

Date: Monday, June 23, 2008
Time: 3:30 p.m.
Place: Council Chambers, City Hall

PRESENT:**Board**

R. Jenkins Assistant Director - Current Planning Division (Chair)
B. Toderian Director of Planning
J. Ridge Deputy City Manager
P. Judd Deputy City Engineer

Advisory Panel

J. Wall Representative of the Design Professions (Urban Design Panel)
S. Tatomir Representative of the Design Professions
N. Shearing Representative of the Development Industry
J. Stovell Representative of the Development Industry
M. Braun Representative of the General Public
H. Hung Representative of the General Public
K. Maust Representative of the Vancouver Heritage Commission

Regrets

C. Nystedt Representative of the General Public
D. Chung Representative of the General Public

ALSO PRESENT:**City Staff:**

B. Boons Assistant Director of Processing Centre - Development
S. Brodie Civil Engineer
R. Segal Senior Architect/Development Planner
J. Davidson Senior Housing Planner
V. Potter Assistant Director of Development Services CSG
D. Leung Project Facilitator
J. Chan Planner III, Senior Planner
C. Warren Director of Development Services - Operations & Client Services

58 WEST HASTINGS STREET - DE411789 - ZONE DD

P. Busby Busby Perkins + Will Architects
E. Stedman Busby Perkins + Will Architects
P. Webb Concord Pacific (Hastings Holdings) Inc.

Recording Secretary: L. Harvey

1. **58 WEST HASTINGS STREET - DE411789 - ZONE DD
(COMPLETE APPLICATION)**

Applicant: Busby Perkins + Will Architects

Request: To develop this site with a seven-storey mixed-use building containing Retail Stores and covered parking at grade, 160 dwelling units on the second through seventh storeys, and one level of underground parking accessed from the rear lane. The applicant is requesting an increase in the permitted residential floor space ratio, using a heritage density transfer of approximately 1 495.0 m², with the donor site identified as 412 Carrall Street (The Pennsylvania Hotel).

In addition, staff are recommending that the Board exercise its authority under the “hardship” provisions of the Interpretation Section of the Downtown Official Development Plan, to grant a height increase of approximately 3.5 ft.

Development Planner’s Opening Comments

Ralph Segal, Senior Architect/Development Planner, introduced the application for a mixed-use building on West Hastings Street. Mr. Segal described the context for the area noting that there is a strong component of non-market and market housing in the Woodward’s redevelopment site. The development at 58 West Hastings Street contributes financially to the restoration of the Pennsylvania Hotel located at 412 Carroll Street. Heritage density is being transferred from the hotel which will contain 44 self-contained, non-market units. Mr. Segal noted that the Paris block, located at 53 West Hastings Street, which is also a heritage building, is being restored along with the development of the Paris annex which will contain market housing. Also, a development is in process at 525 Abbott Street to provide 108 non-market housing units.

Mr. Segal noted that the zoning allows for a maximum of 70 feet in height. However, if non-market housing were incorporated into the project, the height could be increased up to 100 feet. Provision of non-market housing is not a requirement under the zoning. The application meets the height requirement and the applicant will be requesting a 10% heritage density from the Pennsylvania Hotel. The project will contain market housing within a small unit configuration for somewhat more affordable housing units.

Mr. Segal noted that a number of improvements are sought, including a height relaxation using the hardship clause to allow for more clear head room in the ground floor retail. No additional height will be added to the residential floors.

Mr. Segal reviewed the recommendations contained in the Staff Committee Report dated May 21, 2008. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Jill Davidson, Senior Housing Planner, recommended support for the application. Ms. Davidson noted that there has been a considerable amount of input from the community asking that the application not be approved. Staff are recommending approval because the application is consistent with the zoning and applicable guidelines. Also, the application is consistent with the Victory Square Planning Policy and the revitalization of the Downtown East Side (DTES) Housing Plan. Ms. Davidson noted that the DTES Housing Plan encourages market housing and

recommends maintaining the housing stock for low income housing. Market housing will double over the next 10 years. Ms. Davidson noted that the residents' main concern is that they will be squeezed out of the area. There are a number of projects being developed in the area with approximately 1,500 non-market housing units being added by 2010 and approximately 1,400 new market units. Some of the non-market housing is going to be near this project with two of the projects in the Woodward's redevelopment. The Province has purchased fourteen Single Room Occupancy (SRO) sites within the last few months. Ms. Davidson added that there had been a number of meetings with the community, and staff will continue to hold meetings to deal with the issues for the residents of the DTES and their concerns regarding housing.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Mr. Segal and Ms. Davidson:

- The residential component of the building is 8 feet floor-to-ceiling, which is basically the minimum standard. The applicant is trying to maximize the number of units and to respect the 70 foot height restriction.
- In order to make the commercial space viable, staff are requesting to raise the floor height by approximately 3.5 feet.
- The conditions address the "unrelenting" sameness of the frontage.
- Rents are rising in a number of SROs.
- Market rentals are included in the SROs, regardless of the rental rates, as they are still considered low income housing stock.
- The Board is constrained within the general policies relating to the area when considering the hardship clause. Council's policy regarding the 70 foot height restriction would have to be taken into consideration.
- Other than the Woodward's site, which had a different approach, this site is the first site located in the DTES with a 268 foot frontage to be redeveloped.
- Staff are satisfied that the applicant can achieve a saw-tooth pattern to the parapet.

Applicant's Comments

Peter Busby, Architect, further described the application. Mr. Busby noted that the Urban Design Panel (UDP) looked at the retail height and thought the proposal was approvable without the need to raise the height of the retail. The applicant will accept the Board and Planning's decision regarding the height of the retail. With respect to the sameness of the frontage of the building, Mr. Busby stated that the Board didn't have the benefit of a rather lengthy discussion at the UDP around the context in which the building occurs. There are many buildings in this part of the city that are enjoyable and unique because of the high degree of similarity between buildings. They were all built around the same time and many of the buildings feature the same kind of brick and glazing systems. Mr. Busby noted that they were trying to make a contextual background building in which the revitalization in the DTES can occur. Mr. Busby added that they are also trying to allow for affordable housing and the client has made an effort to build something for first time home buyers. Mr. Busby said they had reviewed the Staff Committee Report and confirmed he was in agreement with the recommended conditions with the exception of creating the saw-tooth effect. He noted that Mr. Segal had said the saw-tooth effect could be created by moving the parapet up and down; however it can only be created by moving the parapet up. They cannot make any of the floor heights in the residential units any less than eight feet. However, Mr. Busby agreed that they will be able to create a visual saw-tooth effect.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team:

- The treatment of the vertical plane and terracing of the top floor can create the saw-tooth expression and will be visible at the pedestrian level.
- Given the context of the economic envelope, LEED™ Silver Standard is consistent with the targets set under EcoDensity and is an example of what can be done at this price point.
- Passive design elements don't count in the LEED™ checklist.
- This application is not affected by the new EcoDensity Policy, as the application came in before the May 2008 deadline.

Comments from other Speakers

The following delegations spoke in opposition to the application:

Wendy Petersen

Julie Rogers

Joseph LeBlanc

Laura Constantinescu

Glyn Shepherd

Jean Swanson

Mary Brown

Kathryn Husser

Dave Diewert

Rev. Matthew Johnson

Rider Coeey

Elvin Wyly

Mike Wartman

Paul Kirsten

John Murray

Joan Morelli

Stephen Grey

Ned Jacobs

Maggie Gesier

Miriam Stewart

Matthew Mathew

Harsha Walia

Rev. Emily Smith

Isha Faruk

Mike Powar

Jay Black

Muriel Williams

Marcus Waddington

Stephen Rathjen

Comments in opposition included:

- Community needs not being met;
- Will contribute to more homelessness - over 2,000 homeless now in Vancouver;
- Don't want to be overwhelmed by condos as it will change the historical character of the area;
- Conditions of the SROs are pathetic and leading to health problems;
- Need more support services and social housing;
- Concern about affordability;

- DTES plan is not being fulfilled;
- Pace of development in the DTES is increasing;
- Huge homeless problem and building condos is taking up land that could be used for social housing;
- Concord Pacific has a social and environmental responsibility to the community;
- Condos will push up the land values in the DTES;
- The real rate of change is 3 condos for 1 social housing unit;
- Rental space is becoming unaffordable in the DTES;
- DTES is a valuable community and needs to be strengthened and supported;
- Condo construction needs to stop in the DTES until a realistic low-income housing plan can be put into place;
- Need a blueprint for the neighbourhood to guarantee homes are preserved for the current residents;
- DTES is primarily a community of renters;
- Doesn't fit in architecturally;
- Concord Pacific needs to fulfill their obligations elsewhere before they get any more permits;
- Restoration of the Pennsylvania Hotel would have occurred regardless of the heritage density transfer to this site;
- Low-income housing should be included in this and other developments in the downtown core;
- Development is going to be facing some marketing challenges due to the neighbourhood;
- Will create a sharp division between the condo owners and the residents in the DTES;
- Should go to Council for approval or denial of the application;
- People with AIDS can get free medication from the government but they can't get housing;
- Developer failed to involve people in the neighbourhood in the decision making process;
- 1,200 low-income units have been lost in the DTES since 2005; and
- Real estate speculation is impacting the neighbourhood.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by staff and the applicant team:

- The City doesn't have a definition of affordable housing. The Canadian definition is 30% of income.
- New units in this project are going to be at the lower end of the market.
- The City's housing plan proposes to maintain 10,000 units of low income housing and will meet that goal by the end of 2010. Sites are needed to replace the SROs over time. Over 90% of the sites identified in 2004 are still available for redevelopment. In order to achieve the goal of 10,000 units, money is needed from the Provincial government.
- More market housing is expected to be developed in the DTES. This creates diversity in the neighbourhood. In the last few years, twice as much market housing has been developed than non-market housing. This will reverse in the next couple of years with more non-market housing units being provided (1,500 non-market compared to 1,200 market).

Panel Opinion

Mr. Wall thanked the members of the public for their comments which had an emotional impact on him. He noted that his job is to represent the Urban Design Panel (UDP) and to comment on how the building fits into the context of the city. His comments are based on the project's merit in terms of the architecture, neighbourliness and urban design. The application was reviewed by the UDP, was supported, and was seen as a project that would help heal the urban fabric in the DTES. Mr. Wall said he saw a lot of buildings in the area that are boarded

up with not of lot of people living there. This project has the potential to help heal the community. Mr. Wall said the applicant had gone a long way to have the building fit into the neighbourhood. The units will be affordable to more people and the architectural expression is respectful of its context.

Mr. Wall noted that the public had brought up the issue of potential buyers being speculative, but thought the new residents would add diversity to the community, as in any other neighbourhood in Vancouver. He suggested that the new residents could be part of the solution rather than part of the problems in the DTES.

Mr. Wall noted that the Panel had some issues with the relentlessness of the façade and how it blended into the neighbourhood, but felt the prior-to conditions provided by staff would go a long way to improving that relationship. Mr. Wall added that he recommended support for the application.

Mr. Tatomir said he was disappointed with the design of the building and thought the colour palette and façade could be improved. He noted that 50 years ago this was a vibrant community in the city which had deteriorated in the 1990's. Mr. Tatomir said he was not comfortable supporting the application.

Mr. Shearing thanked the public for their heartfelt comments. Mr. Shearing thought the prior-to conditions were achievable, met the requirements set out by City staff, and that it was a supportable project. He added that he thought Concord Pacific could slow down the project and work with the community to get an understanding of what they are trying to accomplish.

Mr. Stovell noted that he represented the development industry on the Advisory Panel and had been responsible for the addition of a number of market housing in the area. He said he had sat with some of the members of the public on the Woodward's redevelopment where they found a way for market housing to pay for non-market housing. Mr. Stovell said that developers can't be blamed for not creating non-market housing. He added that perhaps the application should have been a rezoning and could have delivered some non-market housing units within the project. Mr. Stovell said he fully supported the use of retail at grade as well as the increase in the height for the retail. He said he also supported the heritage density transfer as it helped to restore the Pennsylvania Hotel. Mr. Stovell did not support the architecture but felt the applicant could make the changes to improve the façade. Mr. Stovell added that he recommended support for the application.

Ms. Maust, representing the Heritage Commission, noted that the project brought about the purchase of heritage density which had gone to revitalize an important heritage building in the city. She said she was in agreement with the additional height to the retail and felt it should move up the building to bring back the saw-tooth element on the parapet. Ms. Maust encouraged the applicant to slow down and take into consideration the community's concerns.

Mr. Hung thanked the public for their comments. He noted that the community on the east side of the city was made up of people looking out for each other. Twenty years ago Hastings was a vital street but has become run down. Mr. Hung said he would like to see the area revitalized and supported the application for that reason. He also noted that the project did not demolish any buildings. The project won't solve the housing problem in the city but will bring more revenue to the city by expanding the tax base. The commercial space has the potential to draw people back to the area and to provide jobs for the local residents. The main problem for the community is the rate of change and Mr. Hung recommended the developer

incorporate some social housing into the project. He suggested that maybe the City could give a density bonus in order to solve the issue of providing social housing.

Mr. Braun, representing the general public, said the design was not of any great calibre and quality, which was reflected in the prior-to conditions in the Staff Committee Report. Perhaps the only justification for the poor design was that more affordable units would be available. Mr. Braun noted that he had seen a number of the new social housing projects come to the Board, felt they were very well designed, and didn't see any excuse for a poorly designed building. He added that it was one of the most boring applications he had seen in his time on the Advisory Panel. Mr. Braun also thought there were a number of smaller issues that were not being taken into consideration. He thought the quality of the alley could be improved with the addition of greenery to soften the large blank wall. He suggested reducing the number of bars on the windows and to make the glass more permeable. Also, the canopies needed to be continuous and generous along the front of the building.

