



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: September 10, 2013
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RTS No.: 10113
VanRIMS No.: 08-2000-20
Meeting Date: September 24, 2013

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning: 33-49 East Hastings Street

RECOMMENDATION

- A. THAT the application, by Atira Development Society, to rezone 33-49 East Hastings Street [*Lots 25, 26, 27 and 28, Block 8, District Lot 196, Plan 184; PIDs: 015-691-284, 015-691-292, 015-691-314 and 015-691-322 respectively*] from Downtown-Eastside Oppenheimer District (DEOD) to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio from 5.00 to 8.28 and building height from 29.8 m (98 feet) to 38.7 m (127 feet) to allow construction of a 14-storey mixed-use building, with commercial uses at grade and residential uses above, be referred to a Public Hearing, together with:

- (i) plans prepared by Perkins+Will, received November 2, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DEOD)], 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.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, 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 the enactment of the CD-1 By-law.

- D. THAT, subject to enactment of the CD-1 by-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- E. THAT, if after Public Hearing Council approves in principle this rezoning and the Housing Agreements described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement by-laws, one for the proposed social/supportive housing and one for the proposed market rental housing, for enactment prior to enactment of CD-1 By-law contemplated by this report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.

- F. THAT Recommendations A through E be adopted on the following conditions:
- i. THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - ii. THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; 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 assesses an application to rezone four lots located at 33-49 East Hastings Street from Downtown-Eastside/Oppenheimer District (DEOD) to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio from 5.00 to 8.28 and building height from 29.8 m (98 feet) to 38.7 m (127 feet) to allow construction of a mixed-use building with commercial use at grade and in the mezzanine, and with 12 storeys of residential use above. The proposal includes the replacement of 36 rooms designated under the Single Room Accommodation by-law with self-contained social/supportive housing. The proposal includes

102 units of social/supportive housing (60 per cent of the total) and 67 units of market housing (40 per cent of the total) secured as rental for 15 years. Staff have assessed the application and conclude that it is supported by City policies, and therefore recommend that it be approved, subject to a Public Hearing and subject to conditions outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- Interim Rezoning Policy During the Preparation of the Downtown Eastside Local Area Planning Program (2012)
- Housing and Homeless Strategy (2010)
- Downtown Eastside Housing Plan (2005)
- Single Room Accommodation By-law (2003)
- Historic Area Height Review (2011)
- Green Building Rezoning Policy (2010)
- High-Density Housing for Families with Children Guidelines (1992)
- Community Amenity Contributions – Through Rezoning (1999)
- Urban Agriculture Guidelines for the Private Realm (2009)
- Vancouver Food Strategy (2013)

REPORT

Background/Context

1. Site and Context

The site is situated on Hastings Street between Carrall Street and Columbia Street (Figure 1) which is in Sub-area 1 (Main/Hastings) of the Downtown Eastside/Oppenheimer District (DEOD). At 1,133 m² (12,196 sq. ft.), the site is comprised of four legal parcels and has a frontage of 30.5 m (100 feet) on Hastings Street and a depth of 37.2 m (122 feet).

The site is currently occupied by two buildings:

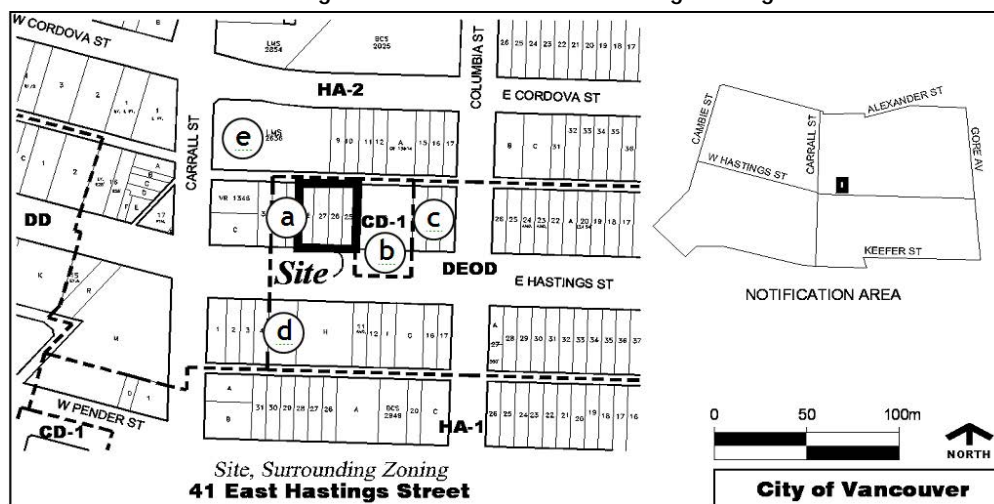
- 31-35 East Hastings Street – the two-storey 25-foot-wide Ginseng Building which is vacant on the ground floor and has three dwelling units on the second floor which are currently being used by the owner, Atira Development Society, as a temporary women's shelter for eight women; and
- 41-49 East Hastings Street – a three-storey 75-foot-wide building, the ground floor of which is occupied by United We Can, the bottle depot, and the two upper floors are comprised of 36 rooms designated under the Single Room Accommodation (SRA) By-law which have been vacant for over 30 years.

The buildings date to 1909 and 1945 respectively, although neither is listed as a heritage building. Other existing uses in the vicinity include a variety of residential buildings with commercial and retail uses at grade, market and non-market housing, Single Room Occupancy (SRO) Hotels (SROs and SRAs are used interchangeably in this report). There are over 5,000 residential units within a two-block radius of the site, including the following mix of housing types in the immediate surrounding area:

- a) 25 East Hastings Street (Dodson Rooms) — 69 rooms designated under the Single Room Accommodation (SRA) By-law, six storeys;
- b) 65 East Hastings Street (new Lux) — 92 social and supportive housing units, nine storeys;
- c) 71-77 East Hastings Street (the former BC Collateral and Loans building) — 19 self-contained secured rental units (17 remain designated under the SRA By-law) (received Council approval in April 2013 of an SRA conversion permit), three storeys;
- d) 16 East Hastings Street (Tellier Tower) — 90 non-market units, 10 storeys (121 feet);
- e) 16 East Cordova Street (Van Horne) — 146 market condo units, eight storeys (126 feet).

The Carrall Street Greenway is to the west of the site, with Pigeon Park at the intersection of Hastings Street and Carrall Street.

