



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: September 6, 2016
Contact: Kent Munro
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VanRIMS No.: 08-2000-20
Meeting Date: September 20, 2016

TO: Vancouver City Council
FROM: Acting General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 3595 Kingsway (Odd Fellows Manor)

RECOMMENDATION

- A. THAT the application by GBL Architects, on behalf of Odd Fellows Low Rental Housing Society and Hungerford Properties, to amend CD-1 (60) By-law No. 4491 for 3595 Kingsway [*PID: 008-822-808; Lot 26, Blocks 3 and 4, District Lot 49, Plan 12672*] to permit a floor space ratio (FSR) of 3.69 and a building height of 23.0 m (75.2 ft.) to allow for a six-storey mixed-use building containing commercial retail units at grade, 44 social housing units and 117 secured for-profit affordable rental housing units, be referred to a public hearing, together with:
- (i) plans prepared by GBL Architects, received December 22, 2015;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the Acting General Manager of Planning, Urban Design and Sustainability to approve the application, subject to conditions 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 this rezoning and the Housing Agreement described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws for enactment, after the Housing Agreements have been agreed to and

signed by the property owners and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated by this report.

- C. THAT, if the application is referred to a public hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign By-law [assigning Schedule B (C-2)], 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 amending By-law, the Parking By-law be amended to include the CD-1 By-law and to provide parking regulations generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the amending by-law.

- E. 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 CD-1 By-law.

- F. THAT Recommendations A through E be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the 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 amend CD-1 By-law (60) for 3595 Kingsway, to allow for the replacement and renewal of the existing seniors social housing development known as the Odd Fellows Manor, with the addition of secured for-profit affordable rental housing units and commercial space. The existing development is owned by a non-profit organization and is

considered to be social housing, and will be replaced as social housing, with all of the 44 units occupied by households with incomes at or below the BC Housing Income Limits (HILs).

The application seeks to replace the existing 44 units of social housing through an agreement between the Odd Fellows Low Rental Housing Society and Hungerford Properties, a for-profit developer. The proposal is for a six-storey mixed-use building with commercial retail units at grade, 44 social housing units to be owned by the Odd Fellows Low Rental Housing Society, and 117 secured for-profit affordable rental housing units to be owned by Hungerford Properties.

The application has been made under the *Affordable Housing Policy*, which allows for consideration of extra density for the replacement of social housing, as well as, *Rental 100: Secured Market Rental Housing Policy*. In accordance with the Rental 100 policy, the application seeks increased height and density in return for all proposed housing units in the development being secured, that is 117 units as for-profit affordable rental housing and 44 units as social housing, for the life of the building or 60 years, whichever is longer. The application also seeks other incentives available for secured for-profit affordable rental housing, including a waiver of the Development Cost Levy (DCL) and a parking reduction. The social housing component will be in turn exempt from DCLs.

Staff have assessed the application and conclude that it is consistent with the Rental 100 policy with regard to the proposed uses and form of development. The application is also consistent with the DCL By-law definition of “For-Profit Affordable Rental Housing” for which DCLs may be waived, as well as with the Parking By-law definition of “Secured Market Rental Housing” for which a reduced parking requirement may be applied.

If approved, the development would replace and renew 44 social housing units and contribute an additional 117 secured for-profit affordable rental housing units to the City’s affordable housing goals as identified in the *Housing and Homelessness Strategy* and the *Final Report from the Mayor’s Task Force on Housing Affordability*. Staff recommend that the application be referred to a public hearing, with the recommendation of the Acting General Manager of Planning, Urban Design and Sustainability to approve it, subject to public hearing, along with conditions of approval in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Rental 100: Secured Market Rental Housing Policy (2012)
- Rental Incentive Guidelines (2012, last amended 2016)
- Final Report from the Mayor’s Task Force on Housing Affordability (2012)
- Housing and Homelessness Strategy (2011)
- Affordable Housing Policy (1991)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2016)
- Renfrew-Collingwood Community Vision (2004)
- Green Buildings Policy for Rezonings (2010, amended 2014)
- High-Density Housing for Families with Children Guidelines (1992)
- CD-1 (60) By-law No. 4491 (1970)

