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**CITY OF VANCOUVER  
PLANNING & DEVELOPMENT SERVICES**

**DEVELOPMENT PERMIT STAFF COMMITTEE  
MEETING**

**FOR THE DEVELOPMENT PERMIT BOARD  
September 30, 2019**

**436 E Hastings St (COMPLETE APPLICATION)  
DP-2019 - 00621 – DEOD (Sub-Area 1)**

**MCU/PF/TTO/JT/JC**

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

M. So (Acting Chair), Development Services  
C. Chant, Engineering Services

**Also Present:**

M. Castillo Ureña, Urban Design & Development Planning  
P. Fouladianpour, Development Services  
T. Tomono, Urban Design and Development Planning  
J. Tranter, Arts, Culture and Community Services  
A. Johnston, Real Estate and Facilities Management  
J. Catarino, Development Services

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**APPLICANT:**

Wilson Chang Architect Inc.  
45 E 6<sup>th</sup> Ave – Unit 200  
Vancouver, BC  
V5T 1J3

**PROPERTY OWNER:**

Pacific Boulevard Investments Inc.  
203-8120 128 St  
Surrey, BC  
V3W 1R1

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop a 7-storey mixed-use building with retail at grade and 22 dwelling units above, consisting of 14 units (64%) of Social Housing and 8 units (36%) of secured market rental.

See	Appendix A	Standard Conditions
	Appendix B	Standard Notes and Conditions of Development Permit
	Appendix C	Applicant's Design Rationale
	Appendix D	Plans and Elevations

● **Issues:**

1. Density; and
2. Parking.

- **Urban Design Panel:** This application has not been reviewed by the Urban Design Panel.
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**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DP-2019-00621 submitted, the plans and information forming a part thereof, thereby permitting the development of a 7-storey mixed-use building with retail at grade and 22 dwelling units above, consisting of 14 units (64%) of Social Housing and 8 units (36%) of secured market rental, subject to the following conditions:

**1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:**

- 1.1 make arrangement to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function) and the Director of Legal Services to enter into a Housing Agreement that secures a minimum of 14 dwelling units as social housing for 60 years or the life of the building, subject to the following terms and conditions:
- i. a no separate sales covenant (which will require all such units to be contained within a single air space parcel for the longer of 60 years or life of the building, whichever is greater);
  - ii. a no stratification covenant;
  - iii. a provision that none of the dwelling units in the building be rented for less than one month at a time;
  - iv. secure a minimum of five (33%) of the social housing dwelling units to be rented for no more than the shelter component of Income Assistance; and
  - v. a requirement that all units comply with the definition of “social housing” in Vancouver Development Cost Levy By-law No. 9755.

**Note to Applicant:** This condition will be secured by a Housing Agreement to be entered into with the City by by-law enacted pursuant to Section 595.2 of the Vancouver Charter. Including such other terms and conditions as the General Manager of Arts, Culture and Community Services (or successor in function) and the Director of Legal Services may require. The target rents for the remaining two-thirds will be for one of these thirds (five units) to be up to “Housing Income Limits” (HILs), and the remaining third (four units) to be at affordable market rents (which will require all such units to be contained within a single air space parcel for the longer of 60 years or life of the building, whichever is greater).

- 1.2 provision of a draft Operations Management Plan (OMP) outlining how the non-market units and the market rental units will be managed and operated, including information regarding how common areas (such as lobby, shared halls, loading, elevators and amenity spaces) between the two residential components will be managed and maintained, to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function);

**Note to Applicant:** Contact information for the overall management of the building including both market and non-market units to be provided to all tenants within the building, and neighbouring property owners, residents and businesses. A final OMP will be required prior to the issuance of any Occupancy Permit. Arrangements to ensure such management, operation, maintenance and access to be included in such legal agreement(s) as the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability may require.

- 1.3 design development to refine the building material treatment to better relate to the character of the neighbourhood; and

**Note to Applicant:** The exposed demising walls, including inner areas facing the balconies, are to have better visual quality and material treatment. Painted concrete blocks provide a poor interface and, therefore, are not supported. If concrete blocks are proposed, this could be accomplished by having their inner aggregates to add colour before curing to create pleasing visual effects. Finishes such as smooth faced or split face may be appropriate. Expressing community/local identity through large murals is highly encouraged. Additionally, glazed guards on East Hastings should have a subdued colour, if any, and be fully transparent to better relate to the heritage context.

- 1.4 design development to explore increasing the commercial floor-to-floor height.