Figure 1 - Site and Surrounding Zoning

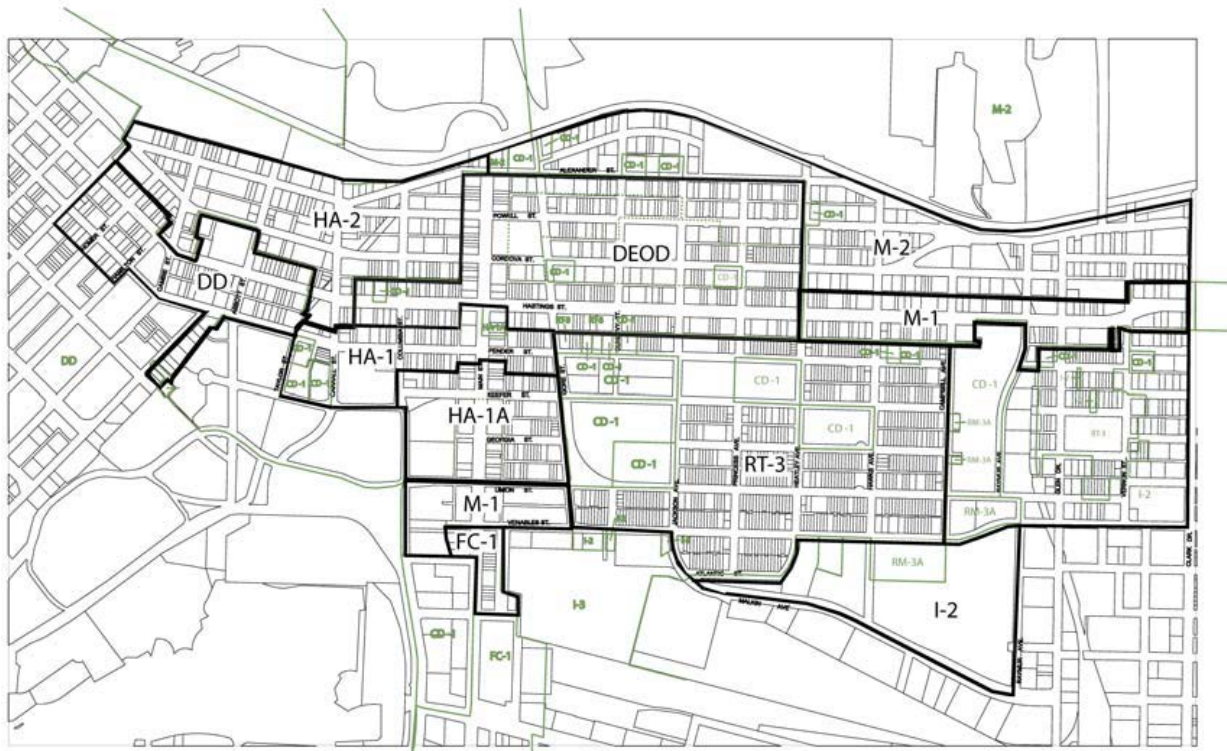


2. Policy Context

DTES Local Area Planning Process (LAPP) — The DTES is undergoing a Local Area Planning Process (LAPP) to create a community plan for the area (see Figure 2). The primary purpose of the LAPP is to ensure that the future of the DTES improves the lives of those currently living in the area, particularly low-income residents and those who are most vulnerable, which will benefit the city as a whole. The final plan is anticipated to be considered by Council before the end of 2013.

Interim Rezoning Policy — This application is being considered under the Interim Rezoning Policy During the Preparation of the Downtown Eastside (DTES) Local Area Planning Program. This policy provides direction in the consideration of enquiries and applications for rezonings and heritage revitalization agreements during the DTES local area planning process.

Figure 2 - Downtown Eastside Boundary



The interim policy stipulates that rezoning applications will be considered during the LAPP for projects that provide social and supportive housing, but only if these applications ensure that at least 60% of the total residential units are provided for social housing, and if those units are owned or operated by government or by a non-profit housing provider approved by Council. The policy also stipulates that any rezoning applications that proceed to Council shall include an up-to-date accounting of the status of any and all applications under active consideration in the DTES. A memo that provides this information will be included on the agenda for the Public Hearing, should this application be referred to a Public Hearing.

Housing and Homelessness Strategy 2012-2021 — The Housing and Homelessness Strategy describes the City's overall direction for housing, including what is needed and how it will be achieved over the next ten years. It identifies the different kinds of housing necessary to meet the Vancouver's housing needs, as well as ways to improve and better preserve the current housing stock. The goals of the strategy are to end street homelessness and to provide more affordable housing choices for all Vancouverites. This includes housing that is accessible, affordable and suitable for all income levels, seniors, families and residents challenged by disability.

Downtown Eastside Housing Plan (2005) — The area's historic role has been to provide a home to low- and moderate-income people, especially singles and newcomers to Vancouver. One goal of the Downtown Eastside Housing Plan is to maintain roughly 10,000 units of low-income housing in the DTES and to increase its quality over time. Single Room Occupancy (SRO) hotels are to be replaced with new self-contained social housing for singles. Support

services are to be provided in a portion of these units to give stability to residents. Without partnerships with senior levels of government, the timely implementation of the DTES Housing Plan has been challenging. This project provides an opportunity to replace closed SRA designated rooms with self-contained social/supportive housing.

The role of the Downtown Eastside Oppenheimer District of the DTES (see Figure 2), as discussed in the Housing Plan, is that it shall continue to be a predominantly low-income area, emphasizing social housing. As recommended by the DTES Housing Plan, work is currently underway through the LAPP to ensure that the area can maintain this role into the future.

Due to the large number of heritage buildings in other DTES sub-areas and the limited number of available development sites, the Housing Plan states that the DEOD will need to accommodate more than the one-for-one SRO replacement to make up for other sub-areas where such limitations will make it challenging to achieve the replacement goal.

Strategic Analysis

1. Proposal

This application proposes a mixed-use development with commercial uses at grade and in a mezzanine, and 169 residential units on 12 storeys above. The proposed height is 38.7 m (127 feet). The proposed floor space ratio (FSR) is 8.28, with a total of 9,190 m² (98,926 sq. ft.) of floor area. The floor area for the commercial uses is approximately 1,000 m² (11,000 sq. ft.), including the ground floor and mezzanine. Of the residential units, 60 per cent are proposed to be social/supportive housing and 40 per cent market housing, to be secured as rental housing for 15 years.

Figure 3 - Summary of Proposed Floor Area

Social/Supportive Housing	4,892 m ²	(52,663 sq. ft.)
Market Housing	3,269 m ²	(35,189 sq. ft.)
Commercial	1,029 m ²	(11,074 sq. ft.)
Total	9,190 m²	(98,926 sq. ft.)

2. Land Use

Under the DEOD Official Development Plan, Sub-area 1 - Main/Hastings is intended to be a high-density, mixed commercial and residential area. The focus for new residential uses in this area is to increase the supply of social and low-income housing and to replace or renovate SRA rooms with new self-contained units. The land use proposed for the rezoning site fits with the policy intent and is supportable. While tenancy of the ground floor and its mezzanine is not determined at this time, there are by-law provisions in Appendix A that the ground floor uses shall provide pedestrian interest and retail continuity at grade.

3. Housing

The proposed 169 residential units are mostly studio units averaging 350 sq. ft. in floor area and junior one-bedroom units averaging 450 sq. ft. The type and size of units are evenly

distributed across all levels, such that there is an equal number of studios and junior one-bedroom units on a typical floor. All units would have access to a common amenity room located on the first residential floor, as well as to the adjacent rooftop terrace and an outdoor children's play area.