Board Discussion

Mr. Toderian asked the Panel if they were suggesting the Board not approve the application or if they were suggesting the applicant slow down. Both Ms. Maust and Mr. Shearing recommended support for the application, but also suggested the applicant work with the community to foster some kind of relationship that would permit the application going forward with community support.

Mr. Toderian made a motion to approve the application with a number of amendments. He thanked the public for their attendance and their emotional and impassioned presentations. He also thanked them for the amount of respect they showed for the process. Mr. Toderian noted that the Board always listens carefully, but the Board has an understanding of their roles and what the Board can approve and what it cannot approve. Mr. Toderian noted that he and Mr. Cameron Gray (Director, Housing Centre) have discussed the issues that were raised by the members of the public at the meeting.

Mr. Toderian stated that the role of the Board members and Advisory Panel is to give comments on the architecture. The decision as to whether the application was appropriate for this site had already been made by Council.

Mr. Toderian noted that a number of speakers talked about democracy. In many cases over the last few years, speakers have asked the Board to show bravery and to be bold and have asked the Board to turn down social housing units or social services in their neighbourhood. Council has made the decision regarding areas for social housing and for social services and has also said yes to market housing in the DTES. Council may modify the policy, but it is not the purview of the Board to say that the application is not appropriate for this site.

Mr. Toderian proposed a number of amendments to the application noting that one of the issues heard was the nature of the people buying the units. He noted that a number of people spoke who had already bought condos in the neighbourhood. Mr. Toderian suggested as a consideration item that staff and the applicant work together to provide a mechanism to inform prospective purchases that there is support for the retention of the low income community in the DTES. Mr. Toderian added that part of the solution is to get the right kind of people buying the units. Mr. Toderian also suggested that the applicant and staff continue communicating and consulting with the DTES community prior to the release of the development permit.

Mr. Toderian encouraged the applicant to consider the addition of a green roof to the building. He noted that the applicant was likely prevented from adding a green roof because of the height consideration, but noted that the addition of a green roof didn't change the height plane. Mr. Toderian said he understood there were issues relative to warranties but encouraged the applicant to consider the addition of a green roof. Mr. Toderian said that he supported the height relaxation and the heritage density transfer.

Mr. Ridge supported the motion and thanked the public for their suggestions. He noted that the Board does not have the power to overturn Council policy but said he appreciated the frustration of the speakers. Being an architecturally impaired member of the Board, Mr. Ridge said he would take the advice about what needed to be changed, and accepted that there was still work to be done with the design. Mr. Ridge said he supported Mr. Toderian's amendments and was interested in seeing how the consideration item regarding buyers being notified of the community they are moving into worked out. Mr. Ridge added that social housing is the single most important issue in the City and thanked Ms. Davidson for her help and comments regarding this matter.

Mr. Judd supported the motion, conditions and amendments. He said he appreciated the passion of the speakers the time they took to come and speak to the Board. He noted that the Board was not the forum to make the changes they wanted. Mr. Judd thought the project could be part of the solution in the neighbourhood and was comforted by the information from Ms. Davidson. Mr. Judd said he was in support of the application.

Motion

It was moved by Mr. Toderian and seconded by Mr. Ridge, and was the decision of the Board:

THAT the Board APPROVE Development Application No. DE411789, in accordance with the Staff Committee Report dated May 21, 2008, with the following amendments:

Add a new Note to Applicant in Condition 1.4 to read:

Note to Applicant: For the easterly six modules of the façade (grid lines 6 through 12) a greater sense of depth and more variation of material, colour and other design details among the proposed repeated typical modules is sought to reflect the smaller scale building and streetscape patterns of the area.

Add a new Condition 1.9 to read:

design development to improve the public realm interface and liveability of the rear lane;

Add a new Condition 1.10 to read:

consideration of design development to provide the opportunity for an accessible green roof on the primary rooftop.

Add a new Condition 1.11 to read:

Consideration item: that the applicant continue to communicate and consult with the Downtown Eastside Community on design improvements, prior to release of the Development Permit; and

Add a new Condition 1.12 to read:

Consideration item: that staff and the applicant work together to consider mechanisms in marketing and selling the units for this proposal to educate and inform perspective purchasers of the prevailing policies for the Downtown Eastside Community regarding the support and retention of the low-income community.

4. OTHER BUSINESS

None.

5. ADJOURNMENT

There being no further business, the meeting adjourned at 8:01 PM

L. Harvey
Assistant to the Board

R. Jenkins
Chair