**Note to Applicant:** Heritage and character buildings on East Hastings Street have generally taller ceiling heights (and associated taller storefronts) on the ground level, therefore, the intent of this condition is to better respond to the existing developments by further addressing this pattern and ensure full contextual fit.

- 2.0 **That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.**
- 3.0 **That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.**

• **Technical Analysis:**

Technical Review For: 436 E. Hastings St.		Zone: DEOD	DP-2019-00621	
Permitted/Required		Proposed		
Site Area		3,050 ft²		
Uses	Social Housing Secured Market Rental Housing Retail	Social Housing Secured Market Rental Housing Retail		
Frontage	N/A	N/A		
Setbacks	Front Yard - N/A ft. Rear Yard - N/A ft. Side Yard - N/A ft. Side Yard - N/A ft.	Front Yard - 0.5 ft. Rear Yard - N/A ft. Side Yard - N/A ft. Side Yard - N/A ft.		
Height	98.43 ft.	(Lowest BG) 79.93 ft.		
FSR <sup>1</sup>	5.0 total, of which: At least 40% of 4.0 FSR must be social housing (min. 4,480 ft²) No more than 60% of 4.0 FSR must be secured market rental (max. 10,980 ft²)  Total: 5.0	64% Social @ 9,291	3.046	
		36% Rental @ 4,952	1.624	
		Retail 0.365	<u>0.365</u>	
		Total: 5.03	5.03	
Floor Area <sup>1</sup>		Retail Level 1 1,113		
		Residential Level 1 994		
		Level 2 1,739		
		Level 3 2,302		
		Level 4 2,302		
		Level 5 2,302		
		Level 6 2,302		
		Level 7 2,302		
	Total: 15,250 ft²	Combined Total: 15,356	15,356 ft²	
Balcony	8% of provided residential floor area Total: 1,139 ft²	Total: 6.0%	927 ft²	
Storage <sup>2</sup>	Total: 880 ft²	Total: 521	521 ft²	
Amenity	20% of allowable FSR Total: 3,050 ft²	Total: 4%	657 ft²	
Dwelling Unit Type		Type % No.		
		Studio (Social Housing) 64%	14	
		Studio (Market Rental Housing) 36%	8	
		Total: 100%	22	

continue with Parking, Loading, Bicycle, Passenger on the next page

Technical Review For: 436 E. Hastings St.				Zone: DEOD	DP-2019-00621			
Permitted/Required					Proposed			
Parking <sup>3</sup>	Retail:				Retail:			
	Standard:			0	Standard:			0
	Small Car (max.):	25%		0	Small Car:			0
	Disability:			0	Disability:			0
	Dwelling:				Dwelling:			0
	Standard:			0	Standard (car share):			1
	Small Car (max.):	25%		0	Small Car:			0
	Visitor:			0	Visitor:			0
	Accessible			0	Disability:			0
	Total Standard:			0	Total Standard (car share):			1
	Permitted S/C:	25%		0	Total Small Car:			0
Loading <sup>4</sup>	Total Accessible			0	Total Disability:			0
	Total Visitor:			0	Overall Total:			1
					Total Visitor:			0
Bicycle <sup>5</sup>	Class	A	B	C	Class	A	B	C
	Retail	0	1	0		1	0	0
	Total	0	1	0	Total	1	0	0
	Use	Class A	Class B		Class A		Class B	
	Retail:				<u>39</u>		<u>0</u>	
	Dwelling:	33						
	Total:	<u>33</u>	<u>0</u>		Horizontal:	37	95%	
	Over Sized (min.)	5%	2		Over Sized:	2	5%	
	Lockers (min.)	10%	3		Locker:	0	0%	
	Vertical (max.)	30%	10		Vertical:	2	5%	
	Vrt + Stack (max.)	60%	20		Vertical + Stacked:	0	0%	
	Electrical Outlet (min.)	1 per 2	17		Electrical Outlet:	0		

**Notes:**

<sup>1</sup> **Note on FSR and Floor Area:** Section 4.5.1(a) – Density, of the DEOD Official Development Plan By-law allows for discretionary floor space ratio increase to 5.0 subject to certain conditions. The applicant is achieving the required dwelling unit mix with proportionate floor area; however, total floor area is over the allowable limit. The administration room located on the second level is not considered amenity and cannot be excluded from total floor area. Standard Condition A.1.8 seeks compliance with Section 4.5 – Density, of the DEOD Official Development Plan By-law.