The applicant proposes the following housing mix:

- **102 social/supportive housing units**

- 52 units would rent at the shelter component of income assistance (currently \$375 per month for a single individual and \$525 per month for a couple) and would be located on levels 3 to 6.
 - (a) The applicant proposes to prioritize these units for women, using women-headed lease agreements, where the female in a male-female partnership would be the leaseholder. This would ensure that women would be able to remain in their housing should a relationship with a partner come to an end.
 - (b) Additionally, the applicant proposes to use existing and new staff resources to provide housing supports to these 52 units, subject to funding being secured through a capital grant from Streethome Foundation. The applicant has confirmed that 52 units will be supported by two, live-in residential care workers, who will be available 24/7 to respond to emergencies, as well as to provide basic/light support. There will also be a full-time program/case manager, who among other things will develop, implement and nurture service partnerships with government, the health authority and other non-profit agencies. The applicant intends to house tenants who are attached to existing programs such as those provided by ACT (Assertive Community Treatment) teams, InnerCity Youth Mental Health, The Bloom Group, other Atira non-residential programs such as STV (Stopping the Violence) Counselling, EWMA (Enterprising Women Making Art), the women's health and safety liaison program and HOP (Homeless Outreach Prevention) teams. The applicant currently has active service partnerships with Watari, Nexus, ICYMH (Inner City Youth Mental Health), MPA Society, BC Women's Hospital and the Pender Clinic, and will continue to work with these partners.
- 50 units would rent at Housing Income Limits (HILs) rates or CMHC market rents, whichever is lower. These units are located on levels 6 to 9. For a studio apartment, the current HILs rent is \$850 and the CMHC rent is \$845.

The 102 social/supportive housing units make up 60 per cent of all units. Currently, it is proposed that the applicant will own and manage the social/supportive housing in the building, with an access agreement between the applicant and the future owner of the market units for shared use of the circulation core.

- **67 market residential units**

- Located on levels 9 to 14.
- The applicant intends to sell this block of units to an investor group. These units would be allowed to be subdivided under the Strata Property Act, but are subject to a

no-separate-sales covenant and secured as market rental units through a Housing Agreement for a period of 15 years. The units would rent at market rates which applicant estimates would range from \$952 per month for a studio to \$1,680 for a one-bedroom unit (with an average rent \$1,168 per month).

Vancouver's Housing and Homelessness Strategy (2011) sets city-wide targets for supportive housing and non-market/social housing, as well as for new purpose-built rental housing. The proposal would help achieve the supportive housing and non-market/social housing targets.

Should this application be approved, 102 new social housing units (52 of which would be supported), would be added to the inventory thereby making a significant contribution towards achieving the City's housing goals. The figure below shows the supportive and non-market housing targets for the City and include the units proposed in this application.

Figure 4: Progress towards the City's Non-Market and Supportive Housing Targets (as of May 6, 2013)

	TARGETS ⁽¹⁾		CURRENT PROJECTS	GAP
	Long Term (2021)	Near Term (2014)	Proposed, In Progress ⁽²⁾ and Completed	(2014 Target)
Supportive Housing Units	2,900	2,150	1,844	306
All Other Non-Market Housing Units	5,000	1,500	1,377	123
Total Non-Market Housing Units	7,900	3,650	3,221	429

(1) Targets are established in the 2011 City of Vancouver Housing and Homeless Strategy.

(2) The 102 social/supportive housing units proposed for 33-49 East Hastings Street are included as "In Progress".

This proposal also supports the Downtown Eastside Housing Plan goals to create new social housing in the DEOD, that is owned and operated by a government or non-profit partner, and to improve the quality of the low-income housing stock through the provision of 102 new, permanent, self-contained social/supportive housing units.

4. Single Room Accommodation (SRA) By-law

On October 21, 2003, Council approved the SRA By-law to regulate the conversion and demolition of SRA units in the Downtown Core. The SRA By-law designated all rooms, in residential hotels, in rooming houses and in other buildings in the Downtown Core, that were identified in the "2003 Survey of Low-Income Housing in the Downtown Core". Under the SRA By-law, owners wanting to convert or demolish SRA-designated rooms must apply for and obtain an SRA conversion or demolition permit. Council evaluates each application on its own merits and may refuse the permit, approve the permit, or approve the permit with conditions. Among the conditions Council can impose is a levy of \$15,000 per SRA unit, which is deposited into a reserve fund for replacement housing.

Should this rezoning be approved, the application for an SRA demolition permit for 41-49 East Hastings Street will be brought forward for separate consideration by Council, prior to enactment of the CD-1 By-law for the site.

5. Density, Height and Form of Development

Historic Area Height Review (HAHR) — In 2010, a review of allowable building heights in the historic area of the city was undertaken to provide direction for growth, with a goal of maintaining the area's character and general building scale (see Figure 5). It also sought to ensure that any development potential resulting from the review generated opportunities for public benefits and amenities for the local community.

Figure 5 - Historic Area Height Review Study Area



The Historic Area Height Review, which was endorsed by Council in January 2010, allows for a moderate increase in building height in the DEOD Sub-area 1. Under the DEOD zoning, the maximum permitted height is 98 feet. Up to 120 feet in height may be considered through a CD-1 rezoning process, if there are special opportunities for affordable housing. This application adheres to the Interim Rezoning Policy requirement that 60 per cent of the dwelling units be social housing and, through an increase in density and height, it provides an opportunity for a greater number of social housing units to be achieved than if the site were redeveloped under DEOD. The proposed height is 127 feet.

Urban Design Assessment — This is a mid-block site and staff consider the proposed development reinforce the established streetscape character of the East Hastings corridor. The proposed form of development is conceived as a three-bay interpretation of the prevailing streetwall context. The middle bay is the highest portion of the building, echoing other high buildings in the surrounding area, while the two “shoulder bays” have lower

building heights to respond to the lower development immediately adjacent. This approach reduces the impact of the proposed height and alleviates view, overlook and shadowing impacts for the residents across the lane to the north.

The proposed total height of 38.7 m (127 feet) is to accommodate a building program that contains 12 levels of residential units, with a floor-to-ceiling height of 2.4 m (8.0 feet) and a ground-level commercial space with mezzanine, at 6.1 m (20 feet) floor to ceiling. The applicant asserts that this program is the minimum to make the project viable. In terms of the proposed commercial uses, there has been some discussion about having a low-cost grocery store at this location to serve the local community. The over-height commercial volume on the ground floor and its mezzanine are considered necessary to accommodate such a use, given the limited ground-floor space. Because staff strongly endorse this potential ground-floor tenancy, the requested overall building height of 127 feet is supported on balance, even though it is seven feet higher than the 120 feet recommended by the Historic Area Height Review. Analysis has concluded that any additional shadow that may be cast, by the additional seven feet of height, on the surrounding buildings and public realm, is negligible.

Figure 6 — Proposed building as viewed from the south side of Hastings Street



The proposed density of 8.28 FSR, while greater than the 5.00 FSR of existing zoning, is effectively distributed and the building shaped to reduce its apparent scale.

Overall, the contemporary architectural approach of the proposed building strongly contributes towards a coherent expression of Vancouver's older urban fabric, while its architectural identity is responsive to the prevailing qualities of building form, scale, facade composition and materiality/detailing.

Staff's urban design assessment concludes that the proposed additional height and density can be accommodated on the site without undue impact of view and shadowing on adjacent developments, subject to the design development conditions in Appendix B.

