



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: June 24, 2014  
Contact: Kent Munro  
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RTS No.: 10652  
VanRIMS No.: 08-2000-20  
Meeting Date: July 22, 2014

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning - 3503-3523 East Hastings Street and 394-398 Skeena Street

**RECOMMENDATION**

- A. THAT the application, by Cornerstone Architecture on behalf of Hastings Northview Holdco Ltd., to rezone 3511-3519 East Hastings Street [*Lot 22 of Lot 47 and Lot 23 of Lot 47, Town of Hastings Suburban Lands, Plan 4160; PIDs: 011-780-622 and 011-780-631 respectively*], 3503 East Hastings Street and 394-398 Skeena Street [*Lot 24 of Lot 47, Town of Hastings Suburban Lands, Plan 4160; PID: 011-780-649*] and 3523 East Hastings Street [*Lot A of Lot 47, Town of Hastings Suburban Lands, Plan 18237; PID: 007-191-189*] from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 3.95 and the height from 13.8 m (45.3 ft.) to 19.74 m (64.8 ft.) and to change the building line requirement for the aforementioned lots to permit the development of a six-storey residential building containing 87 secured for-profit affordable rental dwelling units with ground-oriented retail uses, be referred to a Public Hearing, together with:
- (i) plans prepared by Cornerstone Architecture received on February 11, 2014;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A1;
  - (iii) draft amendment to Schedule E of the Zoning and Development By-law regarding building lines, generally as presented in Appendix A2; and
  - (iv) 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 after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) 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 CD-1 By-law contemplated by this report and on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require.
- C. 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 [assigning Schedule "B" (C-2)], 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 enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C;
- FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.
- E. THAT Recommendations A to D be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the costs;
  - (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 evaluates an application to consolidate and rezone four lots located at 3503-3523 East Hastings Street and 394-398 Skeena Street, from C-2C1 (Commercial/Residential) District to CD-1 (Comprehensive Development) District. The rezoning would permit the development of a mixed-use building with 87 for-profit affordable rental units and ground floor commercial spaces, in accordance with the provisions of the Secured Market Rental Housing Policy.

Staff have assessed the application and find it meets the intent of the Secured Market Rental Housing Policy and contributes to the City's rental housing targets as identified in the Housing and Homelessness Strategy. Staff support the application, subject to design development

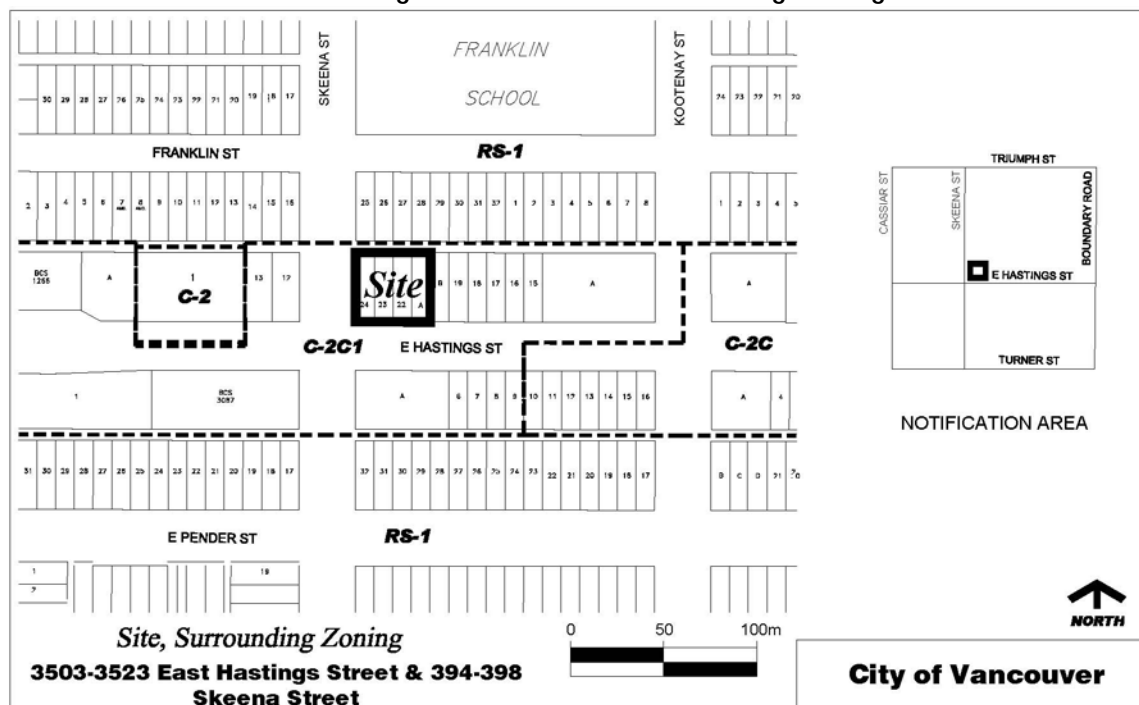
conditions contained in Appendix B and recommend the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing along with the conditions of approval outlined in Appendix B.

**COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council policies for this site include:

- Secured Market Rental Housing Policy (Rental 100) (2012)
- Vancouver Development Cost Levy By-Law ( 2008, amended 2014)
- Housing and Homelessness Strategy (2011)
- Rental Housing Stock Official Development Plan (2007)
- Rate of Change Guidelines for Certain RM, FM, and CD-1 Zoning Districts (2007)
- High-Density Housing for Families with Children Guidelines (1992)
- Final Report from the Mayor’s Task Force on Housing Affordability (2012).
- Hastings Sunrise Community Vision (2004)
- Green Building Rezoning Policy (2010)
- C-2B, C-2C and C-2C1 Guidelines (1987, amended 2009).

**Figure 1: Site and surrounding zoning**



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## **REPORT**

### ***Site and Context***

The subject site is located on the northeast corner of East Hastings Street and Skeena Street (see Figure 1). Comprised of four legal lots with an overall frontage of 40.2 m (132 ft.) along Hastings Street and 37.2 m (122 ft.) along Skeena Street, the site is currently developed with one and two-storey commercial buildings consistent with development to the east, west and south. There are two existing rental housing units on the second floor of one of the commercial buildings. Directly across the lane to the north is a single-family RS-1 zone. At the end of the block to the east are the Kootenay Bus Loops.

***Policy Context Housing and Homelessness Strategy*** - On July 29, 2011, Council endorsed the Housing and Homelessness Strategy 2012- 2021 which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life. The Three-Year Action Plan 2012-2014 identifies priority actions to achieve some of the strategy's goals. The priority actions that are relevant to this application include refine and develop new zoning approaches, development tools and rental incentives to continue the achievement of secure, purpose-built rental housing and to use financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households. This application proposes studio, one- and two-bedroom unit types that would be secured as for-profit market rental housing through a housing agreement.

***Secured Market Rental Housing Policy (Rental 100)*** - In May 2012, Council adopted the Secured Market Rental Housing Policy, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified market rental housing. The Final Report from the Mayor's Task Force on Housing Affordability, adopted by Council in October 2012, further endorsed the importance of incentivizing market rental housing through a focus on strategies to repair, renew and expand market rental housing stock across all neighbourhoods.

***Hastings-Sunrise Community Vision*** - Located within the Hastings Sunrise (North) community area, this site is along one of the busiest primary transit arterials in the region. This site is located within an identified local shopping area and the Community Vision calls for enhancement to support the adjacent residential neighbourhoods by providing continuous shops and services along the ground floor and enhancement of the public realm. The Vision suggests that 30.5 m (100 ft.) wide road allowance along Skeena Street, common on side streets in this area, should be used to create attractive public spaces and additional parking to support the local shopping street.

