



## POLICY REPORT

Report Date: September 17, 2019  
Contact: Karen Hoese  
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RTS No.: 13403  
VanRIMS No.: 08-2000-20  
Meeting Date: October 1, 2019

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 835-837 East Hastings Street

### **RECOMMENDATION**

- A. THAT the application by Terra Housing Consultants Ltd., on behalf of Lee's Benevolent Association of Canada, to rezone 835-837 East Hastings Street [*PID: 027-090-256; Lot G, Block 61, District Lot 181, Group 1, New Westminster District Plan BCP30460*] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit development of a six-storey mixed-use building consisting of commercial use at grade and a total of 39 seniors social housing units at a floor space ratio (FSR) of 4.33 and building height of 22.4 m (73.6 ft.), be referred to public hearing together with:
- (i) plans prepared by Patrick R. Stewart Architect, received July 10, 2018;
  - (ii) draft by-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B;

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

- B. THAT, if after public hearing, Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and

conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.

- C. THAT, if the application is referred to a public hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be referred to the same public hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C, for consideration at the public hearing.

- D. THAT, subject to 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 amending by-law.

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

- (i) THAT the passage of the above resolution 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 risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

## **REPORT SUMMARY**

This report evaluates an application to rezone a site located at 835-837 East Hastings Street from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. This application is being considered under the *Downtown Eastside Plan* (DTES Plan), which provides supporting policy for this area currently designated as a “let go” area in the *Industrial Lands Policies*. The proposed rezoning would allow for the development of a six-storey mixed-use building consisting of commercial use at grade and a total of 39 seniors social housing units at a floor space ratio (FSR) of 4.33 and building height of 22.4 m (73.6 ft.). If approved, the application would contribute to the City’s affordable housing goals, as identified in the *Housing Vancouver Strategy*, as well as the social housing goals as set out in the DTES Plan.

Staff have assessed the application and conclude that it meets the intent of the DTES Plan and is generally consistent with regards to the proposed use and form of development. Staff support the application, subject to design development and other conditions. Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of

Planning, Urban Design and Sustainability to approve it, subject to the public hearing, along with the conditions of approval outlined in Appendix B.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council policies and guidelines for this site include:

- Downtown Eastside Plan (2014)
- Rezoning Policy for the Downtown Eastside (2014)
- Housing Vancouver Strategy and 3-Year Action Plan (2017)
- Housing Plan for the Downtown Eastside (2005)
- Industrial Lands Policies (1995)
- Metro Vancouver Regional Growth Strategy (2010, last amended 2017)
- Vancouver Regional Context Statement Official Development Plan (2013)
- Seniors Supportive and Assisted Housing Guidelines (2002, amended 2004)
- Green Buildings Policy for Rezoning (2010, last amended 2018)
- Community Amenity Contributions – Through Rezoning (1999, last amended 2018)
- Vancouver Development Cost Levy By-law (2008, last amended 2018)

### **REPORT**

#### **Background/Context**

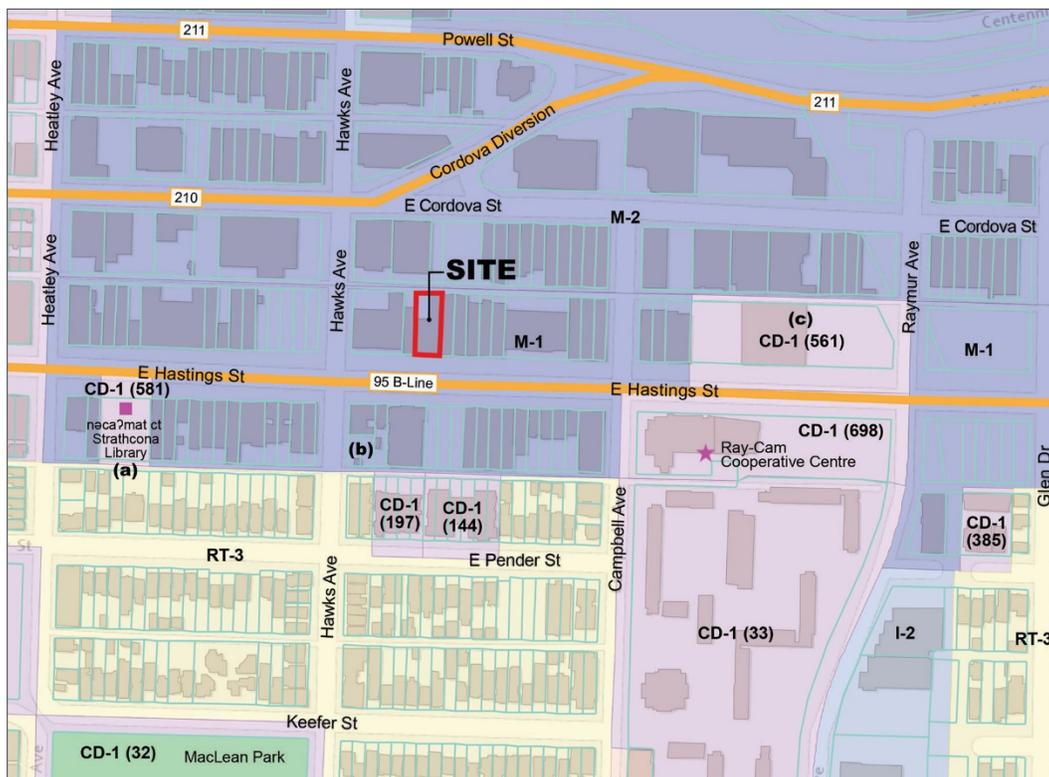
##### **1. Site and Context**

The subject site is located on the north side of East Hastings Street between Hawks Avenue and Campbell Avenue in the Strathcona local area (see Figure 1). It is comprised of a single parcel, with a total site size of 567 sq. m (6,103.6 sq. ft.), a frontage of 15.2 m (50 ft.) on Hastings Street and a depth of 37.2 m (122 ft.). The site is located within two blocks of three bus routes, including a B-line route along Hastings Street, the Ray-Cam Cooperative Centre and the Strathcona branch library.

The site is currently occupied by a one-storey commercial building built in 1950, not listed on the Vancouver Heritage Register. It is mainly surrounded by low-rise commercial and industrial buildings in the M-1 and M-2 districts. Nearby at the southeast corner of Hastings Street and Hawks Avenue is the Rice Block, a four-storey building with social housing designated under the *Single Room Accommodation By-law*. Sites that have undergone rezoning in the M-1 District along this section of Hastings Street include:

- (a) 720 East Hastings Street – Rezoning was approved in 2013 to permit development of a six-storey mixed-use building with a public library and social housing.
- (b) 420 Hawks Avenue – Rezoning was approved in 2016 to permit development of a seven-storey social housing building; not yet constructed.
- (c) 955 East Hastings Street – Rezoning was approved in 2012 to permit development of a 12-storey mixed-use building including commercial and light industrial space with strata-titled and social housing units.

Figure 1: Site and Surrounding Context



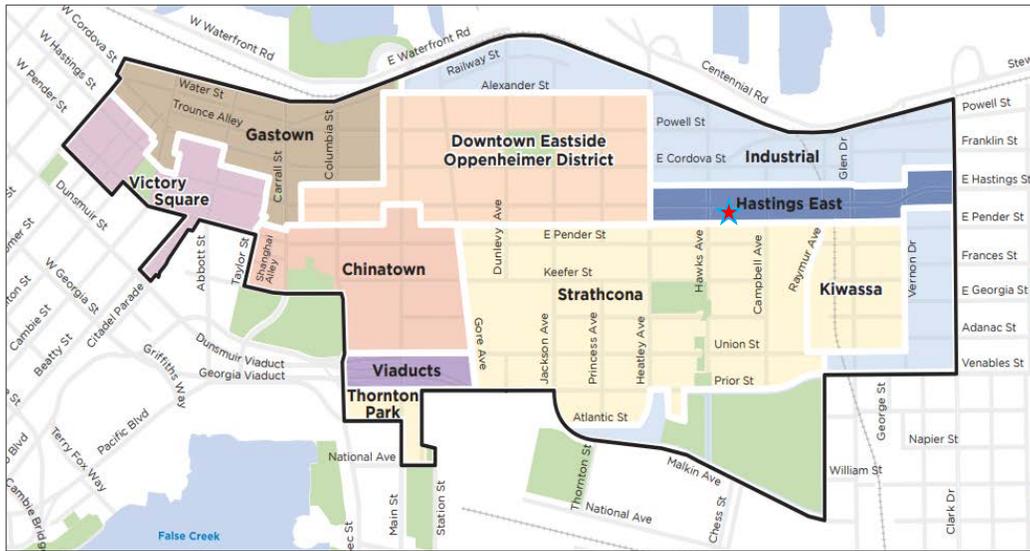
## 2. Policy Context

**Downtown Eastside Plan** – Approved in 2014, the *Downtown Eastside Plan* (DTES Plan) guides future private and City investment and partnerships towards achieving integrated development that meet the needs and priorities of the whole community. It strategically aligns core community values, City objectives, and planning principles to provide clarity and certainty about where and how new growth will be managed. The plan’s policies are designed to achieve a thoughtful balance that supports the continued development of a mixed-income community in the Downtown Eastside without displacing Vancouver’s most vulnerable citizens.

The subject site is located in the Hastings East sub-area of the DTES Plan (see Figure 2). This particular area was designated as “let go” in the 1995 *Industrial Lands Policies* meaning that it can be considered for residential development when supporting policy, such as the DTES Plan, is brought forward. An objective of the plan is to make Hastings Street a “great street” again, with focused efforts on building vibrant hubs along different sections to meet the needs of the communities through which it passes. The most significant change to Hastings Street in the plan is establishing a new mixed-use neighbourhood in Hastings East, from Heatley Avenue to Clark Drive. Through rezoning, this area will add a mix of housing types and will leverage new social housing, in addition to creating a local-serving retail and service area to serve the existing Strathcona community, as well as new residents.