The rezoning application and the proposed form of development were reviewed by the Urban Design Panel and received support, as documented in Appendix D. Staff recommend that the application be approved, subject to the Public Hearing and subject to the conditions in Appendix B. These conditions seek some additional design refinement at the development permit stage. The form of development drawings are included in Appendix E and the development statistics can be found in Appendix G.

6. Parking and Transportation

The application proposes 15 standard parking spaces and one disabled parking space, located in one level of underground parking accessed from the lane. For Sub-area 1 of the DEOD, the Parking By-law does not require parking for ground-floor commercial uses in this block of Hastings Street and it allows for reductions in parking for other uses, to as low as no parking required at all. Staff have reviewed the parking needs for this development. Given that 60 per cent of the proposed residential units are social housing, noting the general lack of need for a car in this transit-and-pedestrian-rich neighbourhood, and in view of the additional construction cost to having more than one parking level, staff conclude that the proposed parking is supported.

It is recommended that the proposed parking requirement be included in Appendix C of the Parking By-law, which provides specific regulations for CD-1 sites. Engineering Services staff have reviewed the application and have no objections provided that the applicant satisfies the Engineering conditions included in Appendix B and that the site-specific provisions for parking are provided in the Parking By-law as per Appendix C.

7. Environmental Sustainability

The Green Building Rezoning Policy (2010) requires that rezoning applications received after January 31, 2011 achieve a minimum of LEED Gold rating, including 63 LEED points, with targeted points for energy performance, water efficiency and stormwater management; along with registration and application for certification of the project. This application included a preliminary LEED scorecard, which generally conforms to the Green Rezoning Policy, indicating that the project could attain a minimum of 63 LEED points and, therefore, would be eligible for a LEED Gold rating.

PUBLIC INPUT

Public Notification and Community Open House — A rezoning information sign was installed on the site on January 2, 2013. Following the disappearance of that sign, a second sign was installed on May 6, 2013. A Notice of Rezoning Application was mailed to 3,024 surrounding property owners on January 2, 2013. Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage (www.vancouver.ca/rezapps).

A community open house was held on May 6, 2013 at the Dodson Hotel. A notification of the event was mailed to 3,024 surrounding property owners and an additional 4,672 postcards were sent as unaddressed ad-mail. During the week of April 29, an additional 1,000 notification postcards were distributed to residents in SRO buildings within the neighbourhood and posters were displayed in building lobbies. Staff, the applicant team and a total of approximately 39 people attended the open house.

Public Response and Comments —Public responses to this rezoning application, received by the City as of June 4, 2013, are as follows:

- In response to the May 2013 Community Open House, eight feedback forms were submitted of which approximately 75% were in favour of the application, none were opposed and 25% were unsure or did not indicate.
- A total of 16 letters and emails from individuals were submitted of which approximately 43% were in favour, 43% were opposed and 14% were unsure or did not indicate.

Those opposed to the application were mainly concerned about two issues: 1) height, specifically the impact of building height on existing private views and property values, as well as how the 127-foot building would fit into the existing character of the area; and 2) housing mix, specifically that too many social housing units are proposed in the development.

For those who supported the application, many commented that they thought that this development would have a positive impact on the neighborhood. However, there is also a shared concern among these supporters regarding the proposed height and “fit” with the area character. Some suggested that a height range of six to ten storeys might be more appropriate given the location.

In terms of the proposed housing mix, there is a diverse range of opinions among supporters of the application. Some would like to see more market housing, some would like to see more HILs rate units for low-income working people and others would like to see more units at the shelter component of income assistance rate. Some also supported the concept of a potential low-cost grocery store on the ground floor, noting the importance of street and lane treatment. Comments, received from those who were undecided about the application, showed similar themes of housing mix, area character and the potential ground-floor use.

As noted earlier in the report, staff have reviewed the proposed height and its “fit” with the East Hastings character and found the proposal acceptable without undue harm to the neighborhood. With regard to the housing mix, staff note that under the Interim Rezoning Policy a minimum of 60 per cent of social housing is required, including shelter-rate units as well as HILs rate units. Staff support the proposed housing mix.

Downtown Eastside Local Area Planning Program (LAPP) Committee – The application was also presented to the Downtown Eastside Local Area Planning Program (LAPP) Committee on April 17, 2013. A summary of the LAPP Committee discussion is presented in Appendix D. In general, committee members supported the application, particularly the social housing component. Questions were asked with regard to the possibility of including more shelter-rated units in the project as well as the future of bidders and street vendors in the DTES. There was also a discussion with regard to the overall gentrification effect of any new development in the DTES.

PUBLIC BENEFITS

In response to City policies which address changes in land use and density, the application, if approved, can be expected to realize the following public benefits:

Required Public Benefits

Development Cost Levies (DCL) – DCLs collected from new development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-market housing) and various engineering infrastructure. The subject site is in the City-wide DCL District. The proposed ground-floor commercial use and the market units will be subject to DCL charges at a rate of \$136.38 per m² (\$12.67 per sq. ft.), reflecting the annual inflationary adjustment which takes place on September 30, 2013. If approved, the project will generate a total levy of approximately \$586,152 which is payable at building permit issuance. The social housing component of this project is exempt from DCL charges, and the value of the exemption is approximately \$667,240.

Public Art Program – Social housing is exempt from the requirements of the Public Art Program. The floor area associated with the commercial and market residential is below the minimum threshold for public art contribution requirements.

Offered Public Benefits

Social/Supportive Housing and Rental Housing – The application proposes 102 social/supportive housing units on site, which will be secured through a Housing Agreement for a period of 60 years or life of the building, whichever is greater. In addition, 67 market units are proposed, which would be secured as rental through a separate Housing Agreement for a period of 15 years and subject to a no-separate-sales covenant for 15 years.

Community Amenity Contribution (CAC) – In the context of Financing Growth Policy, the City anticipates an offer of a Community Amenity Contribution (CAC) from the owner of a rezoning site to address the impacts of rezoning. Contributions are negotiated and evaluated by staff in light of the increase in land value expected to result from rezoning approval. Real Estate Services staff have reviewed the applicant's development proforma. The review concluded that, after factoring in the costs associated with the provision of the land and social housing units, there was no increase in the land value generated by this rezoning and therefore no CAC is being offered.

See Appendix F for a summary of public benefits for this application.

IMPLICATIONS/RELATED ISSUES/RISK

Financial

As noted in the Public Benefits section, there are no CACs and public art contributions associated with this rezoning.

The site is subject to the City-wide DCLs. It is anticipated that the applicant will pay \$586,152 in DCLs on the commercial and market housing components of the project. Social housing is exempt from DCLs under the provisions of the Vancouver Charter and the DCL By-law. The value of this exemption is estimated to be \$667,240.

The social/supportive housing component will be owned and operated by the applicant while the market housing will be sold to an investor group for ownership and operation as market rental for 15 years after which the housing units may be sold. The applicant will pursue funding partnerships with the provincial government, Streethome Foundation, other private donors, as well as the City for consideration of a capital grant. The grant request will be assessed and prioritized subject to funding availability, and will be presented to Council for consideration in a separate report, should Council approve the rezoning application.