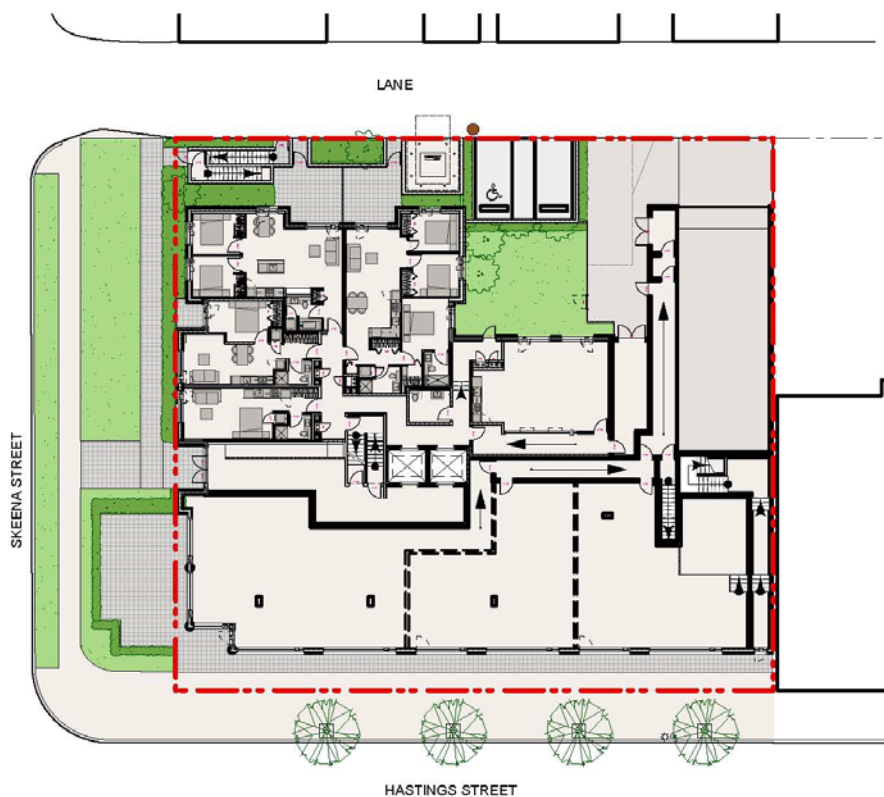
As described in the Hastings-Sunrise Community Vision, local area residents felt that new housing types adjacent to Hastings Street would be advantageous, as these developments would be convenient to transit, support local services and shield traffic noise for the adjacent single-family areas.

## Strategic Analysis

### 1. Proposal

This application proposes to rezone the site located at 3503-3523 East Hastings Street and 394-398 Skeena Street from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District. The proposal is for a six-storey building with commercial uses at grade and five-storeys of residential use above at a floor space ratio (FSR) of 3.95 (see Figure 2). In total, the application proposes 87 secured market rental units and 429.7 m<sup>2</sup> (4,625 sq. ft.) of commercial space with one level of underground parking. Of the 87 residential units, 24 of these have two-bedrooms and are suitable for families with children, representing 27.5 per cent of the total unit count. The owner is requesting a DCL waiver and the units would be secured for the longer of the life of the building and 60 years.

Figure 2: Site Plan



### 2. Land Use, Density and Form of Development (refer to drawings in Appendix E)

The proposal includes approximately 429.7 m<sup>2</sup> (4,625 sq. ft.) of commercial space at grade level and 87 dwelling units on the upper five floors. A total floor area of 5,910.7 m<sup>2</sup> (63,622 sq. ft.) and an overall density of 3.95 FSR are proposed (see Figure 3). The proposed mix of uses is consistent with the Hastings Sunrise Community Vision. While the proposed land use is

allowable under the site's existing C-2C1 zoning, additional height and density beyond what are permitted within C-2C1 zoning, have necessitated a rezoning application.

The Rental 100 program permits the consideration of six-storeys for secured rental housing projects in C-2C1 zones. To address the transition of this building in relationship to the RS-1 zone to the north, the building is set back 15 feet from the rear property line with the fifth and sixth floors set back a further 9.5 feet and 20 feet respectively. The sixth floor is set back on all sides. An accessible roof deck is proposed and would include a children's play area, communal deck space and urban agriculture. Staff have assessed the shadow impacts on the properties to the north and have concluded there are no adverse impacts given the shaping of the building and its relationship with the rear property line. See drawings in Appendix E.

Subject to design conditions noted in Appendix B, staff conclude that the proposed form of development generally responds to the character described in the Hastings Sunrise Community Vision for this area, and the height and density contemplated in the Rental Incentive Guidelines. Staff have drafted conditions related to design development recommended at the Development Permit stage (see conditions in Appendix B). The Urban Design Panel reviewed and unanimously supported the application on May 7, 2014.

### 3. Housing

This project would deliver 87 secured market rental units in accordance with the provisions of the Rental 100 policy. In addition, 27.5 per cent of the units (24) would be suitable for families with children and would comply with the High Density Housing for Families with Children Guidelines. This application includes studio, one-bedroom and two-bedroom apartments with proposed rent levels within the maximums prescribed by the DCL By-law. Housing staff have evaluated the application and determined it meets the objectives of the Secured Market Rental Housing Policy along with the DCL By-law requirements to waive the DCL's for the residential floor space. A detailed description of the project compared to the Rental 100 policy and DCL By-law is contained in Appendix G. Conditions related to securing the units are contained in Appendix B.

The Housing and Homelessness Strategy strives to enhance access to affordable housing in the City and it sets a number of short- and long-term rental housing targets. The Rental 100 program plays a critical role in the achievement of those targets by helping to realize for-profit affordable rental housing. More than half of all households in Vancouver live in rental accommodation. Vancouver provides approximately 44% of the rental housing in the Lower Mainland, and more than a quarter of the rental housing in all of British Columbia (2011 National Household Survey). Rental accommodation allows for moderate income households to live in Vancouver. The median income of renters (\$41,433) is about half that of owners (\$77,753). With one of the lowest vacancy rates in Canada (averaging 1.0 per cent), the need for a supply of new affordable rental housing remains strong.

Since the establishment of affordable housing targets in the City's Housing and Homelessness Strategy in 2011, a total of 3,280 secured residential rental units have been generated in the City. A long-term goal is to achieve 5,000 new units by 2021. If approved, this application would contribute an additional 87 units towards the City's stated short-term and long-term targets (see Figure 3).

Figure 3: Progress towards the Secured Market Rental Housing Targets as set in the City's Housing and Homelessness Strategy (2011)<sup>1</sup>

	TARGETS		CURRENT PROJECTS				GAP
	Long Term (2021)	Near Term (2014)	Completed	Under Construction	Approved	Total	Above or Below 2014 Target
<b>Secured Market Rental Housing Units</b>	5,000	1,500	463	1,084	1,791	3,338	1,838 Above Target

1. Unit numbers exclude this proposal, pending Council's approval of this rezoning application.

#### 4. Existing Rental Accommodation and Tenant Relocation

This site contains two existing rental units, each with two bedrooms, renting at \$1,200 and \$1,300 a month respectively.

Although the replacement requirement outlined in the Rental Housing Stock Official Development Plan (ODP) does not apply to this site (currently zoned C-2C1), section 2.2 of this ODP states Council's general concern about protecting the City's rental housing stock.

The applicant has provided a draft Tenant Relocation Plan which provides existing tenants with two months free rent, \$750 towards moving expenses and reconnection fees, and a right of first refusal to move into the new building upon completion. For tenants requesting assistance in finding alternate accommodation, the applicant has offered to provide three similar options in Vancouver, one of which must be in the same general area as their current home. Additionally they have committed to provide options that rent for no more than 10% above current rent levels unless otherwise agreed to by the tenants.

For tenants wishing to move back into the new building upon completion, the applicant has agreed to allow the existing tenants to return at their current rents, plus any allowable increases under the Residential Tenancy Act (RTA) that occur during the period of construction. The new starting rents would then be subject to allowable increases under the RTA moving forward. A final Tenant Relocation Plan will be required at the time of Development Permit application, and a final Tenant Relocation Report should be provided prior to Development Permit issuance. A copy of the Tenant Relocation Plan is included in Appendix F.