**Rezoning Policy for the Downtown Eastside** – Approved in 2014, the *Rezoning Policy for the Downtown Eastside* allows for sites in the Hastings East sub-area to be considered for mixed-use developments where 20 to 30 per cent of residential units are secured as on-site social housing through a rezoning.

**Figure 2: Downtown Eastside Sub-areas and Neighbourhoods (with Subject Site)**



**Industrial Lands Policies** – The Hastings Street frontage was designated as a “let go” area in 1990 and the *Industrial Lands Policies* allows for rezoning consideration of these sites pending supporting policy, which has been provided through the DTES Plan.

**Metro Vancouver Regional Growth Strategy and Vancouver Regional Context Statement Official Development Plan** – The *Metro Vancouver Regional Growth Strategy* and the *Vancouver Regional Context Statement Official Development Plan* designate the site as “general urban”, which allows for consideration of a rezoning from industrial to residential use.

**Strategic Analysis**

**1. Proposal**

The application proposes a six-storey mixed-use development with two commercial retail units, office space and parking at grade, and a total of 39 seniors social housing units on levels 2 to 6, over one basement level containing storage and bicycle parking (see Figure 3). The social housing is to be owned, operated and managed by Lee’s Benevolent Association of Canada.

**Figure 3: Hastings Street Frontage with Proposed Development**



## 2. Land Use

The application proposes 380.7 sq. m (4,097.6 sq. ft.) of commercial floor area and 2,076.1 sq. m (22,347.3 sq. ft.) of residential floor area consisting of seniors social housing units. This is consistent with the DTES Plan, which supports development of a mixed-use neighbourhood in Hastings East that encourages a mix of commercial, service and retail uses at grade, with light industrial uses where feasible, and maximizes delivery of on-site social housing.

## 3. Housing and Affordability

This application, if approved, would support and advance a number of housing policy objectives and strategic directions, including those articulated in the *Housing Vancouver Strategy* and the DTES Plan.

**City-wide and DTES Housing Targets** – This proposal would deliver 39 new self-contained social housing units all in the form of studio units targeted to seniors, which would contribute towards the 10-year targets in Housing Vancouver (see Figure 4). The approval of these units would bring the total number of social, supportive and co-op units completed, under construction or approved since 2017 to 3,857.

**Figure 4: Progress Towards 10-Year Housing Vancouver Targets for Non-Market Housing (as of June 30, 2019)**

Housing Type	10-YEAR TARGETS	Units Approved Toward Targets
<b>Social, Supportive and Co-op Housing Units</b>	12,000	3,818*

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

\* Unit numbers exclude the units in this proposal, pending Council's approval of this application.

In addition to city-wide targets, the DTES Plan includes social housing targets as shown in Figure 5. Since the DTES Plan was approved, 700 of new units of social housing have been achieved. If approved, this project would increase this number to 739 new units of social housing in the DTES.

**Figure 5: Progress Towards Downtown Eastside Housing Targets (as of June 30, 2019)**

Housing Type	10-YEAR TARGETS	30-YEAR TARGETS	Achieved	Gaps	
				10 Year	30 Year
<b>Social Housing inside the DTES</b>	1,400	4,400	700	700	3,700

Note: Measuring of DTES housing targets began in 2014. Temporary Modular Housing (TMH) units are not counted towards targets.

Recognizing that it is important to provide affordable housing options to residents on very low incomes across the city, units for singles (i.e. studios) that rent at or below the equivalent of shelter component of Income Assistance across the city are now tracked towards the DTES Plan's SRO replacement target. Measured against the current housing targets inside the DTES (from 2014 onwards), 356 social housing units have been approved, designated for singles and

rent at the shelter component of Income Assistance, and are therefore counted towards the Downtown Eastside replacement targets. If approved and once completed, this project would increase the number of SRO replacement units under the DTES Plan to 369 shelter component of Income Assistance units. This project would support both city-wide and DTES Plan housing objectives to provide affordable self-contained social housing units.

**Affordability** – In order to qualify as “social housing” under the DTES Plan, at least one-third of the units must be occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement, and must be rented at rates no higher than the shelter component of Income Assistance. Under this definition, at least 13 units will be secured at or below the shelter component of Income Assistance. The target for affordability for rents in these social housing units will be for one of these thirds to be up to “Housing Income Limits” or HILs, and the remaining third to be at affordable market rents. The two-thirds of social housing units will be a mix of rents to support the overall sustainability of the project and the intention is to achieve the highest number of subsidized units possible by working with project partners to deepen and secure greater affordability through to project completion.

**Security of Tenure** – Should the rezoning be approved, the affordability requirements for the site will be secured through a Housing Agreement and Section 219 Covenant for 60 years, or life of the building, whichever is greater.

**Operations Management Plan (OMP)** – An Operations Management Plan would be required prior to the issuance of the Occupancy Permit, to outline the management of the property, and key contact information for neighbours, as well as the ways in which neighbourhood residents will be prioritized for the social housing.

#### **4. Density, Height and Form of Development**

(see application drawings in Appendix E and project statistics in Appendix H)

This application proposes a six-storey mixed-use development, containing commercial use at grade and residential use on levels two to six. The development is proposed at a density of 4.33 FSR and height of 22.4 m (73.6 ft.), which is consistent with the built form guidelines for the Hastings East sub-area set out in the plan.

The proposed design for the building aims to increase the scale and contribute to the densification of East Hastings Street through the provision of social housing, as anticipated in the DTES Plan. The cubic massing and compact form is in accordance with the expectations of the plan and assists with providing a continuous street wall along East Hastings Street. The ground floor includes two retail units with access from East Hastings Street, which is expected to contribute to the local services of the neighbourhood. Indoor and outdoor amenity space is accommodated at the northeast corner of the second floor.

The Urban Design Panel reviewed the application on February 6, 2019 and supported the project with recommendations.

Staff have concluded that based on the proposed built form and massing, the overall proposal is generally consistent with the objectives of the DTES Plan and support this application, subject to the conditions outlined in Appendix B.

## 5. Transportation and Parking

The application proposes a total of one parking space and a Class A loading space located at grade, accessed from the lane at the rear, and 32 bicycle parking spaces in the basement level. Based on the proposal of seniors housing with small unit sizes, staff support the reduced parking requirement for the residential component, provided that one bicycle parking space per unit is provided. Parking for the commercial component should be provided per the Parking By-law, which includes a requirement for two spaces. Engineering conditions are included in Appendix B.

## 6. Environmental Sustainability and Natural Assets

**Green Buildings** – The *Green Buildings Policy for Rezoning*s requires that residential rezoning applications satisfy either the near zero emissions buildings or low emissions green buildings conditions within the policy. This application is pursuing the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modeling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets and a preliminary Rainwater Management Plan.

**Green Sites** – The *Urban Forest Strategy* was developed to find ways to help preserve, protect and strengthen Vancouver’s urban forest and tree canopy for the future. In April 2014, Council amended the *Protection of Trees By-law* to maintain a healthy urban forest by requiring permission to be granted to remove trees that meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

For this project, one City tree is to be protected and retained.

### **Public Input**

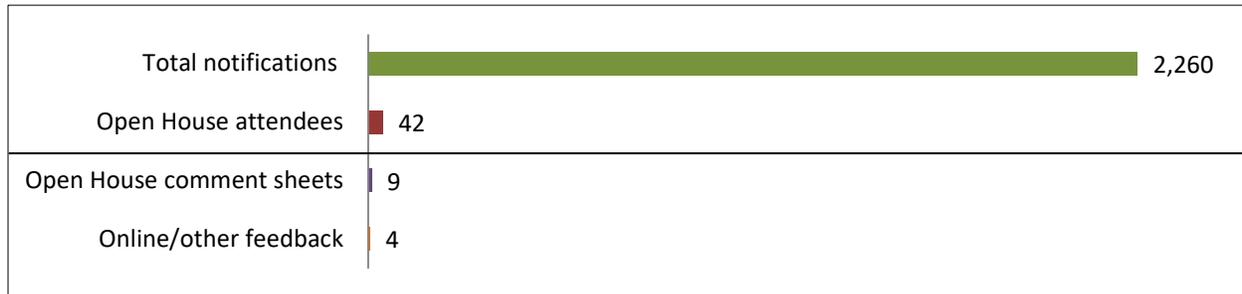
**Public Notification** – A rezoning information sign was installed on site in August 2018. Approximately 2,260 notifications were distributed within the neighbouring area on or about January 15, 2019. In addition, notification and application information and an online comment form were provided on the City’s Rezoning Applications webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

**Community Open House** – A community open house was held on January 29, 2019 at the Strathcona Community Centre. Staff, the applicant team and a total of approximately 42 people attended.

**Public Comments** – Staff received a total of 13 responses regarding the rezoning application (see Figure 6). General support was received for the application citing support for housing affordability and the provision of seniors housing in the area, and the desire to see affordable and community-oriented retail. Some concerns were raised stating that more transparency from the applicant and assurance of affordable rents were needed, as well as, the consideration for scooter parking or employee/occupant parking in lieu of bicycle parking.

**Response to Public Comments** – The DTES Plan recognizes the importance of providing social housing that meets the needs of the community and identifies specific affordability requirements in the definition of social housing. With regards to ensuring affordability, the proposed units will be required to meet the affordability requirements as outlined in the plan, which is a condition of rezoning and will be established in the Housing Agreement. With regards to parking, the commercial component will be required to meet by-law standards and the bicycle spaces can also accommodate mobility aids, such as scooters, in addition to bicycles.