<sup>2</sup> **Note on Storage:** In-suite storage has been provided in all units. In addition, a bulk storage room is proposed on the basement level. Individual storage lockers must be designed as per requirements of the Bulk Storage and In-Suite Storage – Multiple Family Residential Developments bulletin. Standard Condition A.1.9 seeks compliance with the provisions of this Bulk Storage and In-Suite Storage bulletin.

<sup>3</sup> & <sup>4</sup> **Note on Parking and Loading:** The site is located in sub-area 1 of the DEOD District where according to Section 4.1.4 – DEOD District Requirements, of the Parking By-law, off-street parking spaces are not required. Although 1 Class B loading space is required, the minimum retail floor area trigger for this space is 1,076 ft<sup>2</sup> and the proposed retail use is only 37 ft<sup>2</sup> greater at 1,113 ft<sup>2</sup>. Staff supports the proposal to provide 1 Class A loading space in lieu of the 1 Class B loading space.

<sup>5</sup> **Note on Bicycle:** The number of provided Class A bicycle parking spaces exceeds By-law requirements; however, the proposed configuration lacks the required number of bicycle storage lockers and electrical outlets. Standard condition A.1.10 seeks compliance with Section 6 – Off-Street Bicycle Space Regulations, of the Parking By-law.

• **Legal Description**

Lot: 8  
 Block: 70  
 District Lot: 196  
 Plan: VAP196

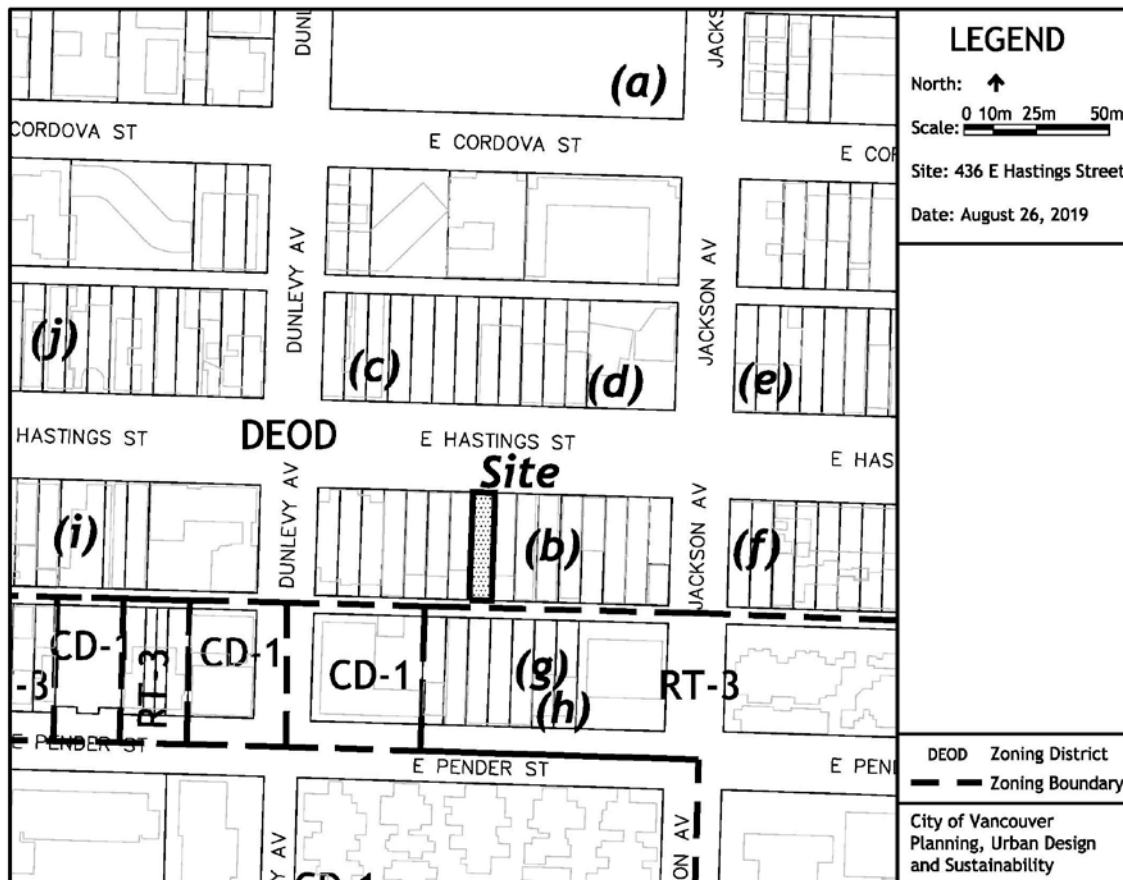
• **History of Application:**

19 07 29 Complete DP submitted

• **Site:** The site is located along the south side of East Hastings Street, mid-block between Jackson Avenue to the east and Dunlevy Avenue to the west and a lane to the south in the Downtown Eastside Oppenheimer District (DEOD), Sub-area 1. The site is currently vacant and relatively flat.

