

## SUMMARY AND RECOMMENDATION

**5. REZONING: 2805 East Hastings Street**

**Summary:** To rezone 2805 East Hastings Street from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District to permit a six-storey mixed-use building containing 91 secured market residential rental units and commercial uses at grade. A height of 21.34 m (70 ft.) and a floor space ratio (FSR) of 3.72 are proposed.

**Applicant:** Burrowes Huggins Architects

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of June 14, 2016.

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

**RECOMMENDATION**

- A. THAT the application by Burrowes Huggins Architects, on behalf of 2805 East Hastings Holdings Corp. (PCI Hastings Project Corp.), to rezone 2805 East Hastings Street [*Lots 1, 2, 3 and 4, Except Part in Plan 5575, of Lot 50 Town of Hastings Suburban Lands Plan 365; PIDs: 015-364-518, 015-364-593, 015-364-691, and 015-364-721 respectively*] from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 3.72 and the building height from 13.8 m (45.3 ft.) to 21.34 m (70 ft.) to permit the development of a six-storey mixed-use building with at-grade commercial uses and 91 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated May 31, 2016, entitled "CD-1 Rezoning: 2805 East Hastings Street", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Burrowes Huggins Architects and stamped "Received City Planning Department, November 30, 2015", 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 substantially increase the inset depth and width of the residential lobby located on Kaslo Street to improve its function, articulation, and need to accommodate bicycle parking entirely on private property.

Note to Applicant: Staff anticipate a modest commensurate reduction in density to achieve this performance condition. See also Engineering Condition (c) 4.

2. Design development to improve the pedestrian interface along Hastings Street as follows:
  - (i) remove all landscape improvements appearing in the Statutory Right of Way along Hastings Street;
  - (ii) increase the setback to CRUs 105 and 106 by no less than 6 ft.;

Note to Applicant: The Statutory Right of Way needs to operate principally to support free, uninhibited pedestrian movement. Increasing the CRU setbacks will increase the pedestrian interest of the Hastings Street commercial frontage pursuant to the C-2C1 District Schedule and Guidelines. This condition anticipates a commensurate reduction in density by shifting this wall by approximately 3 ft. having no effect on the upper floor.

## Crime Prevention through Environmental Design (CPTED)

3. Design development to consider the principles of CPTED, having particular regard for:
  - (i) theft in the underground parking;
  - (ii) residential break and enter;
  - (iii) mail theft; and
  - (iv) mischief in alcoves and vandalism, such as graffiti.

## Sustainability

4. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited

professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

## Landscape Design

5. Provision of enhanced public realm landscape treatment at Kaslo Street for neighbourhood identity, greening and creation of safe, enjoyable spaces for people to gather, rest and circulate to the satisfaction of the City Engineer and in consultation with the Director of Planning and Vancouver Board of Parks.

Note to Applicant: This area should be developed for public use and incorporate treed boulevard, benches, bike way, public sidewalk and amenity gathering space. Private open space located closer to the building edge may be separated by a landscaped planter edge. The proposed rain garden should be shifted from the southwest corner of the site, and possibly incorporated within a landscaped buffer strip located closer to the lane. Refer to Engineering Condition 4 (i) d.

6. Protection of existing street tree at Kaslo Street and incorporation within the public realm landscape plan to the satisfaction of the City Engineer in consultation with Park Board (see Condition 20).

Note to Applicant: Contact Eileen Curran, Street Engineering to discuss alignment of new street trees and protection requirements for existing tree. Update plan with dimensioned tree barrier and labels.

7. Incorporate the principles of the City of Vancouver Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat, in addition, reduce potential threats to accommodate birds in the city.

Note to Applicant: Incorporate a diversity of native and non-invasive plants within the planting scheme. Use of high visibility glass for windows, reduce reflection and dangers for attractants at building facades is encouraged.

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

8. Provision of enhanced landscape buffer for screening of private patios located at Level 2 between adjacent residential properties across the lane.

Note to Applicant: Incorporate perimeter planters to accommodate substantial layered plantings for all season greenery, visual barrier and cascading effect at north building edge. Revise Landscape Plan and coordinate with the architectural drawings. Provide larger-scale planter details at 1/2"=1'-0".