#### 5. Transportation and Parking

The application includes 41 parking spaces, one loading bay and 109 bicycle stalls, which meet the Parking By-law provisions for secured market rental housing. Vehicle and bicycle parking are proposed within an underground parking garage accessed by a ramp off the rear lane.

There is a 4.3 m building line setback on Hastings Street which was historically secured for road widening. Staff have reviewed the existing building line and found that the full setback dimension is no longer needed on this site. Staff recommend the 4.3 m building line be reduced to 1.2 m with the 1.2 m dedicated as road allowance. In addition, a 1.2 m statutory

right-of-way will be secured north of the new building line for pedestrian purposes. This will allow for a comfortable pedestrian environment and high-quality public realm while allowing an efficient form of development. Appendix A2 contains the recommended amendment to Schedule E of the Zoning and Development By-law to reflect this reduction in building line setback for the subject site.

Engineering Services has reviewed the rezoning application and have no objections to the proposed rezoning, provided the applicant satisfies the rezoning conditions included in Appendix B.

## 6. Environmental Sustainability

The Green Building Rezoning Policy (adopted by Council on July 22, 2010) requires that rezoning applications received after January 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. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

The owner has suggested they may pursue a 'Passive House' approach instead of LEED. Passive House is a comparable system to LEED and meets the requirements within Green Building Rezoning Policy. The fundamental approach of Passive House is a green form of building and building certification which focuses on higher levels of building insulation, air tightness and ventilation systems to achieve greater energy efficiency. Confirmation of whether the site will be designed to LEED or Passive House standards will occur at the Development Permit stage. Conditions related to sustainability requirements are contained in Appendix B and will accommodate either LEED or an equivalent system, such as Passive House.

### *Public Input*

**Public Notification** – The City of Vancouver Rezoning Centre webpage included notification and application information as well as an online comment form. A rezoning information sign was also posted on the site. A total of 440 notifications were distributed within the neighbouring area on or about March 18, 2014. A community open house was held on April 2, 2014 with staff and the applicant team present. A total of approximately 11 people attended the event.

**Public Response and Comments** – The City received a total of four responses to the application, by email or comment form (0 in favour/ 3 opposed / 1 unsure).

Comments included concern over the six storey massing, limited amount of parking for the project, traffic and the amount of rental housing in the area. All attendees of the open house noted the lack of services for this section of Hastings Street and expressed support for a café or coffee shop in the proposed retail space on the ground floor with an outdoor seating area along Skeena Street.

The application as recommended in this report will address many of the concerns expressed. The building has been shaped to limit shadowing and overlook impacts onto properties to the north. All parking requirements will be as per the Parking By-law and Engineering Services is



monitoring the traffic in the area. With the addition of commercial space at grade, the neighbourhood's desire for additional retail services will be addressed and the owner is seeking a tenant for the commercial space that could occupy the setback area on Skeena Street as an outdoor seating patio in conjunction with a business.

### ***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 centres, replacement housing (social/non-profit housing) and engineering infrastructure. This site is subject to the Citywide DCL rate, which is currently \$136.38/m<sup>2</sup> (\$12.67/sq. ft.). On this basis, a DCL of approximately \$806,098 would be anticipated, of which \$58,598 is attributed to the commercial floor area of the project. DCLs are payable at building permit issuance and are subject to an inflationary adjustment which takes place on September 30 of each year.

The owner has requested a waiver of the DCL attributed to the for-profit affordable rental housing proposed in accordance with section 3.1 A of the Vancouver Development Cost Levy By-law. The total residential floor area eligible for the waiver is 5,479 m<sup>2</sup> (58,977 sq. ft.) and, therefore, the DCL that would be waived is estimated to be approximately \$747,238. A review of how the application meets the waiver criteria is provided in Appendix G.

**Public Art Program** – The Public Art Program requires all new rezoned developments having a floor area of 9,290 m<sup>2</sup> (100,000 sq. ft.) or greater to commission public art or provide cash in lieu. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

### **Offered Public Benefits**

**Rental Housing:** The applicant has proposed that all of the 87 residential units be secured as for-profit affordable rental housing (non-stratified). The public benefit accruing from these units would be their contribution to the City's secured market rental housing stock for the longer of 60 years and the life of the building.

This application includes studio, one-bedroom and two-bedroom units. Figure 4 indicates that when compared to average rents in newer buildings in East Vancouver, the proposed rents are lower. In terms of the comparison to home ownership costs, the proposed rents in this application will provide an affordable alternative to homeownership, particularly for the one and two-bedroom units. The figure also illustrates that the average rents for the proposed development are below the citywide average.

**Figure 4 – Comparable Average Market Rents and Home-Ownership Costs**

	3501- 3523 East Hastings Street Proposed Rents	Average Market Rent in Newer Buildings - Eastside (CMHC) <sup>1</sup>	Citywide Average Market Rents (DCL By-law maximum averages) (CMHC 2013) <sup>2</sup>	Monthly Costs of Ownership for Median-Priced Unit - Eastside (MLS 2013) <sup>3</sup>
studio	\$1,100	\$1,100	\$1,110	\$1,642
1-bed	\$1,300	\$1,454	\$1,499	\$1,958
2-bed	\$1,500	\$1,854	\$1,968	\$2,453

1. Data from the October 2013 CMHC Rental Market Survey for buildings completed in the year 2004 or later on the Eastside of Vancouver
2. Average rent for rental units built since 2000 in the City of Vancouver as set out in CMHC's Annual Market Report, released Fall 2013.
3. Based on the following assumptions: median of all MLS sales prices in the Vancouver Eastside in 2013 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150-250 monthly strata fees and monthly property taxes at \$3.79 per \$1000 of assessed value

The dwelling units in this application would be secured as for-profit affordable rental through a Housing Agreement with the City for the longer of the life of the building and 60 years. Covenants would be registered on title to preclude the stratification and/or separate sale of individual units. Under the terms of the Housing Agreement, a complete rent roll that sets out the initial monthly rents for all units would ensure that those initial rents are below the maximum thresholds established in the Vancouver Development Cost Levy By-law (see Figure 4), with subsequent rent increases subject to 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 the Vancouver Development Cost Levy By-law.

**Community Amenity Contributions (CACs)** – 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. CAC offers typically include either the provision of on-site amenities or a cash contribution toward other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services. As the public benefit achieved for this application is for-profit affordable rental housing, no CAC is offered in this instance. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the provision of secured for-profit affordable rental housing units for the longer of the life of the building or 60 years, no further contribution towards public benefits is appropriate in this instance.

### *Implications/Related Issues/Risk (if applicable)*

#### **Financial**

As noted under the section on Public Benefits, there are no public art contributions or CACs associated with this rezoning. The site is subject to the Citywide DCL and it is anticipated that the commercial component of the project will generate approximately \$58,598 in DCLs. The residential component of the project qualifies for a DCL waiver under section 3.1A of the Vancouver DCL By-law; the value of the waiver is estimated to be approximately \$747,238. The rental housing, secured via a Housing Agreement for the longer of the life of the building and 60 years, whichever is greater, would be privately owned and operated.

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## *CONCLUSION*

Staff have reviewed the application to rezone the site at 3503-3523 East Hastings Street and 394-398 Skeena Street from C-2C1 to CD-1 to increase the allowable density and height, to permit development of a building with for-profit affordable rental housing, and conclude that the application is consistent with the Secured Market Rental Housing Policy (Rental 100). Staff further conclude that the application qualifies for incentives provided for for-profit affordable rental housing, including a DCL waiver, a parking reduction and additional density. If approved, this application would make a contribution to the achievement of key affordable housing goals of the City. The proposed form of development represents an appropriate urban design response to the site and context and is therefore supportable. The General Manager of Planning and Development Services recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A, and 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.