• **Context:** Significant adjacent development includes:

- a) Oppenheimer Park;
- b) Orwell Hotel, 456 E Hastings Street, 6-storey mixed-use building, (c.1911);
- c) Patricia Hotel, 403 E Hastings Street, 6-storey mixed-use building, (c.1912);
- d) Smith Yuen Apartments, 475 E Hastings Street, 5-storey mixed-use building, (c.2004);
- e) 501 E Hastings Street, 7-storey mixed-use building, (c.1984);
- f) Ferrara Court, 502-504 E Hastings Street, 6-storey mixed-use building, Heritage Site: B, (c.1912);
- g) 451 E Pender Street, 3-storey residential building, Heritage Site: A, (c.1992);
- h) 459 E Pender Street, 3-storey residential building, Heritage Site: C, (c.1901);
- i) Hazelwood Hotel, 342 E Hastings Street, 5-storey mixed-use building, Heritage Site: C, (c.1912); and
- j) Tweeddale Block, 341 E Hastings Street, 4-storey mixed-use building, Heritage Site: B, (c.1910).



● **Background:**

Hastings Street has been a significant street in Vancouver throughout its history and a long term provider of business and retail in the Central Business District, Victory Square, the Downtown East Side, Hastings Sunrise and Burnaby. Its role as a pedestrian street, a major transportation corridor, and host to 25 registered heritage buildings, many of which belong to the Edwardian era, defines its unique characteristics.

As part of its historical context, the Goads Fire Map of 1912 reveals a fine grain pattern that is mostly comprised of twenty five foot wide sites. This pattern has been lost in places along the way. Many sites are under-developed with one and two storeys structures on these 25 ft. wide frontages. Some areas of Hastings Street have lost retail continuity and, consequently, its pedestrian interest and associated historical neon signage that used to animate the street in the evenings.

Identified repeating patterns that characterize E Hastings Street are the ‘saw-tooth’ profile, strong cornice expressions, continuous and tall commercial frontages providing rhythm and interest to the ground level, exposed demising walls, vertical emphasis given narrow frontage, punched openings with notable depth in the facade, adding a distinct streetscape with increased shadow variation.

In terms of current policies, the Downtown Eastside (DTES) Plan (approved by Council in March 2014) and its implementation resulted in revisions to the Downtown Eastside Oppenheimer Official Development Plan (DEOD ODP) including updating the zoning’s bonus density mechanism to meet the goals of the Housing Plan – that is, to prioritize the development of rental housing. Using innovative development models, the DTES Plan encourages affordable housing, including allowing consideration of bonus density, in developments where a mix of 60% social housing and 40% secured market rental is provided, or where 100% social housing is provided. The Plan aims to build and support sustainable social housing units, and to encourage market rental development rather than strata-ownership housing in the area.

The 400 block of East Hastings Street encompasses older non-market housing developments, commercial and mixed-use buildings, including some identified as having heritage merit such as the building at 456 E Hastings Street which is not on the Vancouver Heritage Register but it is a worthy candidate for addition to it. This development proposal is for an undeveloped lot further west, therefore, it will not directly displace residents or commercial tenancy.

This application for 436 E Hastings Street consists of a 7-storey mixed-use building with retail at grade and 22 dwelling units above, consisting of 14 units (64%) of Social Housing and 8 units (36%) of secured market rental.

● **Applicable By-laws and Guidelines:**

1. Downtown-Eastside/Oppenheimer Official Development Plan (DEOD ODP), Sub-area 1 (Main/Hastings) (1982);
2. Downtown-Eastside/Oppenheimer Design Guidelines. (1982, last amended 1992);
3. Downtown Eastside Housing Plan (2014);
4. Housing Vancouver Strategy and Action Plan (2017); and
5. Housing and Homelessness Strategy 2012-2021 (2011).



**Response to Applicable By-laws and Guidelines:**

**1. Downtown-Eastside/Oppenheimer Official Development Plan (DEOD ODP), Sub-area 1 (Main/Hastings) (1982)**

**Density and Use:** In DEOD, development applications may be considered for bonus density (above 1.0 FSR) up to 5.0, where at minimum of 60% of the residential units comprising not less than 40% of the gross area above a floor space ratio of 1.0 are developed as social housing and the remaining 40% of the residential units comprising not more than 60% of the gross floor area above a floor space ratio of 1.0 are developed as secured market rental housing. The application meets this requirement, providing 22 studios, 14 social housing units and 8 secured market rental units. The application also includes one commercial unit, which is one use of the permitted at grade in this sub-area of DEOD.