**Figure 6: Notification and Public Response**



## **PUBLIC BENEFITS**

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows:

### **Required Public Benefits**

**Development Cost Levies (DCLs)** – Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 380.7 sq. m (4,097.6 sq. ft.) of commercial floor area. The residential floor area, comprised of 2,076.1 sq. m (22,347.3 sq. ft.) of social housing, is exempt from DCLs.

Based on rates in effect as of September 30, 2019, total DCLs of approximately \$84,580 would be anticipated from the commercial component of this development, the value of the exemption for the social housing is estimated to be \$575,220.

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

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

### **Offered Public Benefits**

**Social Housing** – The applicant is proposing that 39 residential units be secured as social housing. The public benefit accruing from these units is a contribution to the *Housing Vancouver Strategy* for the delivery of secured social housing through a Housing Agreement and Section 219 covenants to preclude the stratification and/or separate sale of individual units.

**Community Amenity Contribution (CAC)** – Within the context of the City's *Financing Growth Policy*, an offer of a community amenity contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers are typically made through the provision of either on-site amenities or a cash contribution towards other public benefits and take into consideration community needs, area deficiencies and the impact of the proposed development on City services. The *Community Amenity Contributions – Through Rezonings* policy provides an exemption for social housing subject to meeting the DCL By-law definition.

As the public benefit achieved through this rezoning is the provision of 39 units of social housing, no additional CAC is offered as part of this rezoning.

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

### **FINANCIAL IMPLICATIONS**

The site is subject to both the City-wide DCL and City-wide Utilities DCL. It is anticipated that the project will generate approximately \$84,580 in DCLs from the commercial floor area; the social housing is exempt from DCLs under provisions of the Vancouver Charter and the DCL By-law. Based on rates in effect as of September 30, 2019, the value of the exemption is estimated to be \$575,220.

The affordability requirements for the site will be secured through a Housing Agreement as set out in Appendix B, which will ensure that a minimum of one-third of the units will be rented at shelter component of Income Assistance for low-income households who are eligible for Income Assistance or a combination of Old Age Pension and Guaranteed Income Supplement.

The social housing is to be owned, operated and managed by Lee's Benevolent Association of Canada. Consistent with Council policy on social housing projects, the project is expected to be self-sustaining over the long-term where rents are set at levels that will cover mortgage payments, operating costs and capital replacement; and not require further operating subsidies and property tax exemptions from the City.

There are no public art contributions associated with this rezoning.

### **CONCLUSION**

Staff have reviewed the application to rezone the site at 835-837 East Hastings Street from M-1 to CD-1 to permit development of a mixed-use development consisting of commercial use at grade and a total of 39 seniors social housing units, and conclude that the application is consistent with the DTES Plan policies and aspirations for this site. Staff further concludes that the proposed form of development is an appropriate urban design response to the site and its context, and is supportable.

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

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**835-837 East Hastings Street  
PROPOSED CD-1 BY-LAW PROVISIONS**

*Note: A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.*

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, 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 a public hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Designation of CD-1 District**

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

**Uses**

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

- (g) Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade;
- (h) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (i) Accessory Uses customarily ancillary to the uses listed in this section 3.

### **Conditions of Use**

- 4. All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for the following:
  - (a) Farmers' Market;
  - (b) Neighbourhood Public House;
  - (c) Public Bike Share;
  - (d) Restaurant; and
  - (e) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.

### **Floor Area and Density**

- 5.1 Computation of floor space ratio must assume that the site area is 567.04 m<sup>2</sup> being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 5.2 The floor space ratio for all uses must not exceed 4.33.
- 5.3 Computation of floor area must include all floors of all buildings, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
  - (a) open residential balconies or 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 12% of the permitted residential floor area; and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;

- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof which are located at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area;
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

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

### **Building Height**

6. Building height, measured from base surface, must not exceed 22.4 m.

### **Horizontal Angle of Daylight**

7.1 Each habitable room must have at least one window on an exterior wall of a building.

7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m.

7.5 An obstruction referred to in section 7.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 ( ).

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

- (a) a bathroom; or

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

**Acoustics**

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

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

**Zoning and Development By-law**

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

\* \* \* \* \*

**835-837 East Hastings Street  
CONDITIONS OF APPROVAL**

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

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

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Patrick R. Stewart Architect, received July 10, 2018, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.*

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

**Urban Design**

1. Design development to improve the floorplate layout inefficiencies while considering increasing opportunities for additional spaces to socialize.

Note to Applicant: Drawings show an excess of common unused circulation area, including on the basement level. These spaces should be reconfigured either towards floor area for the units or utilize them towards enhancing the common amenity space to increase social interaction. Alternatively, the building overall floor area may be decreased.

2. Design development to improve the livability of the units by:
  - (a) Providing suitable private open space for each unit; and
  - (b) Considering reconfiguration of the typical unit layout into a more open-plan space.

Note to Applicant: The southern façade represents a unique opportunity to increase livability for residents by extending indoor spaces to sunny outdoor spaces. Juliet balconies may be considered.

3. Design development to improve the building expression consistent with the East Hastings character, including:
  - (a) Enhancing the general composition of the façades and ensuring provision of visual quality of the side walls;
  - (b) Enhancing the identification of the residential entry;
  - (c) Providing tall storefronts; and

- (d) Consideration for a more active residential entry lobby that engages the commercial space.

Note to Applicant: The main characteristics of East Hastings are: narrow building frontages, “sawtooth” street wall profile created by varying building heights, cubic massing, dense site coverage, robust continuous street walls, punched window openings, projecting cornices at the roof line, side walls treatments (visual quality through murals, high-quality materials), and general tripartite (top, middle, base) expressions. All these elements should be interpreted to provide a compatible contemporary architectural expression for new development. Horizontal red lines are highly discouraged.

- 4. Design development to improve the lane interface at grade and the Crime Prevention Through Environmental Design (CPTED) performance, including enhanced surveillance.

Note to Applicant: This can be accomplished by reducing the apparent loading and parking opening, providing security gates, careful attention to exterior lighting and improve the overall visual quality of the lane.

- 5. Design development to ensure proper grade tenancy interior volume for varying active commercial uses, including restaurants.

Note to Applicant: The *Downtown East Side Plan* establishes that floor-to-floor heights should be approximately 18 ft.

- 6. Design development to provide universal accessible routes to all facilities, including garbage, parking and loading.

Note to Applicant: Targeted residents of this development are seniors who may have reduced mobility, therefore a thorough accessible design is required. This can be accomplished by accommodating convenient lifts or ramps.

- 7. Design development to improve privacy performance of the unit adjacent to the amenity space.

- 8. Design development to provide high-quality and durable materials.

Note to Applicant: Intent is to achieve developments highly compatible with the historical context of East Hastings Street and materials that stand the test of time on this busy corridor. Cementitious panels, such as typical hardie panel, are not considered as high-quality materials.

- 9. Consideration of using the rooftop as an additional outdoor amenity space.

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

- 10. Design development to respond to CPTED principles, having particular regard for:

- (a) theft in the parking and loading areas;
- (b) residential break and enter;

- (c) mail theft; and
- (d) mischief in alcoves and vandalism, such as graffiti.

11. Design development to reduce opportunities for ground level break and enter.

Note to Applicant: Ground-level units with canopies facing streets have shown to be most susceptible to break and enter. Opportunities for break and enter can be reduced by deleting areas of concealment outside of doors, canopies, windows and patios and encouraging surveillance by other residents and people passing by to these units. Semi-private open space should be secured from access by non-residents while remaining visually open.

### Landscape

12. Design development to add linear planters on Level 2, to provide landscape screening and reduce overlook on the neighbouring properties, and to provide more soil volumes for the tree planting.

Note to Applicant: Provide detailed dimensions in the level 2 landscape section to verify soil volume.

13. Design development to expand programming of common amenity areas or green roof to provide as much usable common space as possible.

Note to Applicant: This should include urban agriculture, additional opportunities for social interaction, such as additional benches and seat walls for passive seating and gathering. Urban agriculture plots should follow the [Urban Agriculture Guidelines for the Private Realm](#) and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible. Outdoor spaces should be visually accessible from common indoor amenity rooms. Any adjacent mechanical rooms should be adequately screened.

14. Design development to upgrade and enhance the lane environment.

Note to Applicant: Landscape materials should be incorporated adjacent to the lane through provision of climbing plants, hanging plants from roof above, and/or shrubs and trees of suitable growing habit.

15. Design consideration to expand programming to include intensive green roof on flat roof portions, including urban agriculture plots, softening with planting at edges, other opportunities for common social interactions.

Note to Applicant: Urban agriculture plots should follow the [Urban Agriculture Guidelines for the Private Realm](#) and include infrastructure required, such as potting benches, hose bibs, etc.

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

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design.

17. Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

- (a) Maximize natural landscape best management practises;
- (b) Minimize the necessity for hidden mechanical water storage;
- (c) Increase the amount of planting to the rooftop areas, where possible;
- (d) Consider linear infiltration bio-swales along property lines, at lower site areas;
- (e) Use permeable paving;
- (f) Employ treatment chain systems (gravity fed, wherever possible);
- (g) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the *Citywide Integrated Rainwater Management Plan (IRMP)*, [Volume I](#) and [Volume II](#) for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

18. Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

- (a) Detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- (b) A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones; and
- (c) An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: The sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

19. Provision requirements at the time of Development Permit application:

- (a) Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8":1 ft. scale minimum. The Plant List should include the common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining

walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (b) Provision of detailed architectural and landscape cross sections (minimum 1/4-inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: The sections should illustrate the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- (c) Provision of a "Tree Management Plan".