\* \* \* \* \*

3503-3523 East Hastings Street and 394-398 Skeena Street  
DRAFT CD-1 BY-LAW PROVISIONS

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

**Zoning District Plan Amendment**

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

*[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Uses**

- 2.1 The description of the area show within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 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 Multiple Dwelling and Dwelling Units in conjunction with any of the uses listed in this section;
  - (b) Cultural and Recreational Uses, limited to Fitness Centre;
  - (c) Office Uses, limited to Financial Institution and Health Care Office;
  - (d) Retail Uses, limited to Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store and Secondhand Store;
  - (e) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant; and

- (f) Accessory Uses customarily ancillary to any use permitted by this section.

#### Conditions of use

- 3.1 No portion of the first storey of a building, to a depth of 10.7 m from the front wall of the building along Hastings Street and extending across its full width, shall be used for residential purposes except for entrances to the residential portion of the building.
- 3.2 The design and lay-out of at least 25% 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".
- 3.3 All commercial uses shall be carried on wholly within a completely enclosed building except for the following:
- (a) parking and loading facilities;
  - (b) display of flowers, plants, fruit and vegetables; and
  - (c) outdoor seating areas in conjunction with retail and service uses.

#### Floor area and density

- 4.1 Computation of floor space ratio must assume that the site consists of 1,496.4 m<sup>2</sup> being the site size at the time of the application for the rezoning evidenced by this By-law.
- 4.2 Floor space ratio for all uses must not exceed 3.95.
- 4.3 Computation of floor area must include all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floors and accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
- (a) enclosed residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 8% of the permitted floor area; and

- (ii) no more than 50% of the excluded balcony floor area may be enclosed.
  - (b) patios and roof gardens, provided that 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 are at or below the base surface, provided that the maximum exclusion for a parking space shall 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 floor area; and
  - (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.
- 4.5 The use of floor area excluded under section 4.4 must not include any purpose other than that which justified the exclusion.

#### **Building height**

5. Building height, measured from base surface, must not exceed 19.74 m.

#### **Horizontal angle of daylight**

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 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.
- 6.3 Measurement of the plan or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 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.

6.5 An obstruction referred to in section 6.2 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 ( ).

6.6 A habitable room referred to in section 6.1 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 m<sup>2</sup>.

### Acoustics

7. A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below shall 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 27-hour equivalent (Leq) sound level and will be defined simply as the 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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3503-3523 East Hastings Street and 394-398 Skeena Street  
DRAFT AMENDMENT REGARDING BUILDING LINES

A By-law to amend  
Zoning and Development By-law No. 3575  
Regarding Building Lines

In Part II of Schedule E, Council strikes out the entire paragraph under the heading "Hastings Street, north side, from Cassiar Street to Boundary Road", and substitutes:

"A building line on the northerly side of Hastings Street which building line is more particularly described as follows:

Commencing at a point in the easterly limit of Lot A of Block 46, T.H.S.L., Plan 17717, 4.3 metres northerly from the southerly limit of said Lot A; thence westerly, in a straight line to intersection with the westerly limit of Lot A of Block 46, T.H.S.L., Plan EPP27624, at a point 3.69 metres northerly from the southerly limit of said Lot A; commencing again at a point in the easterly limit of Lot A (BN199299) of Block 47, T.H.S.L., Plan 3419, 4.3 metres northerly from the southerly limit of said Lot A; thence westerly, in a straight line to intersection with the westerly limit of Lot B of Block 47, T.H.S.L., Plan 18237, 4.3 metres northerly from the southerly limit of said Lot B; thence southerly along said westerly limit of Lot B to a point 1.2 metres northerly from the southerly limit of Lot A of Block 47, T.H.S.L. Plan 18237; thence westerly, in a straight line to intersection with the westerly limit of Lot 24 of Block 47, T.H.S.L., Plan 4160, 1.2 metres northerly from the southerly limit of said Lot 24; commencing again at a point in the easterly limit of Lot 12, south half of Block 48, T.H.S.L., Plan 363, 4.3 metres northerly from the southerly limit of said Lot 12; thence westerly in a straight line, parallel to the southerly limit of the south half of Block 48, Plan 363 to intersection with the southwestly limit of Lot A of the south half of Block 48, T.H.S.L., Plan 22411."

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3503-3523 East Hastings Street and 394-398 Skeena 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 Cornerstone Architecture and stamped "Received City Planning Department, January 9, 2014", subject to the following conditions, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

**Urban Design**

- 1. Design development to provide own door access to residential units at main floor level along the Skeena St frontage:

(Note to Applicant: An exterior common access deck should be developed north of the common residential entrance providing own door universally accessible units. This will require the exterior building face of these units to be set back further than currently proposed; consequently consideration should be given to extending the reconfigured units to the north and allowing the shared deck to wrap the corner. See also Condition 1.2 below)

- 2. Design development to eliminate or reconfigure the exterior ramp to the bike storage room improve the interface to the lane;

(Note to Applicant: Elimination of the ramp and provision of steps with a bike rail further east would remove existing CPTED concerns and allow activation of the laneway frontage for the depth of the residential units).

- 3. Design development to improve the quality of the main floor outdoor amenity space;

(Note to Applicant: Play Space should be eliminated as a use from this location and the open area instead developed as a passive landscape amenity. Connectivity to the lane should be improved through the relocation of the PMT to allow landscaping provisions to extend to the edge of the lane. See also Condition 1.5 below

4. Design development to reduce upper level massing in the area of the rear projection to the north east to provide a more appropriate setback to adjacent single family dwellings;

(Note to Applicant: Setbacks as envisaged by the base zoning should be provided to improve the interface with existing single family development across the lane to the north. Consideration will be given to the relocation of residential floor space to the Hastings St frontage as per Condition 6 below).

5. Design development to the rooftop amenity space to provide an increased area of rooftop amenity space and enlarge the planted area to at least 25% of the roof area;

(Note to Applicant: The rooftop amenity area should be increased to facilitate relocation of play space from the ground floor outdoor area. Consideration should be given to the provision of architectural planters as part of the guard and rail enclosure of the rooftop space to allow the gathering up of rooftop vents currently proposed into such a structure. Discretionary height increases required to achieve barrier-free access to the roof top amenity space will be considered as per the City of Vancouver bulletin on 'Roof Mounted Energy Technologies and Green Roofs- Discretionary Height Increases'. To this end, design development is required to enlarge the green roof beyond the area currently proposed. To be considered for a height increase, such design development must ensure that:

- a) Stairs and elevator should provide direct access to the green roof;
- b) The planted area occupies a substantial portion of the overall roof. For intensive green roofs such as that proposed, a minimum of 25% of the roof area should be planted.
- c) The planted area has been designed to minimize the amount of over height elements required to maintain it and such elements as required have been sited and sized with due regard to views, overlook and shadowing).

6. Design development to provide more visual interest at the corner of East Hastings Street and Skeena St;

(Note to Applicant: The material change to provide a solid expression at the upper levels on this prominent corner should be reconsidered to improve visual interest and articulation of the corner. Opening the corner up through glazing and expressing the full six storey height should be considered).

7. Design development to eliminate inboard bedrooms to improve livability;

(Note to Applicant: A number of 1-bedroom units at the upper levels feature inboard bedrooms that do not have sufficient access to daylight and require redesign to improve livability).

8. Design development to provide an exhaust vent for future uses;

(Note to Applicant: Provision of an exhaust vent will allow for a variety of future uses, including restaurant, of the commercial spaces at grade).

#### Crime Prevention through Environmental Design (CPTED)

9. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for;
- a) theft in the underground,
  - b) break and enter,
  - c) mischief and vandalism such as graffiti, and
  - d) mitigate possible CPTED concerns in the parking area.