This site is located in Sub-Area 1 (Main/Hastings) of the Downtown-Eastside Official Development Plan. As such, its density is regulated by Section 4 of the Downtown-Eastside Official Development Plan. The proposed density is greater than 1.0 FSR. Therefore, the decision to permit density above 1.0 FSR rests with the Development Permit Board under Section 4.5.1.

**Height:** In this sub-area, height up to 30 m (approximately 98 ft) can be considered for non-corner sites. The application currently is proposing a height of 22.53 m (79.93 ft.).

**2. Downtown-Eastside/Oppenheimer Design Guidelines. (1982, last amended 1992)**

**Heritage:** The guidelines direct newly designed buildings to complete, improve and enhance the heritage setting of individual buildings or group of buildings with heritage merit or potential. New developments are to pay special attention to heritage compatibility.

The proposal provides a sensitive response to the historical street pattern and contributes to the existing compelling “saw-tooth” pattern, an abrupt variation of height along the street, and its associated negative spaces between buildings. The development takes cues from existing patterns without mimicking heritage. Recommended Condition 1.4 seeks to further reinforce the character of the street.

**Built Form:** In general, preservation of the low to medium rise buildings with facades that align with existing buildings on the street is appropriate.

The proposed 7-storey building fits well into a very mixed streetscape of 2, 3 and 5-storey mixed use buildings. The façade is aligned with existing buildings on the street, reinforcing the narrow frontage and the historic and continuous street wall expression.

**Architecture:** The building looks to display a tripartite composition attempting to describe a classic treatment spelling in accordance with surrounding heritage buildings; a transparent basement, articulated mid portion and a robust top. In this composition, the prevalence of verticality is balanced by the asymmetric progression of rectangles of different widths and depths, generating movement through play of shadows, and the horizontality of the reinforced slabs, which allow concordance with the parties.

A high level of livability is achieved for both social housing and rental units, including provision of private open space (balconies) for each studio. Studios have a floor-to-floor of 10 ft. and substantially large window sizes, allowing for natural light penetration and sufficient ventilation. Collocated amenity spaces are appropriately accommodated above the first floor, on the south-facing orientation, allowing residents to have a common space to socialize.

Staff believe that the proposed contemporary architectural expression respectfully contributes and elevates the existing streetscape and it is an appropriate response in re-establishing a more urban, safe and walkable character for E Hastings Street. Enhanced material treatment and texture is sought under Recommended Condition 1.3 to better reflect the existing patterns and to achieve further compatibility with the heritage context.

**Public Realm Interface:** Noting that the ODP identifies that retail continuity is encouraged on this block of East Hastings Street, this application proposes one retail unit, adding pedestrian interest through a transparent storefront design, which contributes to maintain the retail function, to reinforce the corridor character and to restore the street to be a vital place of pedestrian activity, shopping, and gathering. Standard Condition A.1.3 pursues to enhance the pedestrian experience by provision of a signage strategy compatible with the character of the street.

### 3. Downtown Eastside Housing Plan (2014)

436 East Hastings Street is located in Sub-area 1 (Main/Hastings) of the Downtown-Eastside Oppenheimer Plan. The DEOD is a central neighbourhood of the DTES and is the heart of the low-income community. The intent of the zoning is to prioritize the area for affordable rental housing for low and moderate income and for the provision of 60 % social housing units and 40 % secured market rental units for any development over 1.0 FSR. In addition to housing, the plan identifies and encourages commercial activity through upgrading existing and developing new commercial uses which serves both local residents and the working population. This will be achieved by encouraging and supporting small local serving businesses (i.e. maximum frontages or floor areas for certain uses in some areas) and strategic public realm improvements to improve public realm safety, quality, and amenity, particularly for vulnerable populations.

The development application meets the 64% social housing and 36% secured market housing requirements which are secured by Recommended Conditions 1.1 and 1.2. In addition, the applicant is expected to demonstrate, to the satisfaction of the Chief Housing Officer and the Director of Legal Services that the legal title to the social housing units has been transferred and owned by a non-profit corporation, a non-profit co-operative association, or by or on behalf of the city, the Province of British Columbia, or Canada and that at least one third (35 units) of the 104 social housing units at the 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 target rents and affordability for the remaining two-thirds will be for one of these thirds to be up to HILs, and the remaining third to be at affordable market rents.