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

- (d) Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

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

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

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 311 for tree species selection and planting requirements. Provide a notation on the plan as follows: "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."

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

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

- (g) Provision of an outdoor Lighting Plan.

## Sustainability

20. All new buildings in the development will meet the requirements of the [Green Buildings Policy for Rezoning](#) (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e., Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin [Green Buildings Policy for Rezoning – Process and Requirements](#) (amended April 28, 2017 or later).

## Engineering Services

21. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
22. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
23. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent to the site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Contact Engineering Services for details.
24. Provision of generous and continuous weather protection on the Hastings St frontage.
25. The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
  - (b) All types of parking and loading spaces individually numbered, dimensioned and labelled on the drawings.
  - (c) Dimension of column encroachments into parking stalls.

- (d) Dimensions for typical parking and bicycle spaces.
  - (e) Provision of spec sheets and details for the proposed bicycle parking spaces.
  - (f) Dimensions of additional setbacks for parking spaces due to columns and walls.
  - (g) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates.
  - (h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
  - (i) Areas of minimum vertical clearances labelled on parking levels.
  - (j) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
  - (k) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside.
  - (l) The location of all poles and guy wires to be shown on the site plan.
26. Place the following statement on the landscape plan: 'This plan is "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.'

### Green Infrastructure

27. Staff note that no Rainwater Management Plan has been submitted and are seeking a plan as required in the [Green Buildings Policy for Rezoning](#) and detailed fully in the [Rainwater Management Bulletin](#). When submitting the plan, the applicant should take the following into account:
- (a) As per the [Rainwater Management Bulletin](#), runoff from the first 24 mm of rainfall from all areas, including rooftops, paved areas, and landscape must be retained or reused on site. The method of capture must be prioritized according to three Tiers outlined in the Bulletin and justification must be provided for using Tier 2 and 3.
    - (i) Provide a site map detailing the different surface types and how rainwater will be directed or retained in each area. Include the following:
      - a. Building, patio and walkway locations;
      - b. All routing of water throughout the site;
      - c. Area and depth of landscaping; and

- d. Any proposed rainwater management features; raingardens, bio-retention planters, etc.
- (b) The rainwater management system for the building(s) and site shall be designed such that the peak flow rate discharged to the sewer under post-development conditions is not greater than the peak pre-development flow rate for the return period specified in the City of Vancouver's Intensity-Duration-Frequency curve (IDF curve). The City of Vancouver's 2014 IDF curve shall be utilized for pre-development design flow calculations, and the City's 2100 IDF curve, which takes into account the effects of climate change, shall be utilized for post-development design flow calculations.

Note to Applicant: Due to the small area of the site, peak flow control can be achieved without the need for a detention tank and dedicated flow control device. Consider installing flow controls on the roof drains and balcony drains to meet the pre-development peak flow rate.

- (c) As per the Water quality requirements, the volume of water (24 mm for low pollutant generating surfaces like roofs and 48 mm for high pollutant generating surfaces like driveways) that leaves the site must be treated to a standard of 80% TSS removal by mass by using either individual BMPs that meet the standard or treatment trains of BMPs that, when combined, meet the standard.
  - (d) The applicant is to refer to the [Rainwater Management Bulletin](#) for full submission requirements.
28. Legal arrangements may be required to ensure on-going operations of certain rainwater storage, rainwater management and green infrastructure systems.

### Housing

29. The owner shall provide a draft Operations Management Plan (OMP) that includes information on the selected operator and the management of the building, to be finalized prior to occupancy. The OMP will outline how the social housing units will be managed and operated, including information on how common areas (such as lobbies, shared halls, elevators and amenity spaces) will be maintained and accessed by all residents of the building, to the satisfaction of the General Manager of Arts, Culture and Community Services.

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

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

## Engineering Services

1. Delete the multiple decorative cornices and parapet wall shown encroaching onto City street or make arrangements (legal agreements) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for all those elements which encroach onto City property. Upon completion of the exterior work, a new BC Land Surveyor's Location Certificate will be required to confirm the extent of all building encroachments at that time.

Note to Applicant: An application to the City Surveyor is required. To enable permit issuance, a letter of commitment to enter into a City standard encroachment agreement is required. For general information, see the [Building Encroachments Guide](#).

2. Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Indemnity Agreement 29550M (See 2954M and 90360L), a support agreement, 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.

3. Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services for the Class B loading space between the commercial and residential uses specifying times of use between residential and commercial uses. Label the space as 'Residential and Commercial Loading' on the drawings.

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.

- (a) Provision of adequate water service to meet the fire flow demands of the project.

Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Celerity Engineering Ltd. dated June 26, 2019, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 300 mm. The development's water connection services sizes shall not be larger than the servicing water main.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

(c) Implementation of development(s) at 835 E Hastings St require the following in order to improve SAN sewer flow conditions:

- (i) Upsize 137.46 m of 250 mm SAN main to 450 mm on Hawks Ave from L/S E Cordova St (MH \_\_FJD0PE) to 14 m south of Powell St (MH \_\_FJD0P6).

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

The developer may submit a flow monitoring study to confirm the extent of the upgrade, which is to be reviewed and accepted by City Engineer. The study shall provide data for minimum three (3) months of wet weather flow and dry weather flow, to allow for model calibration and flow estimate verification. The required upgrades may be modified based on the outcomes of the flow monitoring study, at the discretion of the City Engineer. Contact [utilities.servicing@vancouver.ca](mailto:utilities.servicing@vancouver.ca) for direction prior to initiating any flow monitoring work.

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

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including upgrade design drawings (90% design stage or better) are required to be reviewed and accepted by the City Engineer prior to development permit issuance.

Development to be serviced by the 200 mm SAN sewer in L/S E Cordova St.

Groundwater requirements are not currently an immediate concern at this site. The City may require a Hydrogeological Study, Groundwater Management Plan, and/or Impact Assessment if dewatering rates are significant or concerning, to the City's discretion. The developer is advised to undertake adequate investigations to understand the site groundwater conditions early on in the planning and design process.

(d) Provision of Streets infrastructure improvements includes the following, but not limited to:

- (i) Rebuild existing north E Hastings St asphalt lane as per City of Vancouver Streets Restoration Manual "Higher Zoned Lane" specification along development extents.
- (ii) All utility cuts to be restored as per "Arterial & Transit Routes" specification current standard.
- (iii) New 1.22 m (4'-0") exposed aggregate front boulevard and light broom finish saw cut concrete sidewalk to the property line on the E Hastings St frontage.

- (iv) New concrete curb and gutter, as per current City standards.
- (e) Provision of minor signal modifications at Hawks Ave and E Hastings St to include countdown timers and an accessible pedestrian signal (APS).
- (f) Provision of lane lighting on standalone poles with underground ducts should the development bring about the requirement to underground the existing overhead infrastructure and remove any existing supporting structure where current lighting is attached.
- (g) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (h) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.
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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

In addition, there will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

Note to Applicant: Ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Confirm that this space has been allocated and agreement between both parties has been met.

### **Sustainability**

6. Enter into such agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary that require the owner to report energy use data, on an aggregated basis, for the building as a whole and for certain common areas and building systems. Such agreement or agreements will

also provide for the hiring of a qualified service provider to assist the owner for a minimum of three years in collecting and submitting energy use data to the City.

## Housing

7. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services and the Director of Legal Services to enter into a Housing Agreement and/ or Section 219 Covenant securing all residential units as social housing units for the longer of 60 years and life of the building, subject to the following conditions and requirements:
  - (a) A no separate-sales covenant is required;
  - (b) A no stratification covenant is required;
  - (c) A provision that none of such units will be rented for less than one month at a time;
  - (d) Not less than one-third of the Social Housing Units, will be occupied only by persons eligible for either Income Assistance or a combination of Old Age Security pension and the Guaranteed Income Supplement and rented at rental rates no higher than the shelter component of Income Assistance;
  - (e) The target rents and affordability for the remaining Social Housing Units will be for:
    - (i) One-third to be occupied only by households with incomes below the then current applicable Housing Income Limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, and each rented at a rate no higher than 30% of the aggregate household income of the members of the household occupying such Social Housing Unit; and
    - (ii) The remaining one-third to be rented at Affordable Market Rents, meaning the average market rents posted by Canada Mortgage and Housing Corporation applicable to the location of the Lands;
  - (f) A requirement that all units comply with the definition of "social housing" in the applicable City Development Cost Levy By-law; and
  - (g) Such other terms and conditions as the General Manager of Arts, Culture and Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: A Housing Agreement is to be entered into the City by by-law enacted pursuant to section 565.2 of the *Vancouver Charter*.

### Environmental Contamination

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

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registerable charges pursuant to 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 and at no cost to the City.

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.

\* \* \* \* \*



**835-837 East Hastings Street  
ADDITIONAL INFORMATION**

**1. URBAN DESIGN PANEL**

The Urban Design Panel (UDP) reviewed this rezoning application on February 6, 2019. The application was supported with recommendations.

**EVALUATION: Support (8-1)**

**Introduction:**

Thien Phan, Rezoning Planner, introduced the project as a rezoning application proposing to rezone 835 and 837 E. Hastings St. from M-1 (light industrial) to CD-1 to allow for a six-storey mixed use building.

This site is located mid-block on the north side of E. Hastings St. between Hawks Ave. and Campbell Ave. in the “Hastings East” area of the Downtown Eastside. The site area is 6,104 sq. ft. with a frontage of 50 ft. and a depth of 122.4 ft. It is currently developed with two one-storey commercial buildings.

Along Hastings St., there are one and two-storey commercial buildings except for the Rice Block at 4-storeys. North of the site are industrial warehouses, which are zoned M-2.