#### Landscape Design

10. Design development to provide a more pedestrian friendly experience at the lane edge; (see also condition 2, 17 and 21);

Note to Applicant: This can be achieved by the use of down lighting and more substantial planting at grade, oriented to the lane. The lane edge planting should be protected from vehicles by an 8" high curb, while maintaining visual connectivity for CPTED concerns.

11. Design development to expand programming and improve community interaction on the rooftop amenity area (see also condition 5);

Note to Applicant: This can be achieved by the provision of urban agriculture plots, a more diverse planting palette which includes edible plants and addition of articulating elements. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

12. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BC SLA standards or better.

13. Provision of a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention and reuse of rainwater.

Note to Applicant: Strategies could include high efficiency irrigation, permeable paving, drought tolerant plants and mulching.

14. Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
15. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbors and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate root balls of proposed trees well into the future.
16. Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to applicant: : The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

17. Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
18. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
19. A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade;
20. A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

21. Trellis and vines to be provided over the underground garage access ramp.

### **Sustainability**

21. Identification on the plans and elevations of the built elements contributing to the building sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings policy for Rezoning, including a minimum of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one stormwater point.

Note to Applicant: Confirm whether the project will be built to LEED® or Passive House® standards. If Passive House is chosen, supply similar information on the drawings as noted above.

### Engineering

22. Sections A and B on page A4.3 do not reflect that floors 2 to 5 are cantilevered over the required statutory right of way.
23. Ensure that overhead clearances in the 1.2 m SRW area are maximized, i.e. no obstructions below 2.6 m above grade. Note: it appears that the built out sign band reduces the clearance in some locations to below this minimum.
24. Deletion or indication on the development permit drawings that the proposed sidewalk café/patio shown on Skeena is not approved as part of this application and requires a separate application to the General Manager of Engineering Services.
25. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).
26. Revised City building grades will be required to reflect the proposed dedication on East Hastings Street.
27. 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 redesign of the parking ramp to include:

- a) Provision of a maximum 15% ramp grade after the first 20' from the property line.

Note to Applicant: if a greater slope is proposed, a written request to exceed the 15% should be made including an explanation of the site hardship resulting in the request.

- b) Provision of the required 4m (13' 1 ½") transition ramps of 7.5% to 10% slope at the bottom of the ramp prior to the turn in the ramp.

- c) Provision of improved vehicle turning through the inside radius at the bottom of the main parking ramp by means of a corner cut.

Note to Applicant: a 9' by 9' corner cut is required in order to improve the transition and should be considered within the context of a reduced 12' wide ramp.

d) Provision of measures to improve driver visibility of oncoming cars on the parking ramp such as a convex mirror, or should a lesser ramp width be proposed, provision of a signal warning light may be required.

e) Make improvements to vehicle turning and manoeuvring off the ramp and to/from the parking spaces within the commercial area.

Note to Applicant: please contact Rob Waite of the NPT Branch at 604-873-7217 for details.

28. Clearly identify the required on-site visitor parking which is to be provided in addition to the required residential parking.
29. Provision of an overhead gate width that matches the ramps width ( 20' or 12' if the ramp is to be reduced).
30. Provision of wheel stops within parking spaces 17 and 18.

### Housing

31. That the proposed unit mix, 28.7 percent Studio, 43.6 percent 1-bedroom and 27.7 percent 2-bedroom units, be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

32. Provision of a list outlining the name of each existing tenant, the number of tenant's unit and their rent as per Section 2 of the Rate of Change Guidelines.
33. Provision of a Tenant Relocation Plan which includes two months free rent; reimbursement of receipted moving expenses; and the right of first refusal to move back into the development upon completion as per Section 2 of the Rate of Change Guidelines.

Note to Applicant: This Plan should also outline ways in which you can provide assistance to tenants in finding alternate accommodation. A final Tenant Relocation Plan to the satisfaction of the Managing Director of Social Development must be submitted with your development permit application.

34. Provision of a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all existing tenants.

35. Provision of a notarized declaration which demonstrates that each existing tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes information on posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change Guidelines.
36. Provision of a final Tenant Relocation Report which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent); and includes a summary of all communication provided to the tenants.
37. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
38. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

#### CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Social Development and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

##### Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following.

1. Reduction of the current 4.3 M building line to 1.2 meters for this site only, by amending Schedule E of Zoning and Development By-law.
2. Consolidation of Lots 22 to 24, Plan 4160, and Lot A, Plan 18237, all of Lot 47, THSL to create a single parcel and subdivision of that site to result in the dedication of the south 1.2 m for road purposes.
3. Provision of a surface statutory right of way over the south 1.2 metres of the resultant site for public pedestrian use.
4. Deletion of the purposed sunscreens shown encroaching onto both city streets on pages A4.0 and A4.2; or make arrangements (legal agreements) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for them to remain. Note: an application to the City Surveyor is required.

5. Release of Easement & Indemnity Agreement 322841M (commercial crossing) 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 for the site. Provision of a letter of commitment will satisfactorily address this condition.

6. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- 6.1 Provision of a new saw-cut concrete sidewalk on Hastings Street and 1.8 m wide sidewalk on Skeena Street adjacent the site.

- 6.2 Relocation of the existing traffic signal pole, existing traffic signal controller and associated infrastructure located at the northeast corner of Skeena Street and Hastings Street as the pole and controller would be located in the middle of the future sidewalk.

Note: signal relocation requires the installation of new upgraded signal infrastructure while the existing signal remains active. All associated signal works are to be delivered to standards at the time of installation and may include additional conduit upgrades and pedestrian push buttons to accommodate the new signal works.

- 6.3 Provision of improved curb ramp and curb return at the northeast corner of Skeena Street and Hastings Street to meet current standards

- 6.4 Provision of a standard concrete lane crossing at the lane north of East Hastings Street on the east side of Skeena Street including new or improved curb ramps and curb returns on both sides of the lane entry.

- 6.5 Provision of street trees adjacent the site where space permits.

- 6.6 Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.



- 6.7 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 applicants' 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.

### Housing

7. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure all residential units as market rental housing units for 60 years or life of the building, whichever is greater, consistent with the provisions for the construction of for-profit affordable rental housing as described in Section 3.1A of the Vancouver Development Cost Levy By-law and subject to the following additional conditions:
- 7.1 a no separate-sales covenant;
  - 7.2 non-stratification covenant;
  - 7.3 all such units being made available as rental housing for a term of not less than one month at a time;
  - 7.4 a rent roll indicating the proposed initial monthly rents for each rental unit;
  - 7.5 a covenant from the owner to, prior to issuance of an occupancy permit, submit a finalized rent roll to the satisfaction of the Managing Director of Social Development and the Director of Legal Services that reflects the initial monthly rents as of occupancy in accordance with the Housing Agreement on either a per unit or a per square foot basis in order to address potential changes in unit mix and/or sizes between the rezoning and development permit stage;
  - 7.6 the applicant must comply with the Tenant Relocation Plan attached to this report in Appendix F; and
  - 7.3 such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may 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

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

Note 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.

\* \* \* \* \*

3503-3523 East Hastings Street and 394-398 Skeena Street  
DRAFT CONSEQUENTIAL AMENDMENTS

**SIGN BY-LAW NO. 6510**

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

"3503-3523 East Hastings Street and 394-398 Skeena Street [CD-1#] [By-law #]  
B (C-2C1)"

**NOISE CONTROL BY-LAW NO. 6555**

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

"[CD-1 #] [By-law #] 3503-3523 East Hastings Street and 394-398 Skeena Street"

3503-3523 East Hastings Street and 394-398 Skeena Street  
ADDITIONAL INFORMATION

## 1. Urban Design

### 1.1 Site and Context

#### Existing C-2C1 Zoning:

In accordance with the site's existing C-2C1 zoning, land use along this portion of East Hastings St is intended 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, districts or communities, and to encourage creation of a district shopping area by increasing the residential component and limiting the amount of office use. General design considerations encourage retail shops, restaurants, and service-oriented uses at street level, and promote the enhancement of the appearance and the character of the street as a shopping area, encouraging a general high quality of architectural design of features such as awnings and canopies, display windows, fascia-type signage, and individuality of shop frontages. Although this application proposes an increase in building height beyond that allowed by the existing C-2C1 zoning regulations, the mixed-use form, the proposal for secured rental housing, and the continuity of streetscape are all considered to be in keeping with the land use intent for the area.

