approximately 4 responses):** Respondents suggest that less or no parking should be provided to improve rental affordability.
- **Project location (approximately 3 responses):** Respondents had concerns with the project being located on a busy street as it increases resident exposure to noise and pollution.
- **Unit mix (approximately 2 responses):** Respondents considered the building to include too many studio units or not enough family units.
- **Not enough parking (approximately 2 responses):** One respondent suggested that more retail parking should be provided. A separate individual was concerned that the lack of parking would significantly reduce the availability of on-street parking and suggested that the number of parking spaces more closely match the number of units provided.
- **Lack of affordability (approximately 2 responses):** Respondents would like to see social housing or rents that are below Rental 100 DCL waiver rates.
- **Rezoning process (approximately 2 responses):** Respondents suggested the rezoning process for smaller projects such as this should be more streamlined with one individual stating the a rezoning should not be required for projects of this size.
- **Privacy (approximately 1 response):** Respondents suggested that building could detract from their neighbours ability to enjoy their rooftop deck.
- **Water egress (approximately 1 response):** Existing building is experiencing a water egress issue at its eastern wall.
- **Lack nearby parks (approximately 1 response):** Respondent was concerned with the lack of accessible park spaces in the area, particularly given the number of recent rental developments.
- **Traffic congestion (approximately 1 response):** Respondent was concerned that the new development will add to existing traffic congestion along Hastings Street. They considered

current traffic conditions in the neighbourhood to be unsafe, particularly along the Second Narrows Bridge and near Sir John Franklin Elementary School.

- **Displacement of existing retail (approximately 1 response):** Respondent was concerned that a viable business on the site of the rezoning would be displaced.

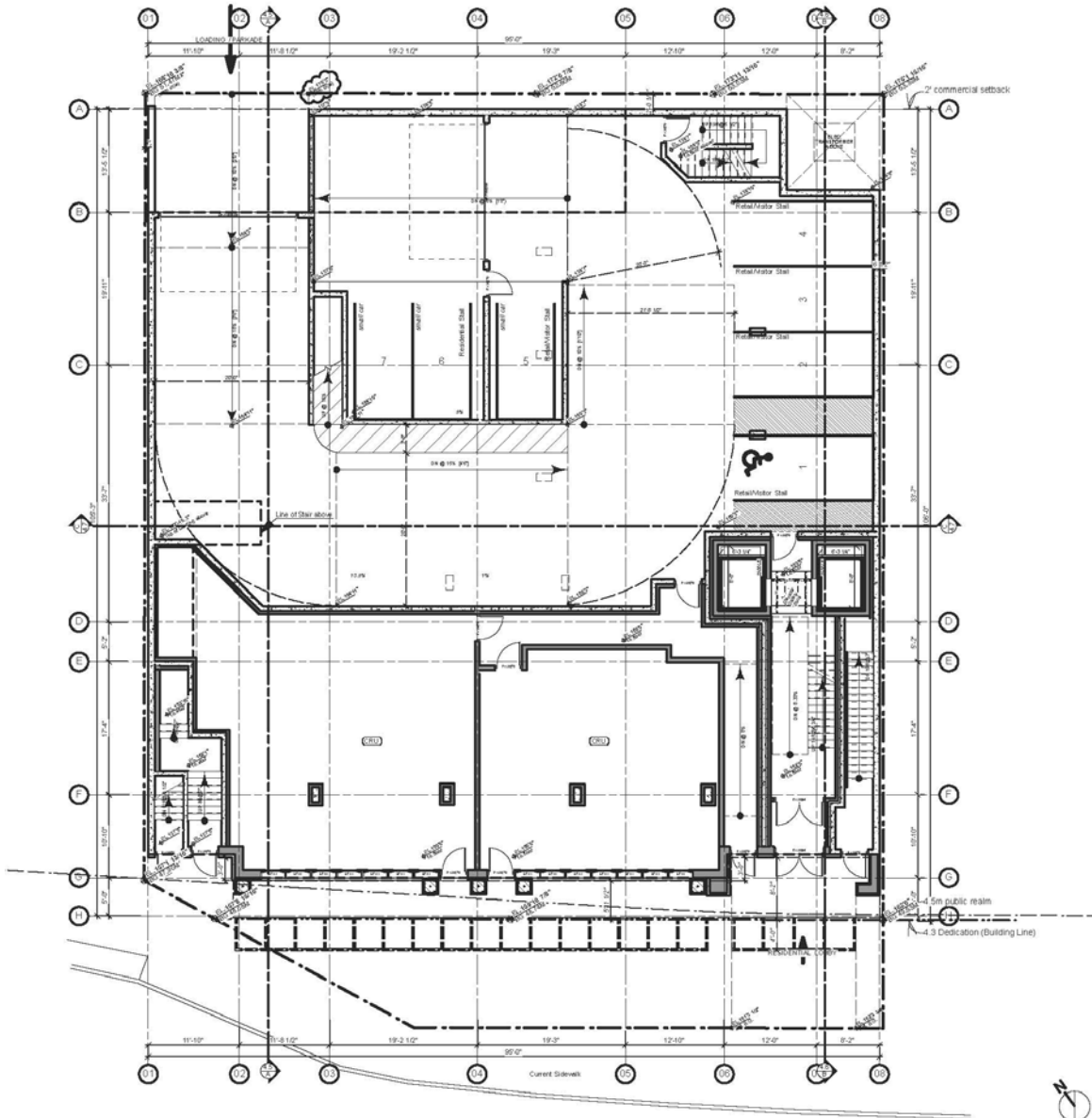
*Neutral comments/suggestions/recommendations:*