The proposal reinforces the idea of developing at a small scale increment, to support heritage buildings and to re-establish a framework that will invite small scale commercial and retail activity to enliven the street, in accordance with the Downtown Eastside Plan.

### 4. Housing Vancouver Strategy and Action Plan (2017)

The City's new 10-year strategy, Housing Vancouver, aims to improve housing affordability by creating the right types of homes to meet the needs of the people who live and work in Vancouver. An 'Emerging Directions' report was presented to Council in spring 2017 outlining initial proposal and priority actions. A further update was provided to Council in July, 2017 detailing proposed targets of 72,000 new homes in Vancouver over the next 10 years. Of the 72,000 new homes target, 12,000 units are targeted for social and supportive housing. This application will make a contribution towards the City's social and supportive housing targets. The completed Housing Vancouver Strategy was approved by Council in November, 2017.

## **5. Housing and Homelessness Strategy 2012-2021 (2011)**

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

### **• Conclusion:**

It is the opinion of Staff that the proposed development application demonstrates general conformity to the prevailing applicable by-laws, policies and guidelines.

This application addresses some critical objectives for this neighbourhood. Additionally, the proposed contemporary expression respectfully contributes to the prevailing heritage context and anticipated form of development. The proposed building form as well as the anticipated quality and character, will make a positive contribution to the E Hastings Street context, subject to design development sought in the Recommended and Standard Conditions.

Staff recommend approval of this application, subject to the Recommended Conditions and those noted in Appendix A, attached to this report.

### **URBAN DESIGN PANEL**

This proposal has not been reviewed by the Urban Design Panel.

### **ENGINEERING SERVICES**

The recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

### **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

Additional work is required to ensure that the development meets general principles for CPTED performance. Staff are recommending design development, with a special focus on the E Hastings and lane environments, noted in Appendix A attached to this report.

### **LANDSCAPE**

The recommendations of Landscape are contained in the prior-to conditions noted in Appendix A attached to this report.

### **AFFORDABLE HOUSING PROJECTS**

The 436 East Hastings project includes 22 new rental units and of these, eight (8) would be new purpose-built market rental housing which would contribute to the stated near and long term targets in Housing Vancouver targets (see Table 1), there have been 2,242 new units of market rental housing approved city-wide.

*Table 1: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market Rental Housing as of June 30, 2019*

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	20,000	2,242

Of the 22 new units, 14 would be new self-contained social supportive units which would contribute towards the stated near and long term targets in Housing Vancouver targets (see Table 2), there have been 3,818 new units of social housing under construction or completed city-wide.

*Table 2: Progress Towards 10 Year Housing Vancouver Targets for Non-Market Housing as of June 30, 2019*

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
Social, Supportive, and Co-op Housing Units	12,000	3,818

As part of the Emerging Directions report, the City has committed to prioritize affordable housing projects through the approval process in order to deliver more affordable housing at a faster pace. The goal of this process is to reduce the approval timeline for affordable housing projects. There are three primary objectives:

1. Increase delivery of affordable housing;
2. Improve coordination of internal processes; and
3. Enhance relationships with non-profits, private and public agencies that deliver affordable housing.

This application is one of the projects being processed through the City's new pilot affordable housing priority process.

The recommendations of Housing Policy & Projects are contained in Recommended Conditions 1.1 and 1.2 as well as the prior-to conditions noted in Appendix A attached to this report. Recommended Conditions 1.1 and 1.2 ensure that a Housing Agreement and Operational Management Plan are completed to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function).

## **PARK BOARD**

The recommendations of Park Board are contained in the prior-to conditions noted in Appendix A attached to this report.

## **ENVIRONMENTAL PROTECTION BRANCH**

The recommendations of Environmental Protection Branch are contained in the prior-to conditions noted in Appendix B attached to this report.

## **BUILDING REVIEW BRANCH**

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Building Review Branch staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, fire fighting access and energy utilization requirements.

## **NOTIFICATION**

On August 20, 2019, 620 notification postcards were sent to neighbouring property owners advising them of the development permit application, and offering additional information on the city's website. In addition, 601 emails were circulated to organizations and individuals that have requested to be added to a mailing list to be notified of applications in the Downtown Eastside.

One site sign was installed along East Hastings Street and confirmed on August 20, 2019 providing information about the development with direction to the City's Development Permit Board website for further information.


No comments were received by staff regarding the proposed application.