REPORT

Background/Context

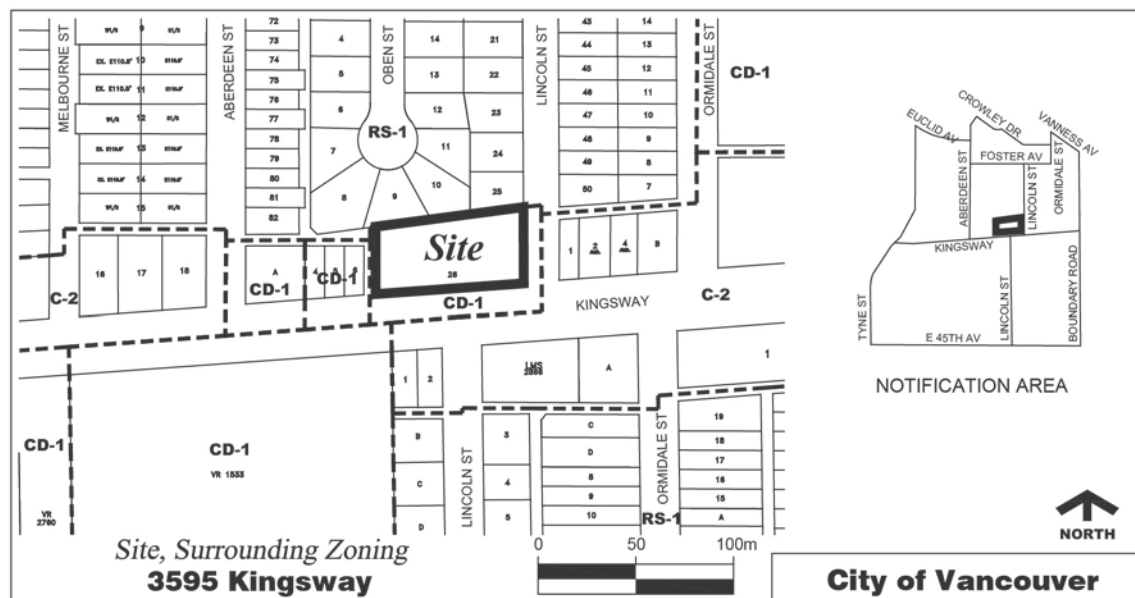
1. Background

In 1964, the City owned the properties generally bounded by Kingsway, Foster Avenue, Oben Street and Lincoln Street, and subdivided most of the land into single-family lots. The subject site at 3595 Kingsway was identified for multi-family housing as it was located outside the commercial area at the time. In 1969, Council agreed to the sale of the land at 3595 Kingsway, subject to a number of conditions including rezoning the site to a CD-1 (Comprehensive Development) district, generally reflecting the RM-2 (Multiple Dwelling) district but restricted to two storeys.

2. Site and Context

This 2,765.8 m² (29,771 sq. ft.) site is located at the northwest corner of Kingsway and Lincoln Street, with a frontage of 76.23 m (250 ft.) along Kingsway and 38.13 m (125 ft.) along Lincoln Street (see Figure 1). The site slopes significantly to the north with a grade change of approximately 4.5 m (15 ft.) across the property depth.

Figure 1: Site and Surrounding Zoning (including notification area)



The site is currently developed with a two-storey residential building built in 1971, containing non-market seniors rental housing known as the Odd Fellows Manor. Along Kingsway, to the east and south, are properties zoned C-2 with one- to four-storey commercial and mixed-use buildings. To the west are two CD-1 zoned properties that include two- and three-storey mixed-use buildings. The large CD-1 zoned site to the southwest consists of a three-storey mixed-use development providing co-operative housing (H.W. Flesher Housing Co-operative), commercial uses and surface parking fronting Kingsway. To the north are single-family dwellings on properties zoned RS-1. The subject site is located within a key shopping area

identified in the *Renfrew-Collingwood Community Vision*, as well as, close to parks in the cities of Vancouver and Burnaby and well-served by transit.

3. Policy Context

Rental 100: Secured Market Rental Housing Policy – In May 2012, Council approved the *Secured Market Rental Housing Policy*, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified rental housing. The *Final Report from the Mayor's Task Force on Housing Affordability*, adopted by Council in October 2012, further endorsed the importance of incentivizing market rental housing through a focus on strategies to repair, renew and expand market rental stock across all neighbourhoods. Rezoning applications considered under this policy must meet a number of criteria regarding affordability, security of tenure, location and form of development.