The “Hastings East” sub-area is an industrial let-go area and the Downtown Eastside Plan and Rezoning Policy anticipates a mix of housing types, 20-30% of total floor area as social housing, along with local-serving retail and service areas. There is no minimum family housing unit requirements for seniors’ social housing and as such, this project proposes 100% studio units.

Built Form Guidelines for Hastings East, with specific priorities for Heatley and Campbell:

- *Height* – 45-75 ft. to respect views of MacLean Park.
- *Density* – Density ranges between 2.5-4.5 FSR.
  - Maximum site frontage up to 150 ft.
  - Commercial uses should have a floor-to-floor height of 18 ft.
- All rezonings to have a 20 to 30 per cent of units as social housing.
- 1/3 at HILS, 1/3 at income assistance, 1/3 low end of market.
- The Plan also encourages establishing pedestrian-oriented, local-serving retail and service areas to serve the existing Strathcona community, as well as new residents.

The proposal is a mixed-use building with commercial on the ground floor, a small office space, and 39 units of seniors’ social housing above, all of which are studio units. It has an FSR of 4.33, a gross floor area of 29,026 sq. ft. and a building height of 69 ft. There will be 2,193 sq. ft. of commercial space on the ground floor with ceiling heights of 16 ft. There is 80 sq. ft. of office space for Lee’s Benevolent Society and the 39 seniors social housing units will be 26,753 sq. ft. There will be a common outdoor area on level 2 to the rear of the site.

Miguel Castillo Urena, Development Planner, commented on the project. The entry to the residential building is located on the east side of the development. The indoor amenity and the

outdoor space are located at the rear. The building typology is looks like a double loaded scheme.

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

1. Overall massing, height and contextual response.
2. Does the Panel support the architectural expression and character, particularly the streetscape proposed?
3. Livability. Please consider: Private and semi-private amenity space, layout efficiency and circulation.

**Applicant's Introductory Comments:**

Lee's Benevolent Association of Canada is a national organization with a 24-person board of directors and 1,100 members nationally. The board mandated that they pursue affordable housing for elderly Chinese in the Chinatown/OTES area. As part of those efforts, 835-837 E. Hastings St. was purchased. In order to meet their organization's goal, Lee's Benevolent created a plan to develop 39 units intended to house seniors. The project includes 1,295 sq. ft. of commercial retail space on the ground floor. The organization will own, operate, and manage the completed building and has extensive experience and resources amongst its membership in operating and managing real estate. Lee's Benevolent Society believes this project is a great opportunity for aging Chinese seniors in the neighborhood to remain close to the Chinatown community with its associated sense of community, social opportunities, shopping, groceries, produce, and other support.

The proposed building at 835-837 E. Hastings St. includes 5 levels of residential development over a ground level of commercial retail space. The ground level commercial space frontage is configured to allow for small frontage retail uses as part of the street animation sought after by the DTES plan. Floors 2 through 6 provide for 39 studio residential units, and over 1,000 sq. ft. of indoor and outdoor amenity space on the 2nd floor to take advantage of views of the mountains. The architectural language of the building seeks to create a visual identity consistent with HA-1A Chinatown design guidelines at this time of submission.

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

Having reviewed the project it was moved by Ms. Marshall and seconded by Mr. Wen and was the decision of the Urban Design Panel:

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

- Design development of all four facades consistent with the existing character;
- Design development of the typical floorplans to increase livability of units and community life;
- Design development of the basement inefficiency (access and use) to improve
- Design development of second floor (outdoor) amenity space to reduce overlook;
- Design development to minimize logistic and improve CPTED at the rear;
- Design development of the public realm to enhance senior use
- Consideration of using the rooftop as an outdoor amenity space.

**Related Commentary:**

Panel members supported the overall massing and height of the project, given the nature of project and the need it fills in the neighborhood.

Several Panel members encouraged the Applicant to provide a more comprehensive package and further design development of the facades.

Several Panel members encouraged the Applicant to use more of the Chinatown influence in the design since it is a stand out building on the block and would set precedence.

One Panel member commented that the red bands might not be required noting that they don't quite fit into the context and the simplicity of the massing would be stronger.

Several Panel members commented on the exposed sidewall noting that the east and west walls would need some attention especially since it will stand out on the block.

A couple of Panel members recommended further design development to the streetscape and the arch.

A Panel member commented that the south façade would need solar shading.

A few Panel members commented on privacy concerns from the common terrace running across several units and recommended looking at alternative options. There was a suggestion to organize the internal depth of the floorplan and utilize the space in the corridors. One Panel member suggested using one of the units as the amenity space to alleviate the privacy concern.

Several Panel members suggested using the rooftop as an amenity space which would provide amazing views for the seniors.

There were a number of comments related to refining the floor plate. Several Panel members commented on the inefficiencies of the floor space and recommended reorganizing the space to provide extra amenity space and social gathering areas

One Panel member commented that the corridors could be simplified to help navigation and increase circulation given that this project is for senior living.

Several Panel members commented on the lane and loading bay, suggesting looking at ways to reduce CPTED issues and reorganizing the space to create niches.

A Panel member suggested combining the statutory right of way for the Hydro access to the PMT with the back pathway to give more space.

Several Panel members recommended giving attention to the organization of the space in the basement to provide more storage space and scooter parking and charging and consideration of additional amenity space.

One Panel member suggested having a small ramp down to the bike storage for more direct access.

There was a suggestion to have the entry lead to the main street and not to the lane.

One Panel member noted that many of the plants shown require a clear amount of sun and room to shade. As well, the soil volume shown does not appear to be adequate.

Several Panel members suggested putting a bench or recess on the streetscape for the residents to gather.

While some Panel members had no concerns about not providing parking in the design, a few expressed concern since this building will set precedence and there will be commercial and retail space on the block as well.

One Panel member suggested having the CRU area adjacent to the circulation area be transparent or open to sharing with the residents to create a more active entry. As well, reduction of the height of the 9 ft. 2 in. to each of the floors and adding the height to the CRU would make it more successful.

There was a suggestion for small sitting areas on each floor to allow for sociability and to pay attention to the hallways for space if there is a wheelchair or scooter.

One Panel member expressed concern that all the units were the same noting that each resident would use the spaces differently.

One Panel member commented it would be useful to understand elevator overrun, kitchen exhaust, and kitchen CRU.

**Applicant's Response:**

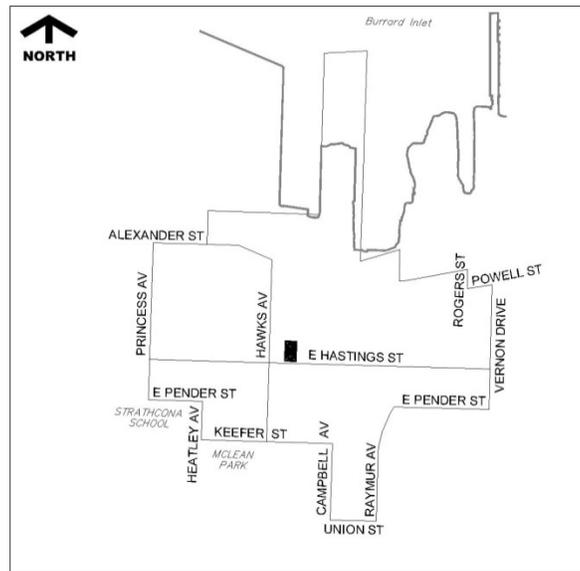
The Applicant thanked the Panel members for their comments.

**2. PUBLIC CONSULTATION SUMMARY**

**Pre-application Open House** – A pre-application open house was held in January 2018. Approximately 500 notifications were distributed within the neighbouring area and to various societies and buildings with residential tenants on December 20, 2017. There were 24 participants and comments included support for housing and the design, with some concerns regarding parking and patio access.

**Public Notification** – A rezoning information sign was installed on site in August 2018. Approximately 2,260 notifications were distributed within the neighbouring area on or about January 15, 2019 (see Figure 1). In addition, notification and application information and an online comment form were provided on the City's Rezoning Applications webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

Figure 1: Notification Area



**Community Open House** – A community open house was held on January 29, 2019 at the Strathcona Community Centre located at 601 Keefer Street. Staff, the applicant team and a total of approximately 42 people attended.

**Public Comments** – Staff received a total of 13 responses regarding the rezoning application (see Figure 2).

Figure 2: Notification and Public Response

Total notifications	2,260
Open House attendees	42
Open House comment sheets	9
Online/other feedback	4

**Note:**

All reported numbers are approximate.

Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions, or neutral/general statements. Therefore, staff focus on qualitative theming of comments, and overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Below is a summary of all feedback received by topic and ordered by frequency.

Generally, comments of support fell in the following areas:

- **Amenities and ground floor retail:** Respondents support ground floor retail space, citing that they need to be affordable, community-oriented, and accessible for local residents. Support for ground floor retail also includes the ability to create vibrancy on the street.
- **Building height, density, and massing:** Respondents considered the building height, density, and massing to fit well with the local community context.
- **Housing affordability and social housing provision:** Respondents expressed support for housing affordability, specifically for the provision of seniors housing in the neighbourhood. Additional comment includes appreciation for the mix of income levels to support lower rents.
- **Location and history:** Respondents considered the location of the proposal appropriate for local seniors who have lived in the neighbourhood for many years and developed a strong sense of community and shared heritage.
- **Parking space:** Respondents expressed support for the proposed number of parking spaces while one respondent also expressed no concern for the lack of parking spaces.
- **Fast track proposal process:** Respondents expressed the proposal should be fast tracked towards development as it complies with the *Downtown Eastside Plan* and provision of seniors housing.

