

Date: Monday, May 7, 2012
Time: N/A
Place: N/A

PRESENT:

189 KEEFER STREET - DE415496 - ZONE HA-1A
Minutes
Motion

Board

V. Potter Director of Development Services (Chair)
K. Munro Assistant Director of Planning
D. McLellan Deputy City Manager
P. Judd General Manger of Engineering Services

Advisory Panel

G. Borowski Representative of the Design Professions (Urban Design Panel)
F. Rafii Representative of the Design Professions
J. Stovell Representative of the Development Industry
K. Maust Representative of the Vancouver Heritage Commission
K. Busby Representative of the General Public
K. Chen Representative of the General Public
D. Wlodarczak Representative of the General Public

Regrets

S. Chandler Representative of the Development Industry
J. Miletic-Prelovac Representative of the General Public

ALSO PRESENT:

City Staff:

J. Greer Assistant Director of Processing Centre - Development
R. The Engineering Services - Projects Branch
G. Papers Development Planner
A. Bond Assistant Director of Housing Policy
A. Dunnett Planner
M. So Project Facilitator

189 KEEFER STREET - DE415496 - ZONE HA-1A

F. Rafii Foad Rafii Architects
C. Marcyniuk Solterra Development Corp.
J. Stamp Durante Kreuk Landscape Architects

CLERK TO THE BOARD: L. Harvey

- 1. 189 KEEFER STREET - DE415496 - ZONE HA-1A
(COMPLETE APPLICATION)**

Applicant: Rafii Architects

Request: To construct a 10-storey mixed-use building consisting of 2-storeys of commercial (CRU) and 8-storeys of residential uses (82 dwelling units) all over three levels of underground parking having vehicular access from the lane.

Development Planner's Opening Comments

Garry Papers, Development Planner, introduced the application for a site at the northwest corner of Keefer and Main Streets. Currently there is a 2-storey brick building which is not heritage listed or considered to be a character building. The base zoning allows for a mix of uses including market residential and commercial. There are no FSR maximums in the zone as well there is no special trigger for social housing or other considerations. It is a form based code with clear guidelines for the massing. The project consists 1 ½ levels of ground floor commercial on Main Street. On Keefer Street the property slopes so the commercial level gets taller towards the lane and then there are eight levels of residential with 82 units. The commercial space totals approximately 6,600 square feet above three levels of underground parking with approximately 72 parking spaces. The project fully conforms to the HA-1A uses and all form controls save two and those are the relaxations that the Board was asked to consider. The maximum height in the zone is 90 feet and the project along Main Street conforms except for the projection at the corner and a sloping portion at the top of the building along Keefer Street due to the slope on the site. Mr. Papers noted that the zoning allows for the Development Permit Board to consider a height up to 7.2 feet more than the 90 feet. The applicant is asking for a height relaxation within the 7.2 feet. The second consideration for the Board was the rear setback. Normally the setback requirement asks for a substantial setback for any residential use off the lane. The intent being to keep residential away from noise sources on the lane. The project is proposing the residential come to the property line for half of the frontage and Staff supports this primarily for urban design reasons to help define a very important street in Chinatown and help create a stronger transition across the lane. The residential does step back at the upper floors so this would only affect six levels of residential and six units that are immediately adjacent to the lane.

Mr. Papers reviewed the recommendations contained in the Staff Committee Report dated April 4, 2012. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarifications were provided by Mr. Papers:

- The brick goes all the way to the base at the lane but once it steps back it could be painted concrete.
- The rationale for the setback on the lane was to give some relief to the streetwall.
- The zoning allows for additional height but the applicants are not taking advantage of that.
- There is no fundamental objection to the clock as an element on the corner although the applicants have been encouraged to have a decorative element that is linked to the cultural history of the area. They could also take the corner up a bit higher.
- The height of the elevator over run does not require a height relaxation.
- It is possible to adjust the bedroom windows in the lane northward to allow for more privacy.

- Since the report was written City staff have received two more responses to the notification.

Applicant's Comments

Mr. Rafii thanked staff for their review of the project. He noted that the application had been reviewed by the Chinatown Heritage Advisory Committee, the Vancouver Heritage Commission and the Urban Design Panel and was supported. Mr. Rafii said they could comply with all the upfront conditions in the Staff Committee Report. He said he was concerned with one of the Engineering conditions regarding the parking entrance. There is a BC Hydro pole with three transformers that restrict the entrance. He added that they are trying to have the commercial go all the way back to have more presence on the lane. As well he said that it will be impossible to achieve the twenty foot width for the ramp but agreed to work with staff to find solutions.

Questions/Discussion

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

- The applicant is trying to find materials that are similar to others in Chinatown such as sandstone masonry or terracotta.
- At the lane elevation there will be brick at the base to prevent graffiti but the applicant may use some other material as well.
- The windows on the lane are from the kitchens.
- The applicant has not begun their marketing campaign regarding the CRUs but is hoping to have tenants such as restaurants and other retail that will activate the street.

Comments from other Speakers

Dave Diewert representing Streams of Justice asked the Board to reject the application as it was not part of the DTES Housing Plan. He thought there needed to be one for one replacement of SROs and there was a need for more social housing. He added that he was concerned with the possible impact on the current low income residents and possible rent increases.

Gregory Williams is an organizer with the UBC Social Justice who said he opposed the project and asked the Board to refuse the application. He said it threatens existing low income residents. He also said there wasn't any City policy to stop the loss of low income rental units and was concerned that the store fronts would not offer services for the current residents.