Housing and Homelessness Strategy 2012-2021 – In July 2011, Council endorsed the *Housing and Homelessness Strategy 2012-2021*, which includes strategic directions to increase the supply of affordable housing, encourage a housing mix across all neighbourhoods that enhances quality of life, and provide strong leadership and support partners to enhance housing stability. The priority actions identified to achieve some of the strategy's goals relevant to this application include refining and developing new zoning approaches, development tools and rental incentives to continue the achievement of securing purpose-built rental housing; pursuing a new business model to enhance affordable housing delivery (i.e. development agreement between a non-profit and a developer); protecting the existing rental stock by providing incentives for upgrades (i.e. permitting the addition of for-profit affordable rental housing units); targeting social housing to specific populations (i.e. seniors); and using financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households.

Affordable Housing Policy – The *Affordable Housing Policy* supports rezoning sites to maintain and expand affordable housing opportunities in Vancouver. It encourages the distribution of affordable housing options across Vancouver's neighbourhoods and includes the objective to facilitate a wide range of housing forms and shelter costs to meet the housing needs of existing and future Vancouver residents of all backgrounds and lifestyles.

Mayor's Task Force on Housing Affordability – The Priority Action Plan as developed by the Task Force put forward a number of recommendations including:

- To increase the supply and diversity of housing.
- To enhance the City's and community's capacity to deliver affordable rental and social housing.

The City was encouraged to use tools, such as Community Amenity Contributions (CACs), Development Cost Levies (DCLs) and partnership funding from senior government and non-profit organizations. Accordingly, the City will consider a range of options to deliver the affordable housing targets set out in the *Housing and Homelessness Strategy*, in the most cost-effective way, including new mixed-income social housing developed, owned and operated by non-profit entities.

Renfrew-Collingwood Community Vision – In March 2004, Council approved the *Renfrew-Collingwood Community Vision*. This site is located within the Collingwood Shopping Area and a possible neighbourhood centre. The community vision supports developments

designed for seniors near parks, shopping and transit; additional housing that is more affordable than single-family housing; and the strengthening of the shopping area along Kingsway as a major neighbourhood shopping area with a continuous, pedestrian-friendly retail frontage. The vision also supports rezoning for social or affordable housing projects, including rental housing (Table 2.1 under the Rezoning Policy).

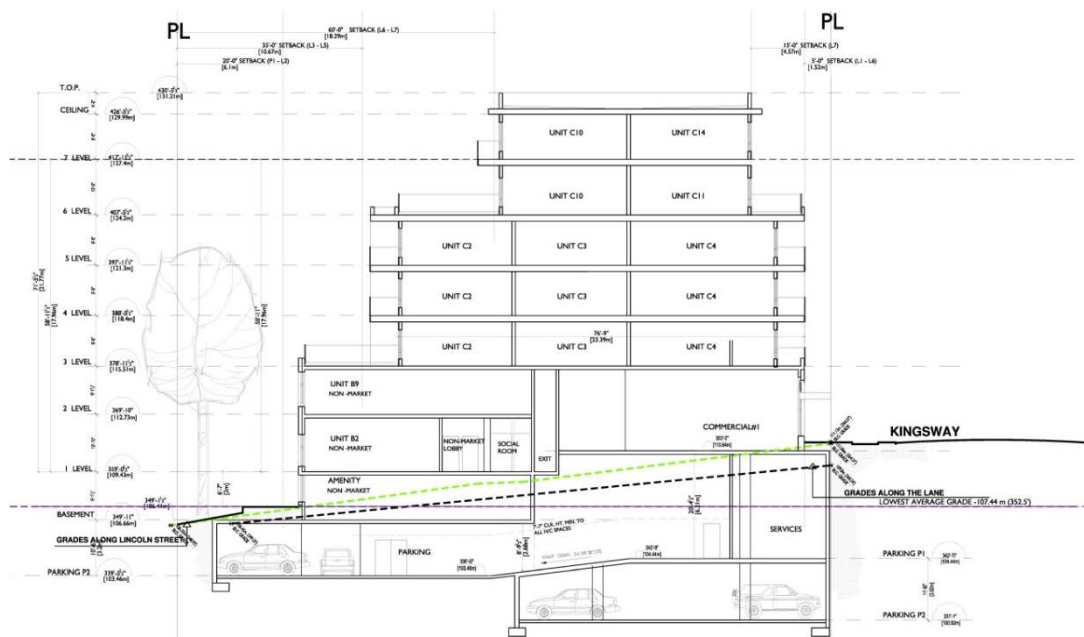
High-Density Housing for Families with Children Guidelines – The intent of the guidelines is to address key issues of site, building and unit design to achieve livability objectives for families with children. The guidelines provide direction on project planning, project design and unit design.