Generally, comments of concern fell into the following areas:

- **Transparency and input:** Respondents expressed concerns around transparency and community input before final plans are decided, citing specifically for more transparency from Lee's Benevolent Association.
- **Parking:** Respondents cited concerns that the proposed amount of bicycle parking space is not necessary as they are not applicable to senior residents, noting that some should be converted to scooter parking space or vehicle parking for employees and occupants.
- **Affordable units and building height:** Respondents cited that the rezoning of a higher building height needs to ensure that rents are still affordable.
- **Tenant selection:** Concern over tenant selection process.

Neutral comments/suggestions/recommendations were as follows:

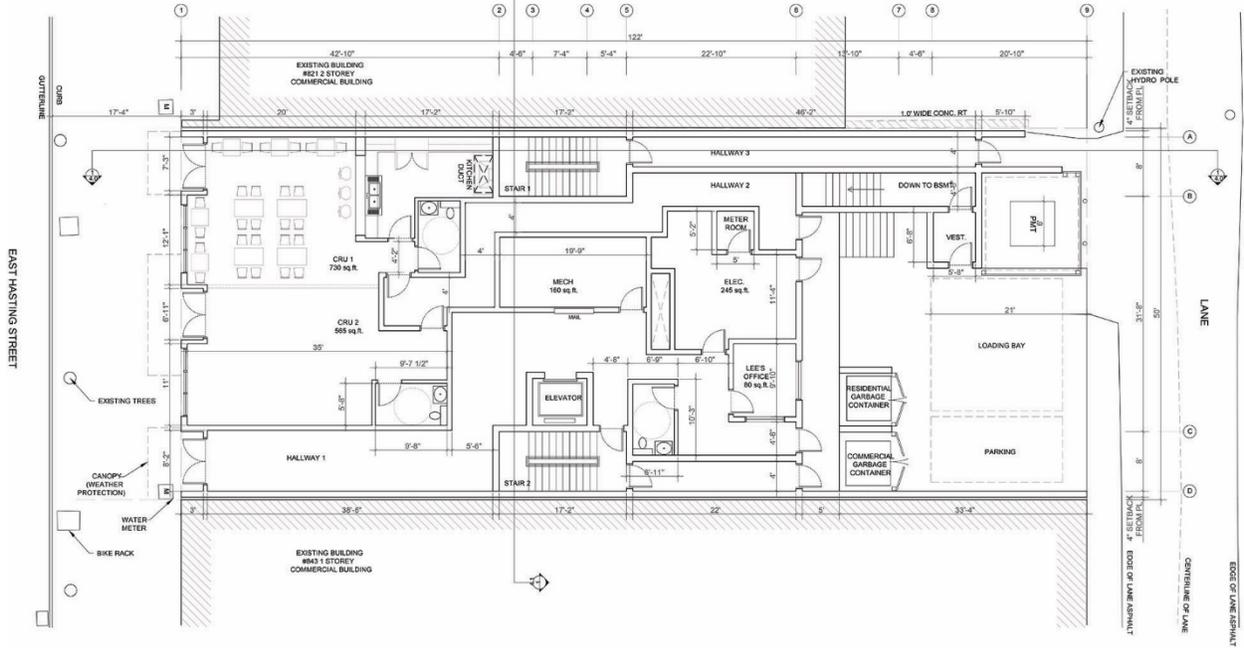
- Ensure there are security measures in place for seniors entering and exiting the building.
- Desire for more family-oriented units.
- Information boards need to be translated to Chinese for better language accessibility.

- Ensure spaces are wheelchair accessible, with floor plans that have separate bedroom to living space area. .
- Desire to see the east and west side of the proposed building painted to avoid the appearance of an ominous concrete slab.