9. Provision of fully irrigated landscaped built-in perimeter planter at the south edge of the proposed common amenity deck at Level 6 as a green amenity and buffering for the streetscape.

Note to Applicant: Revise drawings. Provide larger-scale detail to illustrate planter depth.

10. Improvements to landscape treatment of the Level 2 Interior Courtyard to provide opportunities for socializing and creative play for the residents by:

- (i) Substituting wood, stone tile or other natural material where artificial turf has been proposed.

Note to Applicant: Delete artificial turf from plans.

- (ii) Incorporating fully landscaped and irrigated planters complete with natural plantings suited to low light levels.

Note to Applicant: Consider Fatsia or other similar hardy drought tolerant plant selection. Adequate drainage should be provided in planters and at the courtyard.

- (iii) Incorporating built-in raised platforms of various heights and sizes for people of all ages to use for casual seating or play.

## Engineering

11. 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:

- (i) Provision of additional design elevations within the P1 level, and within the loading area to calculate the slope and crossfall;

Note to Applicant: Additional design elevations are required at the far end of stalls 44-47, stalls 48-57 and the far ends of the loading bays. The slope and crossfall must not exceed 5% within the parking and loading areas.

- (ii) Dimension all column encroachments and all stall widths.

12. Modification of the parking ramp design to address the following:

- (i) The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length. From elevation 52.46 to 50.15, a 16% slope is shown on

drawing A1.03. Ramps which have a 15% slope and are exposed to the weather must be heated and note on plans.

Note to Applicant: Consider relocating the card reader to the bottom of the 10% slope, at the top of the ramp.

13. Modification of the loading bay design to address the following:
  - (i) The slope and crossfall of the loading bay must not exceed 5%. The slope within the loading area calculates to 10.2% using the design elevations shown on drawing A3.01.
  - (ii) Provide a standard loading throat (4.6 m in width/68 degrees).
  - (iii) Provide a double throat for the Class B loading spaces.
  - (iv) Additional loading bay width for the second and subsequent loading spaces (each additional space must be 3.8 m wide).

14. Provision of minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering. Drawing A1.03 notes 3.5 m of vertical clearance.

15. Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

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

16. Relocate all Class B bicycle parking to be on private property. If bike racks are desired on public property a separate application to the General Manager of Engineering Services is required.

17. Provide automatic door openers on the doors providing access to the bicycle room(s) and clearly note this on the plans.

18. Updating of the landscape plan to reflect improvements sought by this rezoning application. (Geometrics will be provided by the City). Please note the following limitations to any proposed plantings on public property:

- (i) All planting on street right-of-way is to be maintained by the adjacent property owner.

- (ii) All plant material within the same continuous planting area which is located on street right-of-way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m, measured from the sidewalk.
  - (iii) All plant material within the street right-of-way which are located outside of the areas described in item above shall not exceed 1 m in height, measured from the sidewalk. Exceptions will be approved on a case-by-case basis by the City of Vancouver's Street Activities Branch.
19. A review by the Vancouver Park Board to determine if the 2 street trees fronting the site and the single tree immediately north of the site on the east side of Kaslo Street can be retained while accommodating the proposed street work, if not arrangements to the satisfaction of the General Manager of Engineering Services for their removal will be required.
  20. The Statutory Right of Way area along the Hastings Street frontage is to be free and clear of all obstructions, door swings, bike racks, benches special treatments, landscaping etc. so that the full 5.5 m dimension is available for use as sidewalk space.