- People like living 1-5 blocks off a major street, less pollution and noise.
- Studio units encourage the rotation of people rather than a community who will stay.
- The development should include a setback on the top floor to reduce the building's looming presence.
- Landscaping and balcony set-backs could help lessen impacts to neighbours privacy.
- "Cap" on the gap between buildings could resolve water egress issue.
- This is a challenging area for retail, with some storefronts currently sitting empty for long periods of time.
- The proposal could include community services such as a library or fitness centre, rather than retail.
- Would like to see trees or greenway out front to mitigate impact of concrete (roads/sidewalks) and building size.

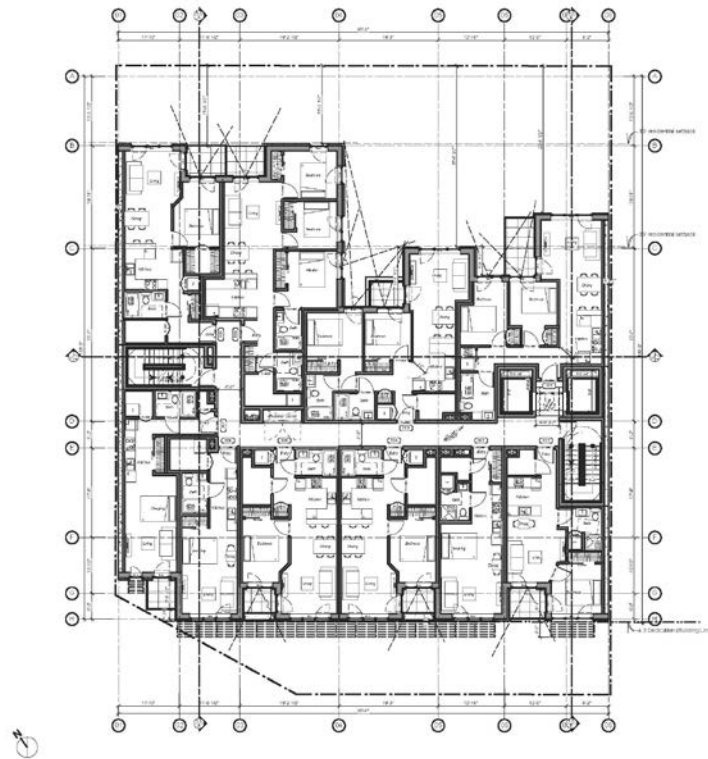
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3435 East Hastings Street  
FORM OF DEVELOPMENT DRAWINGS

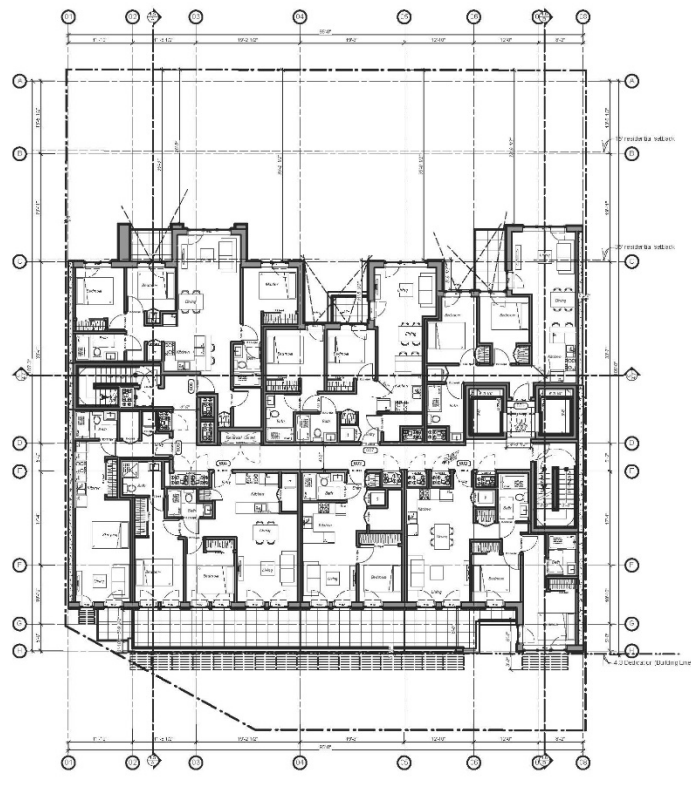
Site Plan



### Third Floor Plan



## Sixth Floor Plan



### North Elevation



### South Elevation



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**3435 East Hastings Street**  
**DEVELOPMENT COST LEVY WAIVER ANALYSIS**

To qualify for waiver of the Development Cost Levy (DCL) for the residential floor space, the application must meet the criteria set out in the relevant DCL By-law under section 3.1A. This application qualifies as outlined below.