Social

It is important that the proposed redevelopment of the subject site fit into the social fabric of East Hastings Street and the surrounding area. The 2012 Downtown Eastside Social Impact Assessment (SIA) illustrates how future developments and land use change could potentially affect vulnerable residents. It proposes ongoing mitigation, monitoring and evaluation of these future changes in order to maximize beneficial opportunities for the residents and minimize effects which may reduce their quality of life. According to the SIA findings there is a need for additional affordable food assets (e.g. low-cost grocery store) and more nutritious and charitable food in the neighbourhood. Opportunities for earning additional income are also needed.

Social Enterprises, Local Employment and Food Security — The current ground-floor tenant, United We Can (UWC), is moving to a new location in a nearby industrial area in order to expand its operation and to better serve the binning population. United We Can is a Downtown Eastside community asset, generating low-barrier jobs for the local people. With the main operation relocated, it is expected that there will be a satellite depot in the Downtown Eastside where bidders can take their bottles.

Discussions are underway to find a new ground-floor tenant for this development that serves the needs of local residents and is seen as an integral part of the community. Particularly because of its location, it is most desirable that the future ground-floor tenant be local-serving (to the low-income community) and socially inclusive.

One possibility being discussed, for such a ground-floor use, is a low-cost food store. This represents a great opportunity to alleviate some of the identified gaps in the neighbourhood around employment and food security. A social enterprise operation that provides healthy and low-cost food for the community will not only address the lack of access to nutritious and affordable food for the low-income community, but will also provide low-barrier employment opportunities.

The provision of community garden spaces in the project should also be explored to improve access to food close to home, as well as to enhance social connectedness.

If Council approves the rezoning application and the project proceeds, staff will continue to work with the applicant to seek strategic opportunities to maximize benefits for the local community, including employment of local residents during the construction phase.

Street Market – Some members of the low-income community are concerned about the future of street vending that is currently taking place outside United We Can. The City is working in partnership with VANDU and the Downtown Eastside Neighbourhood Council to support a more sustainable location for the street market currently running on Sundays at Pigeon Park. As of September 2013, the DTES Street Market will begin operating at 62 East Hastings Street one day per week and will provide opportunities for future expansion as needed up to four days per week. This will provide local vendors a location to sell their binned goods supplementing their welfare and/or small income.

CONCLUSION

This application represents a noteworthy effort by a non-government organization to achieve its mandate of serving the low-income community in the Downtown Eastside, especially women who are vulnerable to street homelessness. The delivery of social/supportive housing units, made possible by the inclusion of complementary components of market units and community-serving ground-floor uses, will contribute to the existing and future character of East Hastings Street.

Although the application proposes a building height that is marginally higher than that called for in the Historic Area Height Review, staff have concluded that the form of development appropriately responds to the site and context, and is therefore supportable. The General Manager of Planning and Development Services recommends that the application be referred to a Public Hearing together with the draft by-law provisions as set out in Appendix A, and that subject to the Public Hearing, the application be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B, and that the form of development as shown in plans in Appendix E also be approved in principle.

* * * * *

33-49 East Hastings Street
DRAFT CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

- 1.1 This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-____() attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

[Schedule A is a map that amends Schedule D of the Zoning and Development By-law. It will be prepared for the draft by-law that will be posted prior to the Public Hearing.]

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (____).
- 2.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Cultural and Recreational Uses;
 - (b) Dwelling Uses;
 - (c) Institutional Uses, limited to Child Day Care Facility and Social Service Centre;
 - (d) Office Uses;
 - (e) Retail Uses, limited to Farmer's Market, Furniture or Appliance Store, Grocery or Drug Store, and Retail Store;
 - (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Sign Painting Shop; and
 - (g) Accessory Uses customarily ancillary to any use permitted by this section.

Conditions of Use

- 3.1 All retail uses on the ground floor of the building fronting Hastings Street shall provide continuous pedestrian oriented display windows.
- 3.2 The Director of Planning or Development Permit Board may permit social service centre, general office, or health care office uses on the ground floor of the building fronting Hastings Street, except that:

- (a) such uses shall be subject to time limited development permits as required by the Director of Planning or Development Permit Board, and
- (b) such uses shall not be required to provide continuous pedestrian oriented display windows.

Density

- 4.1 For the purposes of computing floor space ratio, the site is deemed to be 1,133 m² [12,196 sq. ft.], being the site size at the time of application for rezoning, prior to any dedications.
- 4.2 The floor space ratio for all uses must not exceed 8.28.
- 4.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
 - (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8% of the residential floor area;
 - (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit there will be no exclusion for any of the residential storage space above base surface for that unit.
- 4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
 - (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
 - i) the total area of all open and enclosed balcony or sun deck exclusions must not exceed 8% of the residential floor area being provided; and
 - ii) no more than 50% of the excluded balcony floor area may be enclosed;
 - (b) amenity areas, except that the exclusion must not exceed, in aggregate, the lesser of 20% of the permitted floor area or 929 m².
- 4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

Building Height

- 4.1 The building height, measured above base surface to the top of the parapet, must not exceed 38.7 m [127 feet].
- 4.2 The height of the rooftop elevator penthouse must not exceed 4 m [13.1 feet].

Horizontal Angle of Daylight

- 5.1 Each habitable room must have at least one window on an exterior wall of a building.
- 5.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.
- 5.4 If:
 - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of the unobstructed view is not less than 3.7 m;
 the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.
- 5.5 An obstruction referred to in section 5.2 means:
 - (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (---).
- 5.6 A habitable room referred to in section 5.1 does not include:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - i) 10% or less of the total floor area of the dwelling unit, or
 - ii) 9.3 m².

Acoustics

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

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

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33-49 East Hastings Street
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

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 Perkins + Will and stamped "Received City Planning Department, April 26, 2013", 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 refine the architectural character in response to prevailing context.

Note to Applicant: Contemporary design that interprets and reflects prevailing contextual qualities is supported. Consideration should be given to facade composition with respect to distinguishing ground-oriented uses, reflecting a tri-partite expression, greater emphasis and differentiation between vertical bays, upper-level setback(s), flanking elevation quality with respect to materiality and detailing, and overall fenestration proportions. Use of colour for facade features is encouraged. Consideration should also be given to further refining overall massing by re-considering the east and west bays' shoulder heights to better mediate/transition with the respective heights of adjacent developments. Further design development, to improve the appearance of the flanking sidewall elevations, while anticipating future development height and optimizing natural light into the existing adjacent light wells, is also required.

- 2. Design development to improve the lane interface.

Note to Applicant: Introduction of glazing/screening that reveals internal activity, refinements to lane wall materiality and detailing, soft landscaping associated with podium rooftop planters and lighting is required. Coordination with BC Hydro and the City of Vancouver towards timely undergrounding of existing Hydro Services is encouraged.

- 3. Design development to reduce rooftop mechanical and elevator penthouse structures to minimize their visual impact and reduce apparent building scale, subject to confirmation of the equipment sizes and system requirements during detailed building design stage.

4. Design development to relocate the proposed mezzanine floor towards the back of the ground-floor tenancy volume, to incorporate glazed openings onto the lane from the relocated mezzanine and to design the fronting volume facing Hastings Street to provide better pedestrian animation, improve CPTED performance and accommodate a variety of types of retail displays.
5. Provision of a conceptual lighting strategy emphasizing ground-oriented storefront and entry intent, and the lane interface.