**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law and Official Development Plan it requires decisions by both the Development Permit Board and the Director of Planning.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it seeks a relaxation to provide one Class A loading space in lieu of one Class B loading space. The Staff Committee supports the relaxations proposed.



M. So  
Acting Chair, Development Permit Staff Committee



M. Castillo Ureña  
Development Planner



P. Fouladianpour  
Project Coordinator

Project Facilitator: J. Catarino

## DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

### A.1 Standard Conditions

#### Urban Design

- A.1.1 provision of a signage strategy that is well-integrated with the architecture;

**Note to Applicant:** Appropriate signage scale, including through consideration of neon signage, that relate to the historical context and enhance the pedestrian interest, comfort and safety in the evenings is required. A separate signage permit will be required.

- A.1.2 provision of a conceptual lighting plan;

**Note to Applicant:** Careful attention to exterior lighting to achieve CPTED performance, with special attention to the lane interface, is required.

- A.1.3 provision of high-quality mechanical screen on the roof-top, including details and notation of finish materials;

- A.1.4 provision of a vertical vent space to accommodate potential future restaurant exhaust from the commercial level;

- A.1.5 clarification and provision of further information confirming the proposed material treatments, as follows;

- i. northern and southern exterior walls and fascia at slabs on gridlines 3 and 4.

**Note to Applicant:** The treatment of opaque elements in the background should generally be distinct to emphasize the depth of the facades.

- ii. inner sides of southern and western walls at balconies;

**Note to Applicant:** Refer to Recommended Condition 1.3

- iii. typical guards;

- iv. all doors and gates;

- v. lane elevation at lower levels, including parapets; and

- vi. soffits.

- A.1.6 provision of the following large-scale detail drawings:

- i. typical wall sections at 1:20, indicating special features such as lighting, soffit, etc.;

- ii. all typical guards (surface-mounted and side-mounted glass) at 1:10; and

- iii. roof-top and rear parapets at 1:10.

- A.1.7 identification on the architectural and landscape drawings of any built features intended to create a bird friendly design;
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**Note to Applicant:** Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted:  
<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

## Technical

A.1.8 compliance with Section 4.5 –Density, of the DEOD Official Development Plan By-law as follows:

- i. provision of updated floor plan and FSR overlay drawings to include the administration room located on Level 2 in total floor area;

**Note to Applicant:** The maximum permitted floor area cannot exceed 5.0. Provision of room labels and floor area consistency between the floor plan and FSR overlay drawings. Project Data sheet to be updated accordingly.

A.1.9 compliance with the Bulk Storage and In-Suite Storage – Multiple Family Residential Developments bulletin as follows:

- i. provision of updated floor plans to show individually numbered and dimensioned storage lockers within the residential storage room located at the Basement Level.

A.1.10 compliance with Section 6 (Off-street Bicycle Space Regulations) of the Parking By-law by providing the required minimum number of Class A bicycle lockers and electrical outlets;

A.1.11 provision of the following notations on the submitted plans:

- i. *“The acoustical measures will be incorporated into the final design and construction, based on the consultant’s recommendations”;*
- ii. *“Adequate and effective acoustical separation will be provided between the residential and non-residential portions of the building”;*
- iii. *“The design of the bicycle spaces (including bicycles rooms, compounds, lockers and/or racks) regarding safety and security measures shall be in accordance with the relevant provisions of Section 6 of the Parking By-law”;*
- iv. *“Mechanical equipment (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize noise impacts on the neighbourhood and comply with Noise By-law No. 6555”; and*
- v. *“All proposed yards, setbacks and building dimensions are measured to the outside of cladding”;*

## Landscape

A.1.12 provision of complete Landscape drawings for further comments;

- i. landscape plans to be coordinated with Architectural plans;
  - ii. tree number keyed (i.e. Tree A, etc.) to be shown in coordination with Arborist report;
  - iii. existing tree Diameter at Breast Height graphically shown correctly;
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- iv. scaled and dimensioned tree protection barriers (measured from edge of trunk), in coordination with Engineering Department Guidelines for the Protection of Boulevard Trees; and
- v. confirmation of irrigation system;

**Note to Applicant:** Further conditions may follow upon receipt of complete correct information.

- A.1.13 provision of section details at a minimum scale of 1/2"=1'-0" scale, to illustrate all proposed landscape elements included but not limited to:

- i. Any level planters to include dimensions for width and depth to provide adequate depth of soil to exceed CSLA standard and coordinate with Architectural drawings.