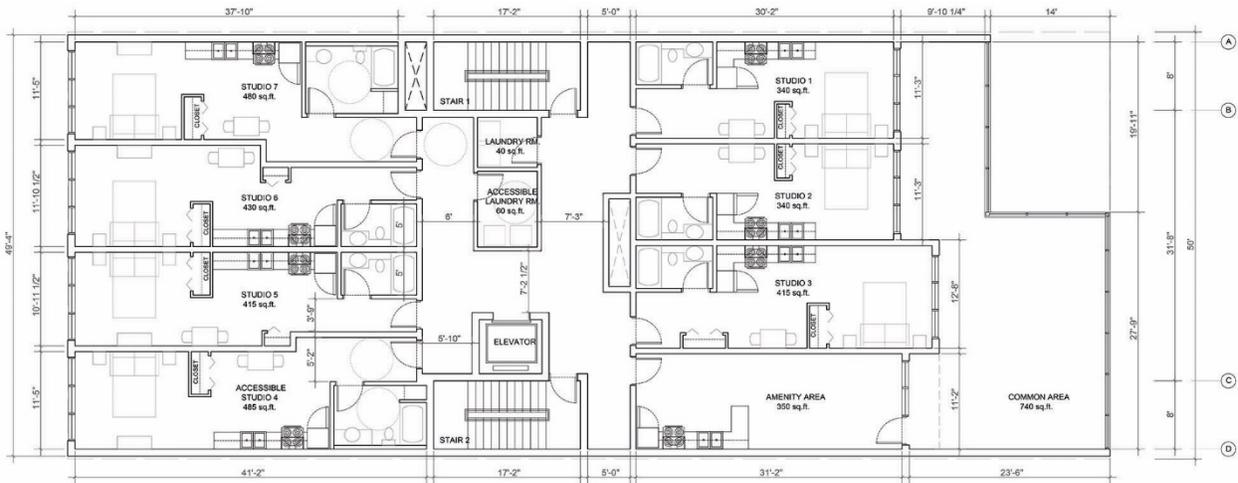
\* \* \* \* \*

835-837 East Hastings Street  
FORM OF DEVELOPMENT

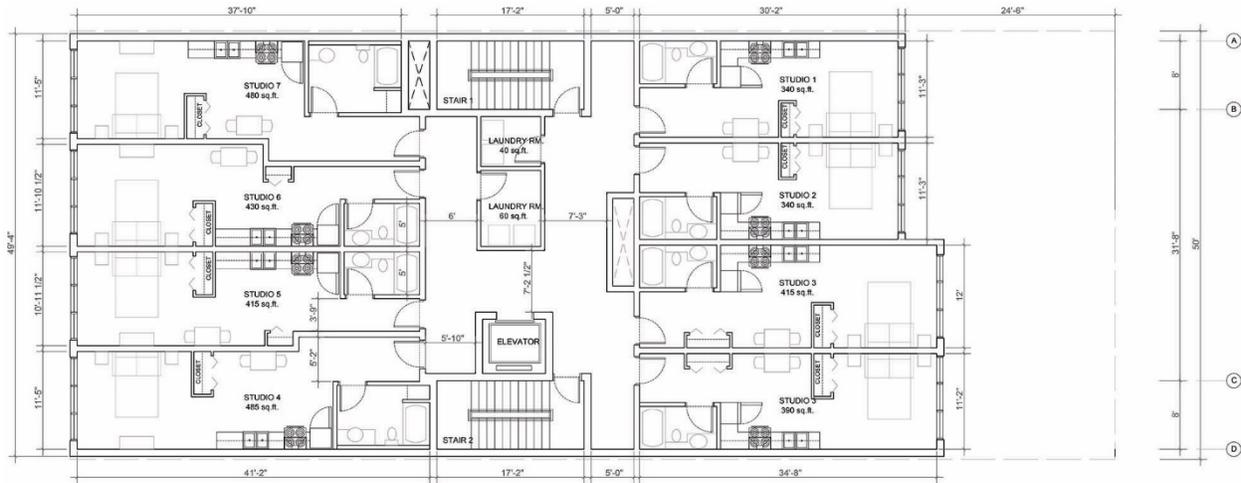
Floor Plan: Main Floor



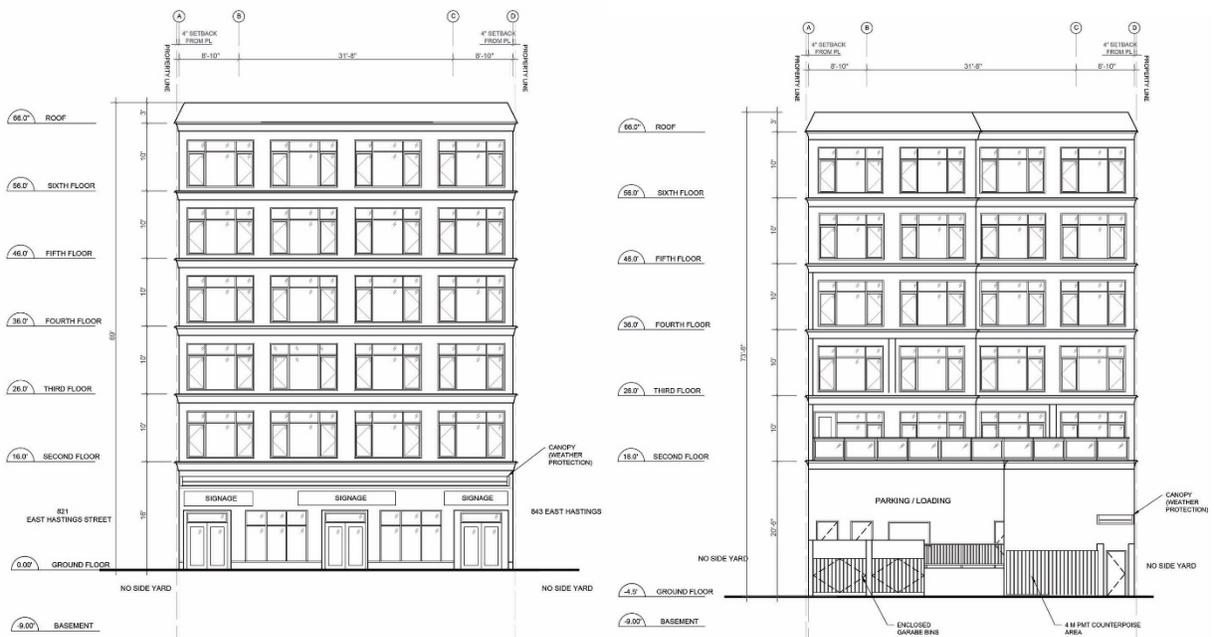
Floor Plan: 2nd Floor



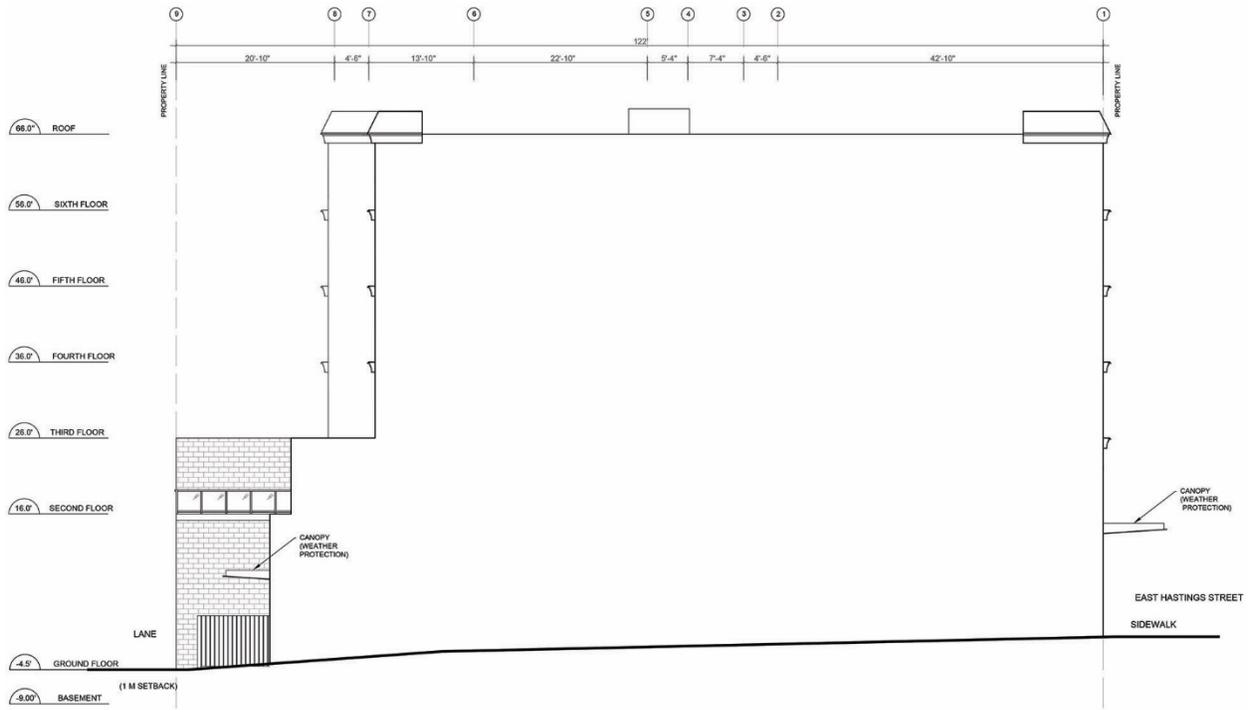
Floor Plan: 3rd to 6th Floors



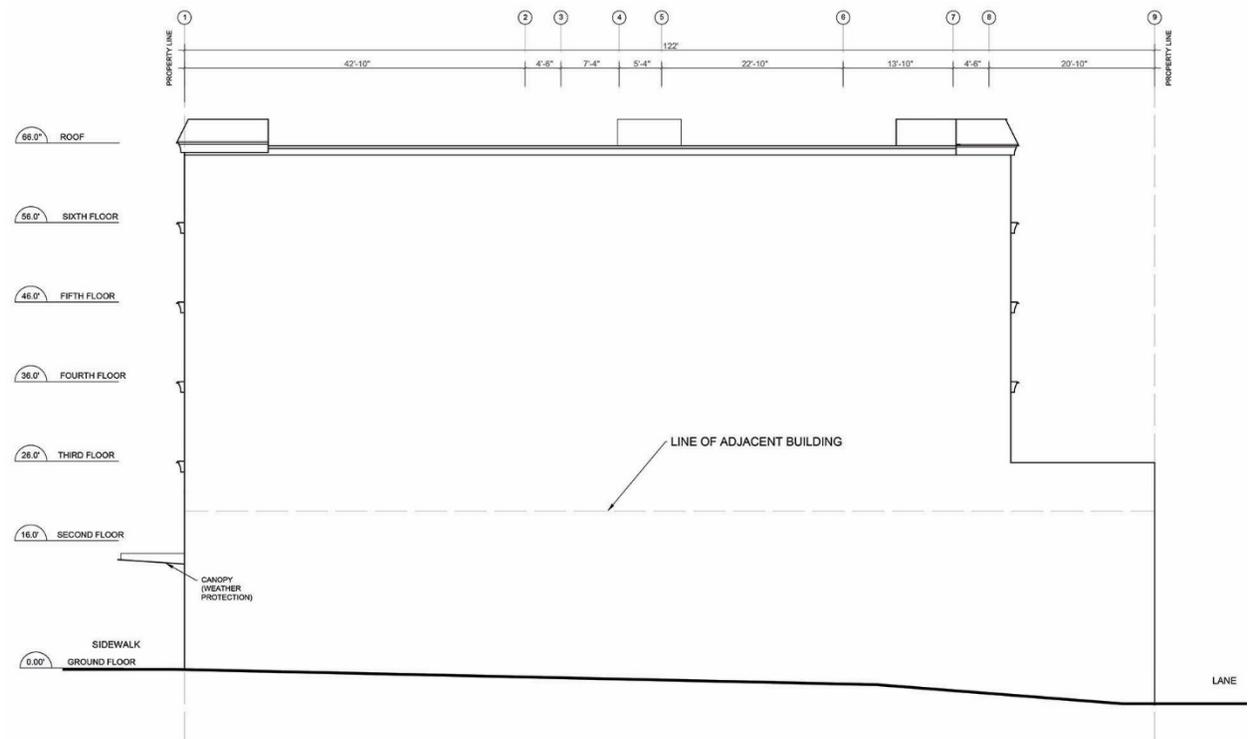
South Elevation – Hastings Street (Left) and North Elevation – Lane (Right)