Note to Applicant: A lighting strategy that improves CPTED performance for both locations is anticipated.

6. Provision of design development details for storefront, entry, canopies and related architectural features to ensure durability over time given the challenging environment.

Landscape

7. Design development of the 3rd floor common amenity deck open space to provide a variety of spaces for active and passive activities to promote positive social interaction and gathering.
8. Provision of opportunities and infrastructure for urban agriculture on roof decks.
9. Maximize planter depth (to exceed BCLNA standards) for all planted areas on structures.

Note to Applicant: The Landscape Plan submitted with the rezoning documents shows single tree planters on the various roof decks. Consolidate single tree planters to create a more extensive tree-planting trench and increased growing medium volume to ensure the long-term health of potted trees.

10. Provision of best current practices for managing water conservation including high efficiency (drip) irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching (illustrated on the Landscape Plan).

Note to Applicant: Proposed plantings should be consistent with the City of Vancouver Waterwise Planting Guidelines.

11. Provision of hose bibs for all private and common amenity landscaped patios measuring 100 sq. ft. in area, or greater.
12. Provision of a fully labelled Landscape Plan, Sections and Details at the Complete Development Permit submission stage.
13. A full landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other

landscape features. Plant material should be listed in a Plant List that is clearly keyed to the landscape Plan. The Landscape Plan should be submitted at a minimum 1:100 metric or 1/8" = 1'-0" imperial scale.

14. Provide large scale 1/4" = 1'-0" or 1:50 scale partial plans, elevations and sections illustrating the detailed treatment of the project's public realm interface at the street and lane edges; include planter walls, stairs, landscaping, soil depth (indicated by underground structures) and other landscape features, as applicable.

Engineering

15. Provision of improved access to the garbage storage room. Provide written confirmation that a waste hauler can access and pick up from the location shown or relocate the garbage storage to ensure pick up access is possible. Note: consideration to locate the storage area adjacent the loading bay may provide improved operation for the garbage room.
16. Confirmation that the security door apparatus does not encroach into the lane.
17. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

- Provision of a 10' x 10' (3 m x 3 m) corner cut at the bottom of the ramp as a 9' x 9' (2.7 m x 2.7 m) corner cut is shown.
- Provision of an improved plan showing the design elevations on both sides of the ramp at all the breakpoints and in the loading bay. The percent of slope, the length of the ramp at the specified slope and the design elevations on both sides of the ramp at all break points must be shown on the submitted drawings.
- Provision of a 7.5% to 10% transition ramp at the bottom of the 15% slope. Refer to the Parking and Loading Design Guidelines at the following link: (<http://former.vancouver.ca/engsvcs/parking/admin/developers.htm>)
- Lengthen the 5% slope at the top of the ramp to 6 m (20'), as 5.5 m is shown.
- Provision of a minimum of 3.8 m (12.5') of vertical clearance for the Class B loading space and provision of a section drawing showing the minimum clearance. Drawing A312 shows 2.3 m of vertical clearance for the loading.
- Provision of widened stall widths to 2.55 m (8.36') as a reduced maneuvering aisle of 6.5 m (21.3') is being provided.
- To improve access, relocate the bike room access to the elevator vestibule for the bike rooms at gridline B/3 and D/3.
- Provide a traffic warning-light system to indicate when a vehicle is exiting as a 12' (3.6 m) wide ramp is being provided. A qualified transportation engineer, whose engineering firm specializes in signal design, should provide details of the warning system and note the location of all lights and detection devices on the plans.
- Provide a bicycle wheel-ramp for the stairs from the bicycle room on Level 2 to the lane.

- Clearly locate all hydro poles in the lane and ensure they do not interfere with the parking or loading access operations.
- 18. A canopy application is required. Note canopies must be fully demountable and drained to the buildings internal drainage systems.

Note to Applicant: An interconnected water service will be required for this development. There is a 300 mm water main available for servicing on Hastings Street.
- 19. Deletion of the rooftop-level metal sunshade over City street or make arrangements for a standard encroachment agreement.

Note to Applicant: A separate application to the General Manager of Engineering Services is required.

The applicant and owner should be advised that building encroachments onto City street will create obstacles if strata-titling the property is intended [Section 244(1)(f) of the Strata Property Act]. The City of Vancouver may not necessarily support the provision of easements for any part of the building on City streets. If strata-titling is being considered, the applicant is advised to seek independent legal advice on this matter. Care should be taken with the design and construction of the proposed roof projection such that it is lightweight, demountable, and may be considered as an ancillary component of the building that is readily removable.
- 20. Review party wall agreements registered on title, and modify or remove as appropriate.

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, the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 1. Consolidation of Lots 25, 26, 27 and 28, Block 8, DL 196, Plan 184 to create a single parcel.
- 2. 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 as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (b) Provision of street trees adjacent the site where space permits.
- 3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Housing

- 4. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement pursuant to section 565.2 of the Vancouver Charter securing 102 social/supportive residential units in the development for 60 years or the life of the building, whichever is greater, as supportive housing (52 units) and social housing (50 units), and subject to the following additional conditions in respect of those units:
 - (a) that, after subdivision by air space plan, all such social/supportive housing units be contained within a parcel that is separate from the parcel containing the market housing units;
 - (b) that such parcel containing the social/supportive housing units may not be subdivided by deposit of a strata plan;
 - (c) that none of the social/supportive housing units may be separately sold;
 - (d) that 52 of the social/supportive housing units shall be supportive housing units which will be rented at a rate where the tenant contribution to rent is no more than the shelter component of income assistance (currently \$375);
 - (e) that the remaining 50 social/supportive housing units shall be rented at HILs or CMHC market rents, whichever is lower;
 - (f) that all 102 units of the social/supportive housing will comply with the definition of "social housing" in the applicable City development cost levy by-law;

- (g) that none of the social/supportive housing units will be rented for less than one month at a time;
 - (h) that the operator shall provide a draft Operations Management Plan; and
 - (i) such other terms and conditions as the Director of Legal Services and the Managing Director of Social Development may in their sole discretion require.
- 5. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement pursuant to section 565.2 of the Vancouver Charter securing 67 market residential units in the development as rental housing for 15 years and subject to the following additional conditions in respect of those units during the 15 years:
 - (a) that, after subdivision by air space plan, all such market housing units be contained within a parcel that is separate from the parcel containing the social/supportive housing units;
 - (b) that none of the market housing units may be separately sold;
 - (c) that none of the market housing units will be rented for less than one month at a time; and
 - (d) on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

Soils Agreement

- 6. If applicable:
 - (a) Submit a Site Profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team).
 - (b) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
 - (c) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and the Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note to Applicant: 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 site 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-law.