**Note to Applicant:** All sections and details should be referenced on plan.

- A.1.14 provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

*"Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board".*

**Note to Applicant:** Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.)

- A.1.15 provision on landscape drawings of landscape features intended to create bird friendly design;

**Note to Applicant:** Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of landscape features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at:  
<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

## Affordable Housing Projects

- A.1.16 include a common amenity room with kitchenette and an accessible washroom;
- A.1.17 design development to improve access to natural light in the common areas to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function);

**Note to Applicant:** The south-facing outdoor space provides good outdoor amenity, however the interior configuration prevents natural light from reaching the common laundry area. This condition can be achieved by adding glazing to interior walls, and/or reconfiguring location of the administration door.

## A.2 Standard Engineering Conditions

- A.2.1 provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services for the oversize Class A loading space between the commercial and residential uses as ('Residential and Commercial Loading');
- A.2.2 Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 1 Shared Vehicle and the provision and maintenance of 1 Shared Vehicle
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Parking Space for use exclusively by such Shared Vehicle, [with such parking spaces to be in addition to the minimum parking spaces required by the Parking Bylaw], on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:

- i. provide 1 Shared Vehicle to the development for a minimum period of 3 years;
- ii. enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle;
- iii. provide and maintain the Shared Vehicle Parking Space for use exclusively by such shared vehicles;
- iv. make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space;
- v. provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle; and
- vi. registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.

- A.2.3 provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy. The letter is to also indicate acceptance of the general location, configuration and accessibility of the shared vehicle spaces.

**Note to Applicant:** Shared vehicle spaces are required to be a minimum width of 2.9m.

- A.2.4 provision of City approved building grades are required. Design elevations are also required on both sides of new entrances, parking stalls etc. Ensure that all design elevations are located on property line adjacent to all entrances;

**Note to Applicant:** Private survey has not been sent to Streets Design for review and approval (BG-2017-00089).

- A.2.5 provision of new or replacement duct bank adjacent to the development site that meets current City standards if new sidewalk is installed. Duct banks are to consist of electrical and communication ducts and cables, and connected to existing electrical and communications infrastructure;

- A.2.6 provision of an actuated automatic door opener on the bicycle route from city street to the on-site Class A Bicycle parking facility;

- A.2.7 provision of a canopy application for all new canopies that encroach onto City property is required;

**Note to Applicant:** Canopies must be fully demountable and drained to the buildings internal drainage systems. An application for a Permit to Use City Property must be submitted to Engineering Development Services for the proposed canopy encroaching onto City Street. Canopies must be fully demountable and comply with all applicable requirements of the Vancouver Building By-law (Section 1.8.8).

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- A.2.8 the General Manager of Engineering Services will require all utility services to be underground for this “conditional” development. 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 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. The applicant shall provide written confirmation from BC Hydro that all required electrical plant is provided for on-site.

The applicant shall submit a surveyed clearance drawing to BC Hydro showing all BC Hydro plant and dimensioned clearances from the plant to the development. The applicant shall provide written confirmation from BC Hydro that all required clearances from BC Hydro plant have been satisfied. Undergrounding of utility lines shall be required if safety clearances are not satisfied.

**Note to Applicant:** Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan. All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc). The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at [umb@vancouver.ca](mailto:umb@vancouver.ca).

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**B.1 Standard Notes to Applicant**

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **March 30, 2020**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.3 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.4 A new development application will be required for any significant changes other than those required by the above-noted conditions.

**B.2 Conditions of Development Permit:**

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.4 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12<sup>th</sup> floor of 601 West Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
- B.2.5 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 & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
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**Environmental Protection Conditions:**

- B.2.6 Waste Discharge Permit may be required for any dewatering on the site.
- B.2.7 A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work.
- B.2.8 In the event, contamination of any environmental media are encountered, a Notice of Commencement of Independent Remediation must be submitted to the Ministry of Environment and Climate Change Strategy and a copy to the City of Vancouver.
- i. Upon completion of remediation, a Notification of Completion of Independent Remediation must be submitted to the Ministry of Environment and Climate Change Strategy and a copy to the City of Vancouver.
  - ii. Dewatering activities during remediation may require a Waste Discharge Permit.
  - iii. Submit a copy of the completion of remediation report signed by an Approved Professional stating the lands have been remediated to the applicable land use prior to building permit issuance.
- B.2.9 Must comply with all relevant provincial Acts and Regulations (e.g. Environmental management Act, Contaminated Sites Act, Hazardous Waste Regulation and municipal Bylaws (e.g. Fire Bylaw 8190, Sewer and Watercourse Bylaw 8093).
- B.2.10 **This site is affected by a Development Cost Levy By-law and levies will be required to be paid prior to issuance of Building Permits.**
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