Strategic Analysis

1. Proposal

The application proposes to amend CD-1 By-law (60) for 3595 Kingsway, to allow for the replacement and renewal of the existing seniors housing development known as the Odd Fellows Manor, with the addition of secured for-profit affordable rental housing units and commercial space. The existing building is in need of extensive renovation and is approaching the end of its economic life, that is, rents that are collectable on the property cannot viably cover operating/maintenance and repair costs. The application proposes a six-storey mixed-use building at 3.69 FSR and a building height of 23.0 m (75.2 ft.) with commercial retail units at grade (one level at double height), social housing units (three levels at the rear of the site) to be owned by the Odd Fellows Low Rental Housing Society, and secured for-profit affordable rental housing units (five levels fronting Kingsway) to be owned by Hungerford Properties. The proposal is a six-storey building fronting Kingsway and eight storeys from the rear due to the significant grade change from Kingsway and the rear of the site (see Figure 2).

Figure 2: Section-Elevation (Looking East)



In recognition of the potential social housing and secured for-profit affordable rental housing benefits that could arise from this application, the rezoning and development permit applications are being processed concurrently to provide an expedited timeline.

In total, the application proposes 44 social housing units (34 studios and 10 one bedroom), 117 for-profit affordable rental housing units (71 studios, 10 one bedroom and 36 two bedrooms), and 1,032 m² (11,107.9 sq. ft.) of commercial floor area all over two levels of underground parking accessed from the lane on the west side of the site. Common amenity spaces are located at each of the three levels of the social housing component, with two of the three spaces having access to the outdoors. The for-profit affordable rental housing component includes a common amenity space located on the sixth level with access to a rooftop deck containing urban agriculture and a kid's play area.

On July 13, 2016, Council updated its family housing policy to require a minimum of 35 per cent of all units to be two bedrooms or more for rezoning applications proposing rental housing. Staff note that this rezoning application was submitted when the family housing requirement was for 25 per cent of all units to have two bedrooms or more, and be suitable for families with children in accordance with the *High-Density Housing for Families with Children Guidelines*. This application proposes 30.8 per cent family units within the for-profit affordable rental housing component, comprised of 36 two-bedroom units, which exceeds the minimum number of units as two-bedrooms or more suitable for families with children. A condition of approval is included in Appendix B to ensure the minimum 25 per cent family housing unit mix is maintained through the development permit stage.

2. Density, Height and Form of Development (refer to drawings in Appendix E)

The *Rental Incentive Guidelines* provide direction for the consideration of additional height and density to facilitate the provision of rental housing. The guidelines provide consideration for up to six storeys on C-2 sites, if criteria for urban design performance and neighbourliness are met. C-2 is a mixed-use zoning district, generally located along arterial streets, which allows a floor space ratio (FSR) up to 2.5 with a four-storey building form (45 ft. height). A stepped building profile is required at the rear to provide a suitable transition to adjacent single-family sites. As Kingsway is a major arterial, staff has concluded that a density of 3.69 FSR and a height of six storeys are appropriate for this site, subject to the *Rental Incentive Guidelines* and to the design conditions noted in Appendix B.

The site is located at the northwest corner of Kingsway and Lincoln Street, two blocks from Boundary Road. This stretch of Kingsway is a fairly fine-grained mix of two- to four-storey buildings, with retail at grade and office or residential above. To the north, single-family residences flank the subject site, with no intervening lane. The site slopes down 15 feet from Kingsway to the north, towards the single-family neighbours. To mitigate the potential visual and shadow impacts of the development on the single-family neighbours, substantial setbacks are proposed on the north side of the building, creating a "terraced" massing. Studies demonstrate that shadowing onto the adjacent rear yards is not greater than what would be cast by a building constructed under C-2 zoning. The Kingsway elevation is six storeys, with the uppermost storey set back 10 feet to reduce the visual prominence of the building. The fifth and sixth storeys are also set back along the Lincoln Street and lane elevations.