#### Built Context:

The proposed development is located on the north side of East Hastings St. at the corner of Skeena St. Existing grade rises to the east along East Hastings St., and north along Skeena St. North of the proposal, across the lane, is an RS-1 single family dwelling district. This part of East Hastings St. is characterised by a mixed streetscape of lower scale, older commercial and mixed use developments. To the east along the north side of the street there is an older three storey development immediately adjacent to the proposal, with a single-storey retail development with a surface parking forecourt, and the Kootenay Bus Loop beyond at the corner of Kootenay St. To the west, beyond the Skeena St intersection, there are older three and four-storey commercial and mixed use developments. The south side of the block comprises a similar mix of older two and three storey developments, as well as a gas station. As a result, continuity of the street wall is piecemeal. Urban design guidance for the area promotes continuous retail frontage as a benefit to both the pedestrian and the merchant, with articulation of the building façade, including ground level setbacks, only permitted if street continuity is preserved and pedestrian amenity provided. As such, while the existing streetscape is consistent with the land use intent for the area, it is not consistent with the urban design aims.

### 1.2 Form of Development (see application drawings in Appendix E)

Under the Rental 100 programme, the 4-storey C-2 C1 form can develop to six storeys if the additional massing does not decrease neighbourhood fit relative to the 4-storey form, especially as it relates to providing an acceptable interface to single family dwellings. Typical urban design considerations include compatibility with existing guidance as it relates to commercial and residential streetscapes, shadow impacts of the additional height, and the success of building interfaces with existing and potential adjacent development.

Retail Streetscape:

The proposed development responds to the urban design aims of the area by providing continuous retail use in the form of three retail units at ground floor along the East Hastings St. frontage. To improve the pedestrian amenity, continuous weather protection in the form of a glass canopy is provided above the storefronts over a widened commercial sidewalk. Retail use at grade is continued around the corner onto Skeena St. and a commercial terrace-suitable for use as a restaurant or coffee shop patio- is proposed to take advantage of the existing wider public realm on Skeena St. to animate the corner.

East Hastings Street Frontage:

Given the corner location and the permitted street wall height along East Hastings St., the development proposes a 6-storey height comprised of five residential floors over a commercial floor at street level. The upper levels are each recessed to reinforce the four-storey street wall height envisaged by current zoning to ensure a transition to future redevelopment to the east on the block, currently existing at three storeys with the potential for redevelopment to 4-storeys at 45ft. Toward the Skeena St intersection only the top floor is recessed, allowing the street wall to increase to five storeys to mark the corner. Visual interest at the upper levels is provided by alternating vertically expressed brick bays with glazing and enclosed balconies. A material change in tandem with the variation of the fifth floor setback further articulates the corner. Architectural signage and weather protection differentiates the retail ground floor from the residential floor above, with expressed columns at the corner again articulating the turn to Skeena St. This report recommends detail design development to provide more visual interest at the upper levels at the corner of East Hastings Street and Skeena St, possibly by opening up the corner with glazing and expressing the full six-storey height in this location.

Skeena Street Frontage:

Entry to the residential units is provided from Skeena St. and is differentiated from the retail use wrapping the corner by a change in the weather protection canopy, as well as a more solid expression of the ground level. At the upper levels, the recessing of the top floor and expression of a 5-storey continues for most of the depth of the elevation, before stepping back at fourth floor level to the lane consistent with typical C-2 development. This stepping back of the upper levels at the lane lowers the visual scale of the building as it relates to adjacent single family dwellings, reduces direct overlook, and maintain summer solar access to the rear yards across the lane. Recommended design development around the corner expression outlined above will improve this elevation.

Residential Access:

There is a significant grade change moving toward the rear of the site along Skeena St, as well as an existing wider boulevard. The residential entry brings occupants to a central elevator lobby serving the floors above. Staff are recommending design development to provide own door access to residential units at main floor level along the Skeena St frontage through the provision of an exterior common access deck north of the common residential entrance which would result in own door universally accessible units and improve the interface at ground level with both the lane and Skeena St.

Interface with Adjacent Development to the North:

The proposed development mitigates the effects of the additional height and mass proposed by providing a stepped profile to the rear lane design to reduce direct overlook, shadow impacts and the visual scale of the development on existing single family dwellings across the lane. The first three floors provide a significantly increased setback (approx. 15ft) from the lane beyond what would be expected of a four-storey development coming in under existing C-2C1 zoning. A 41ft wide central courtyard developed along the north side of the building to provide an external outdoor common space attached to an indoor internal amenity room also means that the mass of the building is further set back from the lane and existing single family development. At sixth floor level, the setback from the lane is 35ft and consistent with typical interfaces with single family dwellings provided in C-2 type developments. Staff are recommending detail design development to increase the setback at fifth floor level, especially at the north-east corner to the rear, to provide a more appropriate setback to adjacent single family dwellings across the lane.

Shadow Impacts:

Through the rezoning process, staff reviewed shadow analyses provided by the applicant comparing the shadowing impacts of the proposed building with those of a four-storey building developed under existing zoning provisions. The recessing of the upper levels to the lane described above serve to mitigate the effect of the increased height on shadowing to adjacent developments, with shadowing generally only increasing to effect rear garages across the lane.

Laneway Interfaces and Open Spaces:

The proposed development provided private open spaces in the form of open or enclosed balconies for the units, as well as common open spaces at rooftop level and at grade along the lane, and a common internal amenity room. Staff are recommending design development to improve the quality of the main floor outdoor amenity space, relocate the play space to an expanded roof area, and improve connectivity at ground floor level with the lane. A discretionary height increase to allow elevator overrun to provide barrier free access to the rooftop amenity is being considered as part of the application, and development of the rooftop space would not require additional consideration above that in the current application.

Urban Design Panel:

The Urban Design Panel reviewed the current application on May 07<sup>th</sup>, 2014, and unanimously supported the proposal. The Panel offered advice around the expression of the upper levels at the corner, development of own door access at grade on Skeena St. and improving the outdoor amenity space at ground floor level to which staff have responded in this report and which will be fully addressed at the development permit stage.

Staff support the proposed form of development and the commensurate increase in density, subject to the recommended design development conditions contained in Appendix B of this report.

## 2. Urban Design Panel Minutes- May 7, 2014

### EVALUATION: SUPPORT (9-0)

**Introduction:** Yardley McNeil, Rezoning Planner, introduced the proposal for an existing C-2C1 site within the Hastings Sunrise Vision area. The proposal is to rezone through the Rental 100 Policy to allow additional height and density for 87 secured market rental units with retail at grade. Rental 100 projects are intended to be compatible with the urban design goals of the existing zoning, noting variations on height and density will be considered pending shadow and view analysis. The proposal is for a mix of studio, one and two bedrooms units in a 6-storey building. Ms. McNeill mentioned that an open house was held in early May and received little interest from the surrounding residents.

Colin King, Development Planner, further described the proposal for a site on the north side of East Hastings Street at the corner of Skeena St with a lane at the rear. He noted that the surrounding context is redeveloping into a shopping area which has good transit access. The proposal will create additional height on the corner and a new retail frontage with a wider retail sidewalk. As well improvements to the public realm will be developed along Skeena Street. The proposal will have retail uses along the ground floor with continuous weather protection. A rhythm of brick bays and balconies along with material changes emphasizes the expression of 6-storeys to the corner stepping back to 4-storeys to the east with the top floor being recessed further. Mr. King mentioned that the Skeena Street frontage has a widened public realm and the residential entry is marked with a change in the canopy. The units are elevated from grade along this street front. As well, he indicated that bike parking is accessible from the lane and other ground floor uses include an indoor amenity room with children's play off the lane. He added that there are two main outdoor amenity spaces; one in the courtyard and one on the roof. The application is required to achieve LEEDTM Gold.