Ivan Drury said the policy wasn't clear for the area and wanted to know what policy should the Development Permit Board prioritize when considering the application. He noted that there wasn't a report on how the site would impact the SROs in Chinatown. He added that there are 200 units of social housing in the area and it was important for the Board to consider the housing plan. He recommended the Board send the application back to staff.

Jean Swanson of the Carnegie Community Action Project said the application was not helping to safe guard the low income community. She said that the City seemed to be ignoring the replacement part of the housing policy. She also said that she thought the SROs were at risk in the neighbourhood and that there was a need to slow market housing and increase social housing. She noted that the City continues revitalization but doesn't consider replacement.

Herb Varley, co-president of the DTES Neighbourhood Council said he opposed the development. He said there needed to be a City study regarding the impact of condo units on the low income community. He noted that residents in hotel rooms are already being evicted and this type of development was a serious threat to the low income housing and SROs in Chinatown. He recommended sending the application back to staff for more information.

Dave said he was concerned about a conflict of interest because Foad Rafii is a member of the Development Permit Board Advisory Panel and is also the applicant for the proposal. He said he was worried that land prices were going to increase and that Chinatown was one of the few areas left in the city where low income people can live. He suggested the application should go back to Council.

Benjamin Smith said although he liked the idea of progress he didn't like the idea of the people who are the most vulnerable not having a place to live. He said he wanted the Board to consider the impact going forward.

Questions/Discussion

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

- In relation to the DTES Housing Plan there is an additional 600 market units in the Chinatown planned by 2014.
- The Chinatown area is different from the Oppenheimer area where low income/social housing is estimated to have 50 more units by 2014.
- The application came in under the current zoning and no additional CACs were generated from the project.
- A social housing component was not discussed with the applicant. None is required in this zone.
- No one is being displaced with the development on the site.
- Housing staff commented on the application and asked for family housing units to be included but weren't able to require social housing in the development because of the current zoning.
- Had the application been a rezoning, there would have been a requirement for social housing.

Panel Opinion

Mr. Borowski said the Urban Design Panel had supported the proposal at their review as they felt it responded well to the requirements of the Chinatown neighbourhood. The building has character and there was an effort to break down the massing to address the store front heights. He said the Panel had a number of points that they thought needed improvement that are embodied in the conditions in the Staff Committee Report. Those improvements included returning the brick along the lane façade, some major improvements to the clock tower and, modifying the trellis design. He noted that because of the slope on Keefer Street it was difficult to address the design and thought the applicant had handled it well. He noted that there weren't any low income units on the site and no one was being replaced. Mr. Borowski recommended approval of the application.

Mr. Stovell said he thought the application was a little overly constrained by the guidelines but hoped that the building would have a different look than its neighbours. Mr. Stovell wanted to see more clarity in the DTES Housing Plan noting that there were as many reasons to support

market housing as people that could find to oppose it. He added that it is important to understand how social housing fits into the neighbourhood, what is meant by displacement and how many market housing units can be built. Mr. Stovell added that the project was supportable under the current zoning.

Mr. Wlodarczak said it would be more helpful if the City had a clearer housing policy and would have liked to have seen some rental housing in the project. He added that he was pleased that the applicant was going to wrap the brick around to the lane as the area should be active. Also he said he was interested in seeing how the clock tower will look when the building is completed. Mr. Wlodarczak recommended support for the application.

Ms. Maust, representing the Vancouver Heritage Commission which supported the proposal, said she felt it met the nature of the guidelines in an important heritage district. Ms. Maust acknowledged the speakers and agreed that greater clarity was needed regarding the zoning guidelines.

Ms. Busby said she was in support of the conditions in the Staff Committee Report and recommended approval.

Mr. Chen said he had some concerns regarding City policy but was a big fan of a community agriculture project and felt the application should have a bit more of that.

Board Discussion

Mr. Judd noted that there wasn't any social housing in the application but given the type of project it was not a requirement and the Board couldn't renegotiate but could only follow existing policy. Mr. Judd moved for approval of the application.

Mr. McLellan thought that greater clarity needed to be given to City policies, guidelines and regulations as there is room for interpretation especially around the housing plan. He hoped that local planning would help resolve the issue. He said that despite a lack of clarity the Board had to make a judgement on the application and it was clear to him that the regulatory framework did not compel the Board to insist on social housing. He added that he thought Staff and the Urban Design Panel had done a good job in making sure the appropriate density was handled on the site and that the application met Council's objectives. Mr. McLellan seconded the motion for approval of the application.

Mr. Munro said he felt an obligation to apply existing zoning policy to the application. He said that he recognized that a lot of sub areas in the downtown have different policies. He noted that two weeks previously the Board had seen an application that had a requirement for 20% social housing. However the Board in this case didn't have the ability to apply that to the application because it wasn't a rezoning. Mr. Munro said he didn't have any concerns with the application and thought the applicant had worked diligently to develop a project under the existing zoning. Mr. Munro supported the motion for approval of the application.

Motion

It was moved by Mr. Judd and seconded by Mr. McLellan and was the decision of the Board:

THAT the Board APPROVE Development Application No. DE415496, in accordance with the Staff Committee Report dated April 4, 2012.

2. OTHER BUSINESS

None.

3. ADJOURNMENT

There being no further business, the meeting adjourned at 4:39 PM