Facing the existing single-family context to the north, the development consists of three storeys of social housing units (seniors' housing), with ground-oriented units and patios at grade. Staff recommend that the northeast corner of the building be slightly reconfigured to

retain a significant cluster of mature trees, and further improve the interface with the single-family neighbours (see conditions in Appendix B). Commercial retail units fronting onto Kingsway will create a lively pedestrian realm. Market rental housing units are located on the upper levels. Loading and access to underground parking are located off the flanking lane.

The Urban Design Panel reviewed and supported this application on March 23, 2016 (see Appendix D). Staff conclude that the design responds well to the expectations set forth in the *Rental Incentive Guidelines* and support this application, subject to the conditions outlined in Appendix B, which include retention of a significant cluster of trees, refinements to the upper storey setbacks, and improvements to the common and private outdoor spaces. Together, these changes will result in a reduction in density from the initially proposed 3.71 FSR.

3. Housing

This proposal is made possible through an agreement between the Odd Fellows Low Rental Housing Society and Hungerford Properties, a for-profit developer. The social housing component of this proposal would remain under the ownership of the Odd Fellows Low Rental Housing Society in a separate airspace parcel.

Social Housing – This application, if approved, would support and advance a number of City housing policy objectives and strategic directions including those articulated in the *Affordable Housing Policy* and the *Housing and Homelessness Strategy*, which strives to enhance access to affordable housing. Social housing projects are exempt from paying Development Cost Levies (DCLs) and Community Amenity Contributions (CACs) in order to optimize the affordability of the housing proposed. The application seeks to replace existing social housing with new social housing. The social housing component includes 34 studios and 10 one-bedroom units.

Figure 3: Progress Towards Social and Supportive Unit Targets as set in the City's Housing and Homelessness Strategy (June 30, 2016)

	TARGETS ¹		CURRENT PROJECTS ² Committed, Under Construction and Completed	GAP	
	Long Term (2012-2021)	Short Term (2012-2018)		Target (2018)	Target (2021)
Supportive Housing Units	2,900	2,700	1,755	945	1,145
All Other Non-Market Housing Units	5,000	3,500	1,522	1,978	3,478
Total Non-Market Housing Units	7,900	6,200	3,277	2,923	4,623

¹ Targets are established in the 2011 *City of Vancouver Housing and Homelessness Strategy*.

² Unit numbers exclude the units in this proposal, pending Council's approval of this application.

Replacement Units and Tenant Relocation Plan – This application seeks to renew the existing 44 units of social housing, which are in need of extensive renovation and are

generally approaching the end of their useful life. The new units would continue to be available for rent to seniors, addressing the need for affordable rental options for seniors to “age in place” within the community, close to amenities and transit, in a high-quality, well-maintained environment. All 44 social housing units will be rented at or below rents affordable to households which fall under the BC Housing Income Limits (HILs) levels (currently \$36,500 per year for a studio unit and \$40,000 per year for a one-bedroom unit). A Housing Agreement will secure the proposed rent levels and all units as social housing for 60 years or the life of the building, whichever is greater, and a first right of refusal for the replacement units for current tenants whose income falls below Housing Income Limits at rents geared to be affordable to their income.

Redevelopment of the site would necessitate the relocation of existing tenants. The applicant has submitted a preliminary Tenant Relocation Plan (TRP), which demonstrates that suitable interim and long-term housing options for current residents are being pursued, in a manner consistent with Council’s *Tenant Relocation and Protection Policy*. Staff will continue to monitor compliance with these policies through the Development Permit stage. This includes a first right of refusal for existing tenants at existing rents or rents geared to be no more than 30 per cent of their income and a coordinated tenant selection process for units not claimed by returning tenants, including referral from the BC Housing Registry. An Operations Management Plan will also secure the allocation of any potential surplus rental revenue from the social housing units to broaden and deepen affordability at this location, as summarized in the conditions outlined in Appendix B.

For Profit Affordable Rental Housing — This application also proposes secured for-profit affordable rental housing under the Rental 100 program. With the goal of providing more affordable housing choices for all Vancouverites, the *Housing and Homelessness Strategy* sets a number of short- and long-term rental housing targets. The Rental 100 program plays a critical role in the achievement of those targets by helping to realize secured rental housing. Rental housing provides a more affordable housing option for nearly half of Vancouver’s population and contributes to a number of City initiatives intended to create diverse and sustainable communities. Rental 100 units are targeted to moderate-income households and the program extends throughout all parts of the city, thereby providing options that are more affordable than home ownership.