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

- Does the Panel support the form of development as it relates to height, density and massing?
- Comments on the success of the courtyard space as it relates to the quality of open space provided.
- Comments on the quality of the interface to the lane at grade as it relates to landscaping measures to green the lane and to possible CPTED concerns.
- Advice around the location of massing at fifth floor level to the lane as it relates to the interface with existing single family dwellings.

Ms. McNeill and Mr. King took questions from the Panel.

**Applicant's Introductory Comments:** Scott Kennedy, Applicant, further described the proposal and mentioned that because the lane is higher than the street the ramp had to have a 16% slope. The stepping at the back tends to go to the structural bays for a typical wood frame building. They are proposing a roof top patio that will have some greening of the roof. In terms of their energy strategy he said they are exploring Passive House standards. They have insulated the elevator core and other strategies to help eliminate thermal bridges. They

will be doing an energy modeling to further determine their strategy. Mr. Kennedy described the material palette noting the brick on the exterior.

Peter Kreuk, Landscape Architect, described the landscaping plans and mentioned that Skeena Street has a proposed bike share area. They are planning on adding planting as a buffer to the units along the lane and the roof amenity space will have room for a barbecue, table and chairs.

The applicant team took questions from the Panel.

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

- Design development to improve the expression especially on the southwest corner;
- Consider adding a step at the 3rd floor on the lane to improve the transition;
- Consider improving the livability of units on the 5<sup>th</sup> and 6<sup>th</sup> level with inboard bedrooms;
- Consider individual access for the lane units on the ground floor;
- Consider enlarging the roof top amenity deck.

**Related Commentary:** The Panel supported the proposal and liked the simplicity of the building. The Panel supported the height and massing and thought it would be a great addition to this section of East Hastings Street. Although the Panel liked the stepping after the 4<sup>th</sup> floor, they thought the expression was a bit monotonous especially on the southwest corner. That façade is a blank wall and needs more windows and as well needs more expression at the corner to emphasize the coffee shop use. A couple of Panel members thought massing on the lane should have a step at the 3rd floor which would be more at scale with the area. Most Panel members were concerned with the ramp and suggested providing a secondary way to get in and out of the underground. Suggestions included providing a stair or a stair and a runnel. As well there was some concern regarding possible CPTED issues. Although the Panel supported the unit layouts, it was mentioned that there are a couple of units on level 5 and 6 that have inboard sleeping units that with some extra depth could be improved. The Panel supported the landscape plans, however some Panel members thought the townhouses on the lane should have individual access to help activate the lane and improve the landscaping. They also liked the open space courtyard but wondered if having children's play space was the right use for the space. They mentioned that the space was not working as it is too dark and needs something to warm it up. However they liked the roof top deck but because of the small courtyard space a number of Panel members thought this area should be enlarged. Several Panel members suggested moving the transformer in the lane to a different location.

Regarding the sustainability strategy, it was suggested that the applicant look at a hydronic system for heating the building for future proofing the building as well as using condensing dryers.

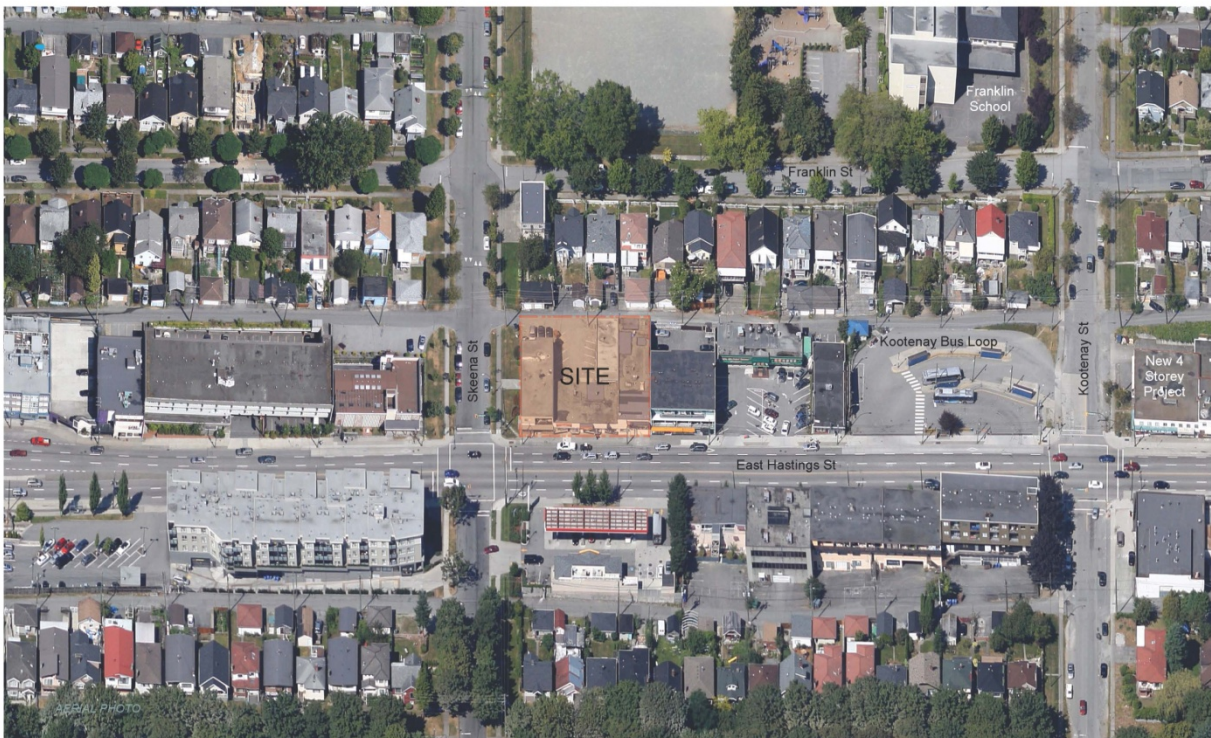
**Applicant's Response:** Mr. Kennedy thanked the Panel for their comments and mentioned that they have been struggling with a lot of the same issues the Panel mentioned. He added that they have put an emphasis on creating an energy efficient building.



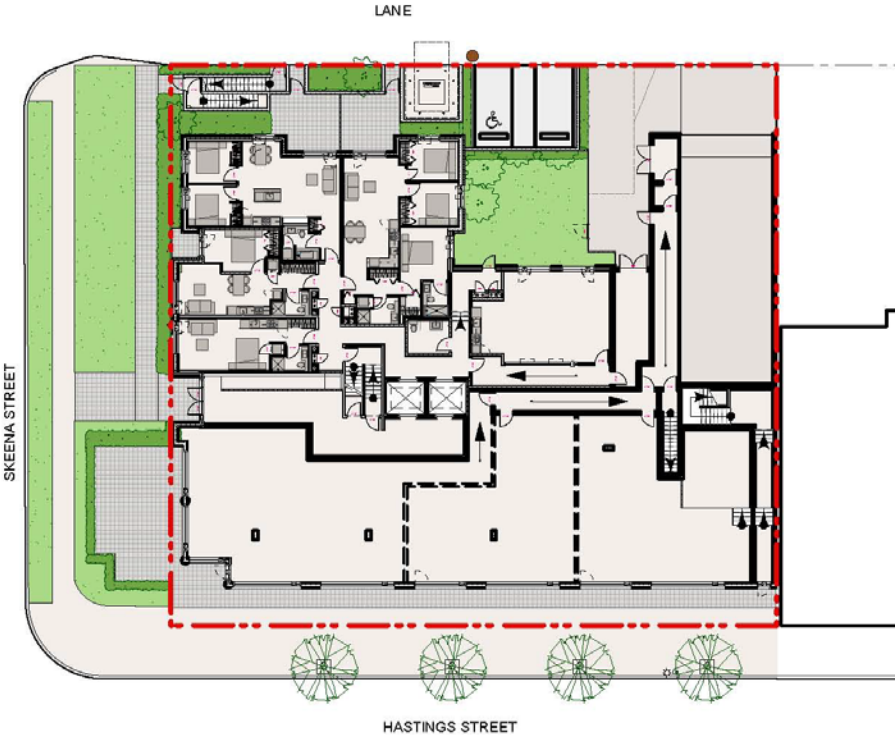
3503-3523 East Hastings Street and 394-398 Skeena Street  
FORM OF DEVELOPMENT



3501-3523 E HASTINGS.  
VANCOUVER, B.C.