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

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33-49 East Hastings Street
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"33-49 East Hastings Street [CD-1 #] [By-law #] B (DEOD)"

DRAFT AMENDMENTS TO THE NOISE BY-LAW No.6555

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

"[CD-1 #] [By-law #] 33-49 East Hastings Street"

DRAFT AMENDMENTS TO THE PARKING BY-LAW No.6059

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking Requirements
33-41 East Hastings Street	()	()	Parking, loading and bicycle spaces in accordance with by-law requirements on (date of enactment of CD-1 by-law) except that: Provision of 16 parking spaces including 1 disability parking space;

* * * * *

33-49 East Hastings Street
ADDITIONAL INFORMATION/COMMENTARY OF REVIEW BODIES/PUBLIC CONSULTATION

1. URBAN DESIGN PANEL (UDP)

The Urban Design Panel reviewed this rezoning application on May 8, 2013 and supported (7-0) the proposed density, height and form of development.

- **Introduction:** Yan Zeng, Rezoning Planner, introduced the proposal for a rezoning application on East Hastings Street. Currently the site has two existing buildings; the Ginseng Building and a building that is occupied by United We Can on the main floor. Ms. Zeng explained that the application is coming in under the DTES Interim Rezoning Policy and is for a 14-storey building with commercial space at grade and mezzanine level with dwelling units on levels 3 through 14. There will be a total of 169 units offering a mix of social housing and market rental. Specifically, there are 52 shelter allowance units (levels 3 to 6), Housing Income Limit (HIL) units (levels 6 to 9) and 67 market rental units (levels 9 to 14). The shelter rate units and the HIL units together make up the social housing component of the project which is 60% of all the residential units in the building. She noted that there will be sixteen underground parking spaces. In terms of the proposed height, the site is also within the boundary of the Historic Area Height Review. The maximum height for this part of Hastings Street is 120 feet under a rezoning. This is to allow consideration of special opportunities for affordable housing projects. As well she mentioned that the proposed ground floor use is currently under discussion and is to include a low-cost grocery store to serve the local community. She added that United We Can will be relocating to another site.

Scot Hein, Development Planner, further described the proposal noting that he was looking for comments from the Panel on use, density and form of development. He said there were three specific areas that staff would like the Panel to review. The first is the height which is seven feet above the prevailing policy and the second question related to contextual response. He said they are looking for a good contextual response to prevailing streetscape character. He added that they regard the proposal as an important background building to strengthen the streetscape. The final question was with respect to the lane interface in terms of the podium wall and how it responds to possible CPTED issues.

Ms. Zeng and Mr. Hein took questions from the Panel.

- **Applicant's Introductory Comments:** Janice Abbott, ATIRA, described the different unit layouts for the proposal. There are 52 units of housing for couples on women-headed leases. That means if the relationship dissolves the woman will remain housed. These units rent for the maximum shelter allowance. There are some units that will rent at the housing income limit rates for people with a maximum yearly household income of \$36,000. The top floor will be air parceled and sold to a group of investors and will market rental units with the profits earned of the sale will help pay for the non-market housing. She noted that they are working to put in a low-income grocery store on the ground floor.

Jim Huffman, Architect, described the architectural plans for the project. He mentioned that the units are 350 square feet with one window and storage area that is big enough for

a bed. He said they tried to design a building that fits into the neighbourhood but had a more modern character. He described the material palette noting the brick being proposed. He indicated that the top units have been recessed and roof line is staggered at the top so that it matches the rhythm on the street. There is small cornice at the top that will provide some sun shading to the units. Mr. Huffman noted that there are hydro poles in the lane that make it difficult for trucks to move in around however, Hydro is talking about removing the poles. He added that they have highlighted the entrance with some colour.

Bruce Hemstock, Landscape Architect, described the landscaping plans for the proposal. He noted that the outdoor common area is on a raised podium. They wanted to make it a safe place for people to gather and there is a children's play area on the corner. They plan on trees in the space and urban agriculture.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**

- ☐ Consider using the window expression to emphasis the vertical proportions of the building;
- ☐ Consider reversing the lower towers so that the higher proportion is next to the taller building next door and the lower tower to the lower building next door;
- ☐ Consider a stronger cornice line;
- ☐ Consider more landscaping elements in the lane;
- ☐ Consider a stronger sustainability strategy.

- **Related Commentary:** The Panel supported the proposal and commended the applicant on the amount of information.

The Panel thought it was a supportable project and had no concerns regarding the height relaxation. They also thought the modern expression and the tall middle portion was the correct response for the site. However they thought that the promise for the building had not yet be resolved but felt it would be by the time the applicant got to the development permit stage. One Panel member noted that the elements needed to be expressed more independently.

A couple of Panel members thought the windows needed to stress the vertical proportions of the building as they thought it was reading rather flat. They wanted to see the vertical elements modulated in terms of the street wall. A couple of Panel members suggested the higher side of the building be next to the higher building next door and that the lower height should be next to the lower building. As well they thought the commercial level wasn't resolved enough with one Panel member noting that the brick elements coming down from the residential was hurting the expression. Another Panel member urged the applicant to play up the urban streetscape that was being modeled on the street. The Panel wanted to see a stronger line at the lower cornice as it is a strong line on either side of the site. It was also suggested that the glass canopy could be of solid material since it was on the north side of the building and will be fairly well lit.

Some Panel members thought the lane interface was a little tough and wanted to see more habitual roofscapes. One Panel member had some concern with the room in the lane for trucks and stressed concern for possible CPTED issues.

It was noted that the sustainability strategy was lacking with one Panel member stating that the solar response seemed to be forgotten.

- **Applicant's Response:** Mr. Huffman thanked the Panel and said that all the comments were helpful. He added that they would make it easier for them to focus on the development permit submission. He also thanked Janice Abbott for developing a unique program for the development. Mr. Huffman noted that the loading at the back was developed with United We Can and they had a requirement for parking a 55 feet long vehicle overnight that had to be secured. He said it was difficult considering the number of hydro poles in the lane but hopefully the poles would be gone which would make more room in the lane. He agreed that there was a large CPTED issue in the neighbourhood.

2. DOWNTOWN EASTSIDE LOCAL AREA PLANNING PROGRAM COMMITTEE (LAPP)

The Downtown Eastside LAPP Committee consists of representatives from a wide range of community groups in the Downtown Eastside. The Terms of Reference for the LAPP states that the Committee will provide input to the Planning and Housing staff as early as feasible in the enquiry and application process for development permits, rezoning proposal, Heritage Revitalization Agreements (HRAs) and new incentive programs for market development in the DTES, with a particular focus on the net impact of any such proposal on social housing and the relationship of market development units to existing and proposed housing units.

Applicants of rezoning proposals being considered by the City may be asked to discuss their proposals with the LAPP Committee and to undertake additional community consultation during the enquiry and rezoning process. The purpose is for applicants to show how their application aligns with the principles of the Local Area Planning Process, with particular attention to the provision of suitable community benefits that improve the lives of low income residents in the DTES.

The applicant team and staff team presented this rezoning proposal to LAPP on April 17, 2013. There was a general level of support from LAPP members regarding the social housing aspect of the proposal. Particularly, members liked the idea of woman-headed lease and that the building is fully integrated regardless market or non-market housing. Some also expressed support for a low-cost food store on the ground floor of new development.

Concerns were raised by some members regarding:

- Not enough units that will be rented at shelter component of welfare;
- Whether people will continue to be able to participate in street market outside on the sidewalk once the new development is completed;
- Whether bidders will continue to be able to recycle in the community;
- The overall gentrification effect of any new development in the area.