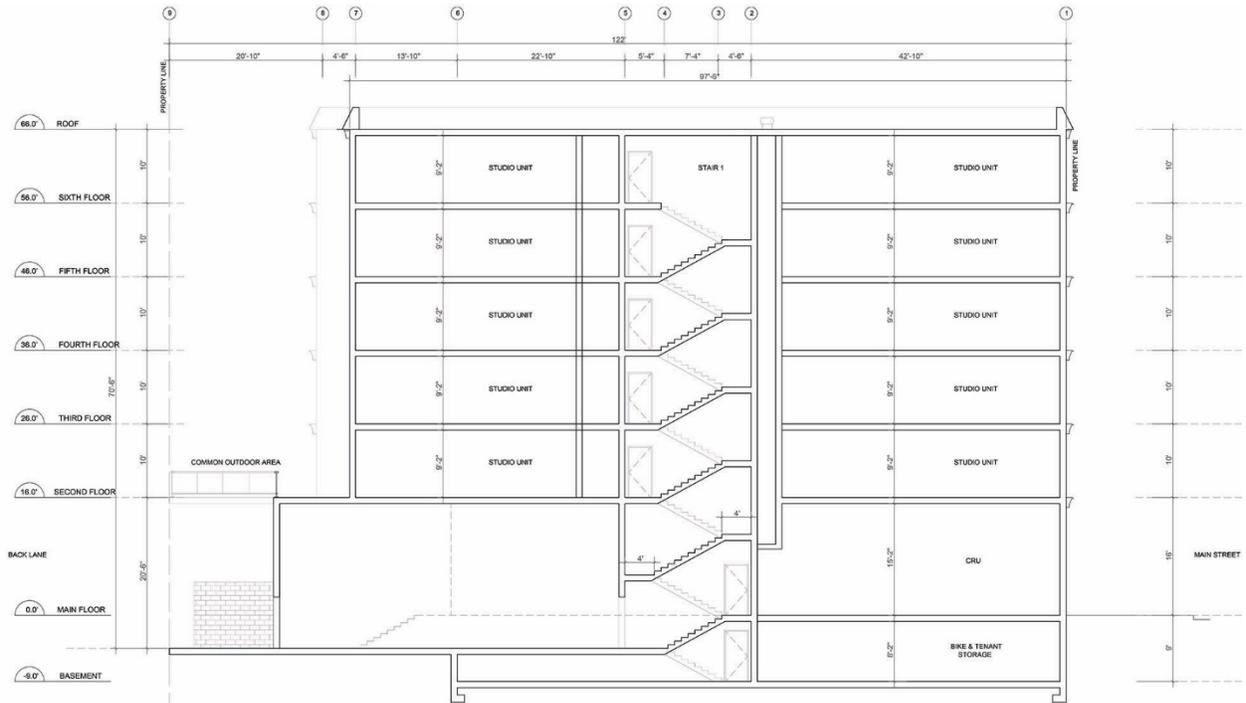
West Elevation



East Elevation



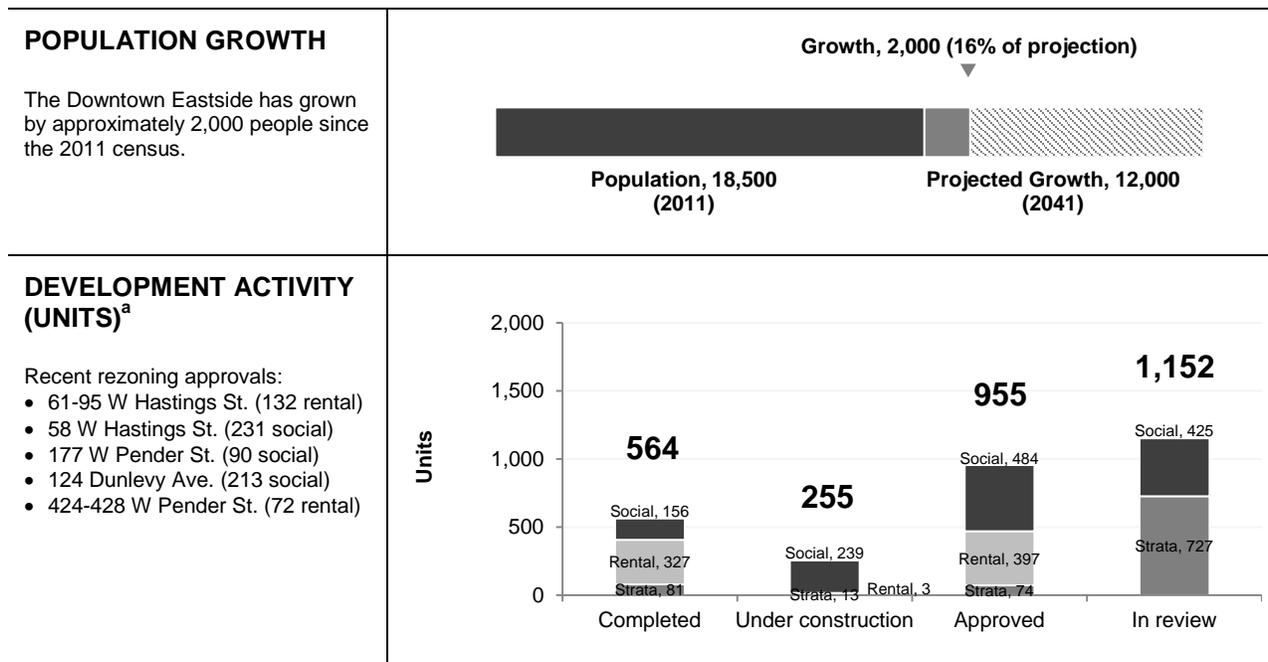
Cross Section (North-South)



\* \* \* \* \*

835-837 East Hastings Street  
PUBLIC BENEFITS IMPLEMENTATION TRACKING

Downtown Eastside Plan (2014)  
Updated Mid-Year 2019



**PUBLIC BENEFITS ACHIEVED**

Category	Anticipated Public Benefits (+) <sup>b</sup>	Completed (•) or In Progress (◦)	% <sup>c</sup>
Housing <sup>a</sup>	+ 4,400 additional social housing units + 3,000 secured market rental units + 1,100 upgraded privately-owned, non-profit operated SROs	<ul style="list-style-type: none"> <li>• 156 social housing units</li> <li>• 327 secured market rental housing units</li> <li>◦ 239 social housing units</li> <li>◦ 3 secured market rental units</li> </ul>	5%
Childcare	+ Approx. 148 spaces for children 0-4 + Approx. 144 spaces for children 5-12	<ul style="list-style-type: none"> <li>• 109 spaces for children 5-12</li> <li>◦ 74 spaces for children 0-4</li> </ul>	40%
Transportation/ Public Realm	+ Safety improvements for all users + Bikeway improvements and new bikeways + Renew current roads as required	<ul style="list-style-type: none"> <li>• Intersection upgrades for pedestrians/cyclists</li> <li>• Union St. and Adanac St. corridor spot improvements</li> <li>• Chinatown dragon streetlights</li> <li>• Cambie St. &amp; Beatty St. separated bike lanes</li> <li>◦ Street trees between Carrall St. &amp; Clark Dr.</li> <li>◦ Blood Alley Square and Trounce Alley</li> <li>◦ Richard St. separated bike lanes</li> <li>◦ Reconstruction of Water St.</li> </ul>	15%
Culture	+ Preserve and stabilize cultural assets + Retain/create multi-use neighbourhood creative spaces + Public art	<ul style="list-style-type: none"> <li>• Survivors' Pigeon Park Totem Pole</li> </ul>	10%
Civic/Community	+ Ray-Cam Co-op Centre and Strathcona Community Centre replacement + Library with supportive housing units	<ul style="list-style-type: none"> <li>• néca?mat ct Strathcona Library Branch with supportive housing units</li> </ul>	20%
Heritage	+ Extension and expansion of <i>Heritage Façade Rehabilitation</i> and <i>Heritage Building Rehabilitation Programs</i>	<ul style="list-style-type: none"> <li>• Chinese Society Buildings grants</li> </ul>	10%
Social Facilities	+ N/A	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	N/A
Parks	+ Park upgrades + Mini parks and urban plazas	<ul style="list-style-type: none"> <li>• Pond renewal at Dr. Sun Yat-Sen Garden</li> </ul>	10%

## EXPLANATORY NOTES

The Public Benefits Implementation Tracker assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries since Plan approval.

### Population Growth

Base population is determined by the latest census year available when the Plan was approved. Projected growth numbers are determined by the numbers quoted in the Plan (if available). Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the present quarter.

### Development Activity

The Development Activity Chart tracks projects with three (3) or more housing units and includes Development Permits, Building Permits, rezoning applications and enquiries:

- “Completed” projects have achieved Building Permit completion.
- “Under Construction” projects have achieved Building Permit issuance, but have yet to be completed.
- “Approved” projects include rezoning applications approved by Council and Development Permits that have been approved by the City. Any rezoning applications approved by Council that advance into the Development Permit stage are still counted as “Approved” projects until it achieves Building Permit issuance.
- “In review” projects include any rezoning applications, enquiries, or Development Permits that are under review by the City.

Recent rezoning approvals listed in this section reflect the last five rezonings (excluding minor text amendments) approved by Council within the last five years in the Plan area.

### Public Benefits Achieved

Public benefits that have either been completed or are under construction are included in this section. In addition, this tracker provides some insight on the progression of Major Projects or other City programs.

### Other Notes

<sup>a</sup> Gross numbers of units reported. In some instances, existing units may be demolished and replaced with new units. These numbers represent units that have been replaced and any additional units included as a part of new developments.

<sup>b</sup> See chapter 17 of the [Downtown Eastside Plan](#) for detailed information about the City’s commitments to deliver public benefits in the Downtown Eastside.

<sup>c</sup> Percentages reflect estimated progress toward overall Public Benefits Strategy targets outlined in chapter 17 of the [Downtown Eastside Plan](#).

\* \* \* \* \*

835-837 East Hastings Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Six-storey mixed-use building containing commercial retail space at grade and a total of 39 seniors social housing units.

**Public Benefit Summary:**

The proposal would provide 39 social housing units, secured for the greater of 60 years or life of the building, of which at least one-third of the units will be secured at or below the shelter component of Income Assistance.

	Current Zoning	Proposed Zoning
Zoning District	M-1	CD-1
FSR (site area = 6,103.6 sq. ft.)	5.00	4.33
Floor Area (sq. ft.)	30,518	26,444.9*
Land Use	Commercial/Industrial	Commercial/Residential

\* Total proposed floor area including social housing, which is exempt from DCLs and CACs.

**Summary of Development Contributions Expected Under Proposed Zoning**

City-wide DCL <sup>1,2</sup>	62,860
City-wide Utilities DCL <sup>1</sup>	21,720
<b>TOTAL</b>	<b>\$84,580</b>

**Other benefits (non-quantified):** 39 units of social housing units secured for the greater of 60 years or life of the building, of which at least one-third of the units will be secured at or below the shelter component of Income Assistance.

<sup>1</sup> Based on rates in effect as at September 30, 2019; rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection; see the City's [DCL Bulletin](#) for details.

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

\* \* \* \* \*

**835-837 East Hastings Street  
PROPERTY, APPLICANT AND DEVELOPMENT PROPOSAL INFORMATION**

**Property Information**

Address	Parcel Identifier (PID)	Legal Description
835 East Hastings Street 837 East Hastings Street	027-090-256	Lot G, Block 61, District Lot 181, Group 1, New Westminster District Plan BCP30460

**Applicant Information**

Property Owner	Lee's Benevolent Association of Canada
Architect	Patrick R. Stewart Architect
Developer/Other	Terra Housing Consultants Ltd.

**Site Information**

Site Area	567 sq. m (6,103.6 sq. ft.)
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**Development Proposal Information**

	Existing Zoning	Proposed Zoning	Recommended (Other than Proposed)
Zoning	M-1	CD-1	
Land Use	Commercial / Industrial	Commercial / Residential	
Floor Space Ratio	5.00	4.33	
Floor Area	2,835.2 sq. m (30,518 sq. ft.)	Commercial: 380.7 sq. m (4,097.6 sq. ft.) Residential: 2,076.1 sq. m (22,347.3 sq. ft.) Total: 2,456.8 sq. m (26,444.9 sq. ft.)	
Height	30.5 m (100.1 ft.)	22.4 m (73.6 ft.)	
Unit Mix	n/a	39 studio units	
Parking, Loading and Bicycle Spaces	As per Parking By-law	1 vehicle parking space 1 Class A loading space 32 Class A bicycle spaces	2 vehicle parking spaces 1 Class A loading space 39 Class A bicycle spaces
Natural Assets	1 City tree	1 City tree to be retained	