Main Floor



Floors Two- Four



Fifth Floor



Sixth Floor



Elevations: Skeena Street and Hastings Street



3503-3523 East Hastings Street and 394-398 Skeena Street  
DRAFT TENANT RELOCATION PLAN

**3503--3523 East Hastings Tenant Relocation Plan**

**June 18, 2014**



## Summary

Hastings Northview Apartments Ltd (Hastings Northview) has been coordinating a rezoning/development permit application for the property of 3503---3523 East Hastings that would require the relocation of 2 residential tenants on an existing C-2C1 zoned site. 3503 East Hastings is the only property with residential tenants. Hastings Northview is willing to provide the current tenants a stress and financial free transition. Coincidentally, during our Hastings Northview coordinated Public Open House on January 8th, 2014, both tenants attended and we were able to speak to them briefly. We have already welcomed both tenants to return to our building upon completion. Below is a variety of information of assistance measures we will be put in place for current tenants in order to fulfill the COV Rate of Change Guidelines.

## Property Address, Legal Description & Tenants & Rent Roll

Property Address: 3503---3523 E. Hastings Street

Unit Type	Security Deposit	Rent	Parking	Total
2 Bed	\$650	\$1300	1 Provided	\$1300
2 Bed	\$600	\$1200	1 Provided	\$1200

## Units in Relocation Plan - 2 Units

### Relocation Plan

#### Tenant Notice & 2 Month Rent

As owner and landlord of 3503---3523 East Hastings, we will go above and beyond the BC Residential Tenancy Act requirements. We will commit to provide four months' notice and the equivalent to two month's rent on or before the move out date to each tenant. We will continually provide tenants with project updates that will help give them enough notice.

#### Early Return of Security Deposit

We will provide for an accelerated return of their security deposits to assist them in securing a new home. This is designed to mitigate the potential hardship of tenants having to put down a security deposit on a new home while they are still a resident of one of our buildings.

### Moving Expenses

We will provide tenants \$750/unit to cover their moving expenses, and any reconnection fees that may be required. We will identify some moving companies for the tenants although they will be free to hire whomever they choose.

### First Right of Refusal

We have already mentioned to the tenants that they will be offered the first right of refusal to the new units if they desire to return once construction is complete. The completed building will feature an amenity space, underground parking, bike storage, green space and be LEED GOLD Certified. In addition, rental rates for the new rental units for returning tenants will be the equivalent of their current rent plus any allowable increases under the Residential Tenancy Act that occurred during the construction period.

### Alternate Accommodation Assistance

Hastings Northview Apartments Ltd. will use its internal resources and connections to assist tenants in locating alternative comparable living accommodation in Metro Vancouver. We will assist in finding three comparable units in Vancouver that fit as closely to their current accommodation as possible, with at least one in the immediate neighbourhood. We will make an effort to find a comparable option that is within a 10% window above their current rent levels. If requested, tenants can provide their accommodation requests.

### Tenant Notices

Hastings Northview will provide proof of written tenant notice and communication with the residents of 3503 E. Hastings Street to the City of Vancouver.

### Final Relocation Plan

Hastings Northview will provide a final tenant relocation plan as part of our Development Permit.

## **Conclusion**

Hastings Northview Apartments Ltd. is committed to ensuring all tenants will be relocated with no financial burden. We believe the measures described above in our Tenant Relocation Plan successfully the COV Rate of Change Guidelines. We look forward to working with the residents over the coming months.

For further information, please contact:  
Hastings Northview Apartments Ltd.

3503-3523 East Hastings Street and 394-398 Skeena 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 under rezoning condition c.7 in 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.

Unit Type	No. units proposed	DCL By-law maximum average unit size	Proposed average unit size
studio	25	42 m <sup>2</sup> (452 sq. ft.)	37 m <sup>2</sup> (398 sq. ft.)
1-bedroom	38	56 m <sup>2</sup> (603 sq. ft.)	50 m <sup>2</sup> (538 sq. ft.)
2-bedroom	24	77 m <sup>2</sup> (829 sq. ft.)	67 m <sup>2</sup> (722 sq. ft.)

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

Unit Type	No. units proposed	DCL By-law maximum average unit rent*	Proposed average unit rent*
studio	25	\$1,110	\$1,100
1-bedroom	38	\$1,499	\$1,300
2-bedroom	24	\$1,968	\$1,500

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

- (e) The proposed construction cost for the residential floor area does not exceed the maximum specified in the DCL By-law.

DCL By-law maximum construction cost	Proposed construction cost
\$2,475 per m <sup>2</sup> (\$230 per sq. ft.)	\$2,098 per m <sup>2</sup> (\$195 per sq. ft.)

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.



3503-3523 East Hastings Street and 394-398 Skeena Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Six-storey residential development with 87 secured rental units and ground floor commercial space.

**Public Benefit Summary:**

87 dwelling units secured as for-profit affordable rental housing for 60 years or life of building.

	Current Zoning	Proposed Zoning
Zoning District	C-2C1	CD-1
FSR (site area = 1,496 sq. m / 16,107 sq. ft.)	3.0	3.95
Floor Area (sq. ft.)	48,321	63,622
Land Use	Commercial/Residential	Commercial/Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (Citywide)	612,227	58,598
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>612,227</b>	<b>58,598</b>

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

87 units of rental housing secured for the longer of 60 years and the life of the building

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the Citywide DCL, revenues are allocated into the following public benefit categories: Engineering (7%); Replacement Housing (30%); and Parks (63%).

3503-3523 East Hastings Street and 394-398 Skeena Street  
APPLICANT AND PROPERTY INFORMATION

Applicant and Property Information

Address	3503-3523 East Hastings Street and 394-398 Skeena Street
Legal Descriptions	3511-3519 East Hastings Street [Lot 22 of Lot 47 and Lot 23 of Lot 47, Town of Hastings Suburban Lands, Plan 4160; PIDs: 011-780-622 and 011-780-631 respectively], 3503 East Hastings Street and 394-398 Skeena Street [Lot 24 of Lot 47, Town of Hastings Suburban Lands, Plan 4160; PID: 011-780-649] and 3523 East Hastings Street [Lot A of Lot 47, Town of Hastings Suburban Lands, Plan 18237; PID: 007-191-189]
Developer	Eight Avenue Development Group LTD.
Architect	Cornerstone Architecture
Property Owners	Hastings Northview Holdco Ltd.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	C-2C1	CD-1
SITE AREA	16,107 sq. ft.	16,107 sq. ft.
USES	Commercial/Residential	Commercial/Residential
FLOOR AREA	4,489.1 m <sup>2</sup> (48,321 sq. ft.)	5,910.7 m <sup>2</sup> (63,622 sq. ft.)
Floor Space Ratio (FSR)	3.0 FSR	3.95 FSR
HEIGHT	13.8 m ( 4-storey)	19.74 m (6-storey)
PARKING, LOADING AND BICYCLE SPACES	As per Parking By-law	As per Parking By-law