#### **Housing Policy and Projects**

21. The proposed unit mix including 34 two-bedroom and five three-bedroom units are to be included in the Development Permit drawings, which may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25 per cent of the dwelling units designed to be suitable for families with children.
22. Design development to ensure that a minimum of 25 per cent of the proposed secured market rental units are designed to be suitable for families with children.
23. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette and accessible washroom.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

#### **CONDITIONS OF BY-LAW ENACTMENT**

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General

Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Consolidation of Lots 1 to 4 Except Part in Plan 5575, of Lot 50, THSL, Plan 365 to create a single parcel.
2. Provision of building setback and a surface Statutory Right of Way (SRW) to achieve a 5.5 m distance from the back of the City curb to the building face on Hastings Street. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/ Statutory Right of Way dimension. The Statutory Right of Way agreement must accommodate the underground parking, the minor vertical elements between levels 3 and 5, and the terrace projections at level 5 within the Statutory Right of Way area. Upon registration of this Statutory Right of Way, existing Statutory Right of Way agreement N106525 over portion of Lot 4 is to be released.
3. Release of Easement and Indemnity Agreement 387202M (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 for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

4. 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 street re-construction on Kaslo Street adjacent to the site to include the following:
    - a. New curb and gutter on the east side of Kaslo Street from Hastings Street to the lane north of Hastings Street.
    - b. New concrete lane crossing and curb returns on both sides of the lane north of Hastings on the east side of Kaslo Street.

- c. New pavement to minimum of centerline on Kaslo Street between Hastings Street and the lane north of Hastings Street.
  - d. Boulevard treatments on Kaslo Street adjacent the site as follows: 1.35 m front boulevard with grass and street trees, 2.5 m raised protected bike lane, 1.22 m grass boulevard with street trees between the bike lane and sidewalk, and 1.83 m CIP broom-finish concrete sidewalk with saw cut control joints.
  - e. Provision of pedestrian lighting adjacent the site on Kaslo Street.
  - f. Relocation of all existing utilities including wood poles, catchbasins and regulatory signs to accommodate the proposed Kaslo Street reconstruction.
- (ii) Provision of improvement to the existing traffic signal at Kaslo Street and Hastings Street intersection to accommodate the proposed bike lane (including countdown timers) or cash contribution for the signal improvements should it be determined at the time of construction that the signal improvements cannot be delivered at the same time as the bike lane improvements.
  - (iii) A review of the existing street lighting levels on Hastings Street and Kaslo Street adjacent to the site to determine their adequacy for the proposed uses, should standards not be met then new or improved street lighting to serve the site will be required.
  - (iv) Provision of LED intersection lighting at Hastings Street and Kaslo Street. (Typically a LED head on each signal pole on the four corners of the intersection).
  - (v) Provision of improved sidewalks on Hastings Street adjacent the site consisting of:
    - a. 1.35 m exposed aggregate concrete front filler for utilities.
    - b. Minimum 3.0 m broom-finish concrete sidewalk with saw cut control joints.
    - c. Four-piece tree surrounds in keeping with the area standards.
  - (vi) Provision of street trees where space permits.

- (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 applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
  - (viii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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 sewer system upgrading that may be required.
5. 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. Written confirmation from BC Hydro, Telus and City of Vancouver Utilities Branch that the proposed relocation of the wood poles in the lane is both achievable and acceptable to all parties.

## Housing

7. Make arrangements to the satisfaction of the Chief Housing Officer (or successor in function) and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years or life of the building, and subject to the following additional conditions:

- (i) A no separate-sales covenant;
- (ii) A no stratification covenant;
- (iii) That none of such units will be rented for less than one month at a time;
- (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit;
- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents subject to adjustment as contemplated by the Vancouver Development Cost Levy-By-law:

| Unit Type | 2805 E Hastings Proposed Average Starting Rents |
|-----------|---|
| Studio    | n/a   |
| 1-bedroom | \$1,600   |
| 2-bedroom | \$2,075   |
| 3-bedroom | \$2,375   |

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of Chief Housing Officer (or successor in function) and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.
- (vii) Such other terms and conditions as the Chief Housing Officer (or successor in function) and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

**Soils**

- 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 Protection, 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 are 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. 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 May 31, 2016, entitled "CD-1 Rezoning: 2805 East Hastings Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the amending by-law contemplated by the same report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- C. 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-2C1)], generally as set out in Appendix C of the Policy Report dated May 31, 2016, entitled "CD-1 Rezoning: 2805 East Hastings 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 to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated May 31, 2016, entitled "CD-1 Rezoning: 2805 East Hastings Street".

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

[RZ - 2805 East Hastings Street]