The Rental 100 program provides various incentives to be taken at the applicant’s discretion to assist with a project’s viability. These incentives, where the units qualify as secured for-profit affordable rental housing, include increased height and density, parking reductions and a Development Cost Levy (DCL) waiver. Housing staff have evaluated this application and have determined that it meets the objectives of the Rental 100 program.

The proposal would deliver 117 secured for-profit affordable rental housing units in the form of studio, one-bedroom and two-bedroom units. On July 13, 2016, Council updated its family housing policy to require a minimum of 35 per cent of all units to be two bedrooms or more for rezoning applications proposing rental housing. Staff note that this rezoning application was submitted when the family housing requirement was for 25 per cent of all units to have two bedrooms or more, and be suitable for families with children in accordance with the *High-Density Housing for Families with Children Guidelines*. The application proposes 36 two-bedroom units (30.8 per cent of the overall secured for-profit affordable rental housing units), which exceeds the minimum requirement of two-bedroom units. These units are

considered to be suitable for families with children and will help to meet the need for family rental housing in the city.

For the for-profit affordable rental housing component, the applicant agrees that the studio units would rent for no more than \$1,260 per month on average, one-bedroom units would rent for no more than \$1,675 per month on average, and two-bedroom units would rent for no more than \$2,084 per month on average. The proposed rents are at the maximum average rents under the Vancouver DCL By-law for the east area of Vancouver. Staff have compared the anticipated initial monthly rents in this proposal to the average monthly costs for newer rental units in the east area of Vancouver, as well as to the estimated monthly costs to own similar units in the same area, using 2015 BC Assessment sales data.

Figure 4: Comparable Average Market Rents and Homeownership Costs

	3595 Kingsway Proposed Rent	Average Market Rent in Newer Buildings - Eastside (CMHC, 2015) ¹	DCL By-law Maximum Averages (CMHC, 2015) ²	Monthly Costs of Ownership for Median-Priced Unit - Eastside (BC Assessment, 2015) ³
Studio	\$1,260	\$1,184	\$1,260	\$1,438
1 bed	\$1,675	\$1,486	\$1,675	\$2,148
2 bed	\$2,084	\$1,882	\$2,084	\$2,936

¹ Data from the October 2015 CMHC Rental Market Survey for buildings completed in the year 2005 or later on the Eastside of Vancouver.

² For studio, 1- and 2-bedroom units, the maximum DCL rents for the Eastside of Vancouver are the average rents for all residential units built since the year 2005 citywide as published by CMHC in the Fall 2015 Rental Market Report.

³ Based on the following assumptions in 2015: median of all BC Assessment recent sales prices in Vancouver Eastside in 2015 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 - 250 monthly strata fees and monthly property taxes at \$3.54 per \$1,000 of assessed value.

When compared to average rents in newer buildings in the east area of Vancouver, the proposed rents are higher, however they are still equivalent to the DCL By-law maximum averages for the east side. When compared to home ownership costs, the proposed rents in this application will provide an affordable alternative to home ownership, particularly for the larger units. Figure 4 compares the initial rents proposed for the units in this application to average and estimated costs for similar units.

All 117 for-profit affordable rental housing units in this application would be secured as such through a Housing Agreement with the City and a Section 219 Covenant for the longer of the life of the building or 60 years. Covenants will be registered on title to preclude the stratification and separate sale of individual units. The proposed average starting rents, as set out in Figure 4, will be secured through the Housing Agreement. The DCL By-law allows for rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum allowable increases under the Province's Residential Tenancy Act. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the occupancy permit in order to ensure compliance with the maximum increases authorized by the DCL By-law. After occupancy, rent increases are regulated by the Residential Tenancy Act. As well, through the Development Permit application process, the City will ensure that

average unit sizes do not exceed the applicable maximum thresholds established in the Vancouver DCL By-law.

