

SUMMARY AND RECOMMENDATION

4. REZONING: 3503-3523 East Hastings Street and 394-398 Skeena Street

Summary: 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 housing units and ground-floor commercial spaces. A height of 19.74 m (64.8 ft.) and a floor space ratio (FSR) of 3.95 are proposed.

Applicant: Cornerstone Architecture on behalf of Hastings Northview Holdco Ltd.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of July 22, 2014.

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

- 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, generally as presented in Appendix A1 of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 3503-3523 East Hastings Street and 394-398 Skeena Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by 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 Street 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 2 below.

2. Design development to eliminate or reconfigure the exterior ramp to the bike storage room to 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 5 below.

4. Design development to reduce upper-level massing in the area of the rear projection to the northeast 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 Street frontage as per condition 6 below.

5. Design development to the rooftop amenity space to provide an increased area of rooftop amenity 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 the proposed rooftop vents into such a structure. Discretionary height increases required to achieve barrier-free access to the rooftop amenity space will be considered as per the City's 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 Hastings Street and Skeena Street.

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 up the corner 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 one-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 of the commercial spaces at grade, including restaurant.

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 conditions 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 the 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 BCSLA 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. On page A4.3, sections A and B 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 purposed sidewalk café/patio shown on Skeena Street 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 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 ft. 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 4 m (13' 1 1/2") 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 per cent studio, 43.6 per cent one-bedroom and 27.7 per cent two-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 the 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

1. Reduction of the current 4.3 m building line to 1.2 m 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 m of the resultant site for public pedestrian use.
4. Deletion of the proposed 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.
 - (i) Provision of a new saw-cut concrete sidewalk on Hastings Street and 1.8 m wide sidewalk on Skeena Street adjacent the site.
 - (ii) 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.

- (iii) Provision of improved curb ramp and curb return at the northeast corner of Skeena Street and Hastings Street to meet current standards
- (iv) Provision of a standard concrete lane crossing at the lane north of 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.
- (v) Provision of street trees adjacent the site where space permits.
- (vi) 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.
- (vii) 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:
 - (i) a no separate-sales covenant;

- (ii) non-stratification covenant;
- (iii) all such units being made available as rental housing for a term of not less than one month at a time;
- (iv) a rent roll indicating the proposed initial monthly rents for each rental unit;
- (v) 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;
- (vi) the applicant must comply with the Tenant Relocation Plan attached to this report in Appendix F; and
- (vii) 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.

- B. THAT the amendment to Schedule E of the Zoning and Development By-law regarding building lines, as set out in Appendix A2 of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 3503-3523 East Hastings Street and 394-398 Skeena Street", be approved.
- C. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 3503-3523 East Hastings Street and 394-398 Skeena Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by this report, subject to such terms and conditions as the Director of Legal Services and the Managing Director of Social Development.
- D. THAT 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" (C-2)], generally as set out in Appendix C of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 3503-3523 East Hastings Street and 394-398 Skeena Street", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment of the Noise Control By-law generally as set out in Appendix C of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 3503-3523 East Hastings Street and 394-398 Skeena Street".
- 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.

[RZ - 3503-3523 East Hastings Street and 394-398 Skeena Street]