- (a) All dwelling units proposed in the building will be secured as rental through the Housing Agreement called for in the Conditions of Approval (Appendix B).
- (b) None of the proposed dwelling units will be strata units, as required through the Housing Agreement.
- (c) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.

<b>Unit Type</b>	<b>No. units proposed</b>	<b>DCL By-law maximum average unit size</b>	<b>Proposed average unit size</b>
Studio	13	42 m <sup>2</sup> (450 sq. ft.)	42 m <sup>2</sup> (450 sq. ft.)
1-bedroom	16	56 m <sup>2</sup> (600 sq. ft.)	52 m <sup>2</sup> (558 sq. ft.)
2-bedroom	10	77 m <sup>2</sup> (830 sq. ft.)	70 m <sup>2</sup> (752 sq. ft.)
3-bedroom	6	97 m <sup>2</sup> (1,044 sq. ft.)	95 m <sup>2</sup> (1025 sq. ft.)

- (d) The average initial rents for the proposed dwelling units do not exceed rents specified in the DCL By-law.

<b>Unit Type</b>	<b>No. units proposed</b>	<b>DCL By-law maximum average unit rent*</b>	<b>Proposed average unit rent*</b>
Studio	13	\$1,496	\$1,496
1-bedroom	16	\$1,730	\$1,730
2-bedroom	10	\$2,505	\$2,505
3-bedroom	6	\$3,365	\$3,365

\*Both the maximum and proposed rents are subject to annual adjustment as per the DCL By-law.

By way of the Housing Agreement, the tenure of the housing will be secured as rental for the longer of the life of the building and 60 years, and the initial rents at occupancy will be secured to meet the averages set out under (d) above.

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**3435 East Hastings Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

Six-storey mixed-use building with commercial at grade and 45 secured for profit affordable rental housing units

**Public Benefit Summary:**

The proposal would provide 45 for profit affordable rental housing units secured for the life of the building or 60 years, whichever is longer. DCLs on the commercial component will be received.

	Current Zoning	Proposed Zoning
Zoning District	C-2C1	CD-1
FSR (site area = 1055.94 sq. m (11,366 sq. ft.))	3.00	3.18
Buildable Floor Space (sq. ft.)	34,098 sq. ft.	36,081 sq. ft.
Land Use	Mixed-Use	Mixed-Use

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required <sup>1</sup>	City-wide DCL <sup>2,3</sup>	\$610,611	\$38,463
	City-wide Utilities DCL <sup>3</sup>	\$171,854	\$13,295
	Public Art	N/A	N/A
	20% Social Housing	N/A	N/A
Other Public Benefits Offered	Heritage and Amenity Bonus Density	N/A	N/A
	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social, Community and Civic Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$782,465</b>	<b>\$51,758</b>

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

45 units of for profit affordable rental housing units secured for the life of the building or 60 years, whichever is longer.

<sup>1</sup> Based on rates in effect as at September 30, 2018. DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.

<sup>2</sup> City-Wide DCL revenues are allocated as follows: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

<sup>3</sup> DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for details

## 3435 East Hastings Street APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

### APPLICANT AND PROPERTY INFORMATION

<b>Street Address</b>	3435 East Hastings Street
<b>Legal Description</b>	LOT A OF THE SOUTH 1/2 OF LOT 48 TOWN OF HASTINGS SUBURBAN LANDS PLAN 22411 PID: 014-686-155
<b>Applicant/Developer</b>	51561 B.C. Ltd. (Steiner Properties Ltd.)
<b>Architect</b>	Cornerstone Architecture
<b>Property Owner</b>	51561 B.C. Ltd.

### SITE STATISTICS

<b>Site Area</b>	1055.94 sq. m (11,366 sq. ft.)
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### DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	C-2C1	CD-1
Uses	Commercial and Residential	Commercial and Residential
Max. Density	3.00 FSR	3.18 FSR
Floor Area	3,167.81 sq. m (34,098 sq. ft.)	3,352 sq. m (36,081 sq. ft.) <b>Commercial:</b> 245.08 sq. m (2,638.0 sq. ft.) <b>Residential:</b> 3,106.96 sq. m (33,443.0 sq. ft.)
Maximum Height	13.8 m (45.3 ft.)	22.6 m (74 ft.)
Unit Mix	--	Studio 13 One-bedroom 16 Two-bedroom 10 <u>Three-bedroom</u> 6 <b>Total 45</b>
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law: 28 vehicle spaces, 1 Class B loading space, 56 Class A and 6 class B bicycle spaces.