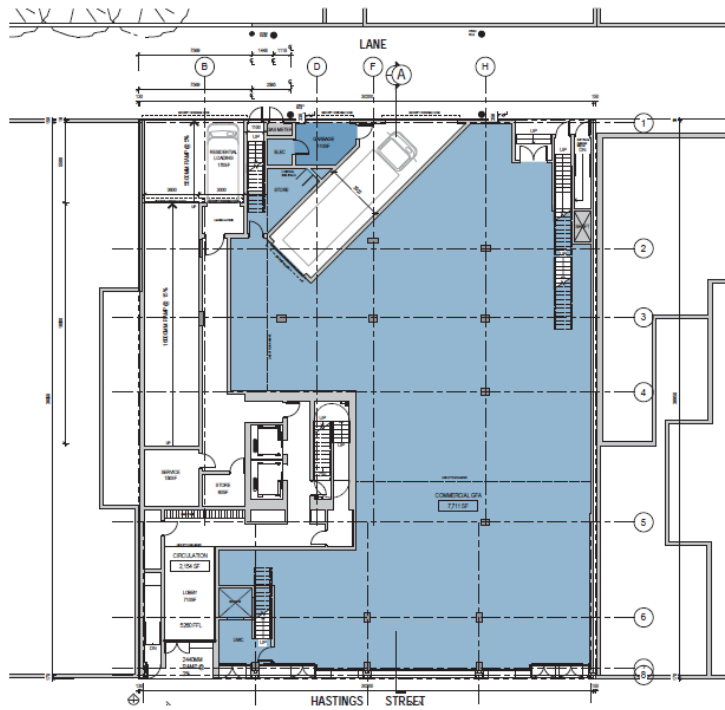
These comments were addressed in the body of the report.

33-49 East Hastings Street
FORM OF DEVELOPMENT

Perspective renderings



Ground Floor Plan



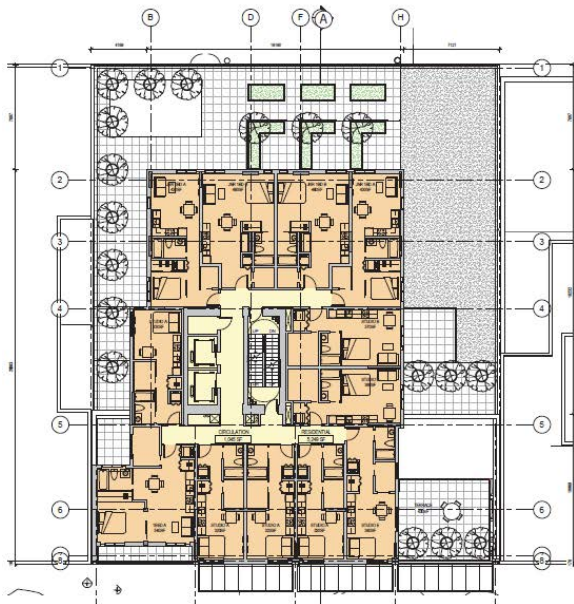
Level 3



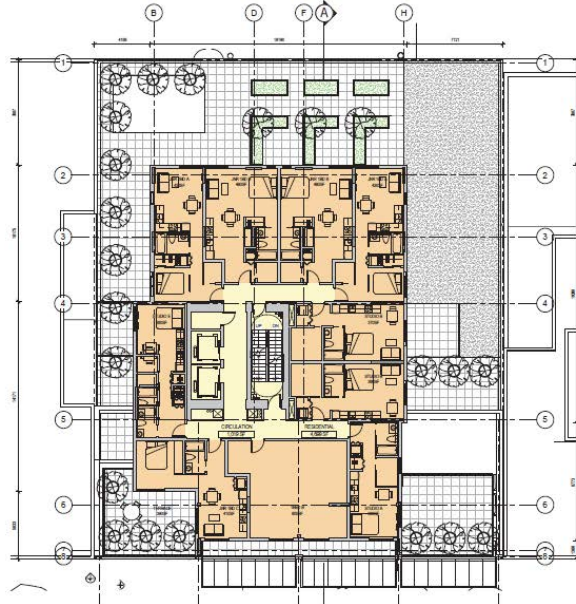
Levels 4-8



Levels 11-12



Levels 13-14



East Hastings Streetscape



Elevation (South)



Architectural Details



33-49 East Hastings Street
PUBLIC BENEFITS SUMMARY

Project Summary:

A 14-storey building providing social/supportive housing and market housing as well as commercial uses

Public Benefit Summary:

This rezoning has no CAC but it offers a significant benefit to the City by providing of 102 social housing units, 52 of which are supportive housing.

	Current Zoning	Proposed Zoning
Zoning District	DEOD	CD-1
FSR (site area = 12,196 sq. ft.)	5.00	8.28
Buildable Floor Space (sq. ft.)	60,980	98,926
Land Use	office commercial, retail commercial, other commercial, residential, community care facilities, light industrial, live-work, and building or uses to serve the needs of the local community	Dwelling Uses, Office Uses, Retail Uses, and Service Uses (Refer to draft CD-1 By-law in Appendix A for more information)

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$12.50/sq. ft.)	\$617,118 ¹	\$586,152
	Public Art (\$1.81/sq. ft.)		
	20% Social Housing		
Offered (Community Amenity Contribution)	Heritage		
	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
	TOTAL VALUE OF PUBLIC BENEFITS	\$617,118	\$586,152

Other Benefits (non-market and/or STIR components):

102 social housing units, 52 of which are supportive housing

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.

¹ based on 5.0 FSR, 20% of which would be for social housing

33-49 East Hastings Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	33-49 East Hastings Street
Legal Description	Lots 25, 26, 27 and 28, Block 8, District Lot 196, Plan 184; PIDs: 015-691-284, 015-691-292, 015-691-314 and 015-691-322 respectively
Applicant	Atira Development Society
Architect	Perkins+Will Architects
Property Owner	Atira Development Society
Developer	Atira Development Society

SITE STATISTICS

SITE AREA	1,133 m ² (12,196 sq. ft.)
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DEVELOPMENT STATISTICS

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT
ZONING	DEOD	CD-1
USES	Residential, Commercial, Service, Institutional, Industrial	Dwelling Uses, Office Uses, Retail Uses and Service Uses
DWELLING UNITS		Social Housing 102 Market Housing 67 <hr/> Total 169 units
MAX. FLOOR SPACE RATIO	5.00 FSR	8.28 FSR
FLOOR AREA	5,665 m ² (60,980 sf)	Social Housing 4,892 m ² (52,663 sf) Market Housing 3,269 m ² (35,189 sf) Commercial 1,029 m ² (11,074 sf) <hr/> Total 9,190 m ² (98,926 sf)
MAXIMUM HEIGHT	29.8 m (98 feet)	38.7 m (127 feet)
MAX. NO. OF STOREYS	9	14 (including a partial mezzanine floor)
PARKING SPACES	N/A	15 and 1 disabled parking space
LOADING	as per Parking By-law	1 Class A residential loading and 1 Class B commercial loading space
BICYCLE SPACES	as per Parking By-law	Class A: 170 Class B: 12