Vancouver has one of the lowest rental vacancy rates in Canada. In October 2015, the vacancy rate citywide was 0.6 per cent¹ and the Renfrew-Collingwood neighbourhood was 0.4 per cent². That means only four out of every 1,000 market rental units in Renfrew-Collingwood were empty and available for rent. A vacancy rate of 3 per cent is considered to be a balanced rental market. The addition of 117 new secured for-profit affordable rental housing units to the City's inventory of rental housing contributes toward the near-term and long-term targets of the *Housing and Homelessness Strategy* (see Figure 5). Conditions related to securing the units are contained in Appendix B.

Figure 5: Progress Toward the Secured Market Rental Housing Targets as set in the City's Housing and Homelessness Strategy (June 30, 2016)*

	TARGET		CURRENT PROJECTS		GAP	
	(2012-2021)	Completed	Under Construction	Approved	Total	Above or Below 2021 Target
Secured Market Rental Housing Units	5,000	1,291	2,109	2,200	5,600	746 above target

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

4. Transportation and Parking

The application proposes two levels of underground parking accessed from the lane on the west side of the site. A total of 93 parking spaces are provided – 74 parking spaces for the residential component and 19 spaces for the commercial component. Also proposed are 161 Class A bicycle spaces.

Parking for the residential and commercial spaces are to be provided in accordance with the Parking By-law. The application proposes a reduction from the three Class B loading spaces required to two Class B loading spaces. In lieu of the provision of three Class B spaces, staff propose that two Class B spaces and two Class A spaces be provided. An amendment to the Parking By-law to this effect is proposed in Appendix C.

Engineering Services has reviewed the rezoning application and have no objections to the proposal provided the applicant satisfies the rezoning conditions included in Appendix B.

5. Environmental Sustainability

The *Green Buildings Policy for Rezoning*s (amended by Council in June 2014) requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency, stormwater management and a 22 per cent reduction in energy cost as compared with ASHRAE 90.1 2010, along with registration and application for certification of

¹ CMHC Rental Market Report, October 2015

² CMHC Rental Market Report, October 2015

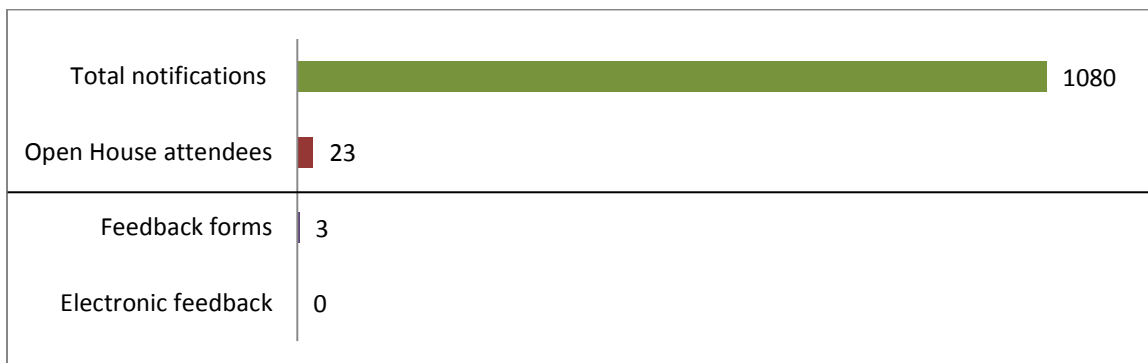
the project. The applicant submitted a preliminary LEED® for Homes - Multifamily Mid-Rise scorecard, which generally conforms to the *Green Buildings Policy for Rezoning*, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

PUBLIC INPUT

Public Notification – A rezoning information sign was installed on the site on February 9, 2016. A total of 1,080 notifications were distributed within the neighbouring area on or about February 23, 2016. In addition, notification, application information and an online comment form were provided on the City’s Rezoning Applications webpage (vancouver.ca/rezapps). A community open house was held on March 9, 2016. Staff, the applicant team and a total of approximately 23 people attended the open house.

Public Response and Comments – The City received a total of three responses regarding the rezoning application (see Figure 6). There was both support and concern expressed over the provision of seniors rental housing. One respondent stated there should be more social housing units proposed and had concerns over seniors being “squeezed” out of Vancouver. There was also a comment regarding overnight street parking and littering in the area.

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:

Public Benefits – Required By By-law or Policy

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. The proposed commercial space is subject to the City-wide DCL rate, which as of September 30, 2016, will be \$149.73 per m² (\$13.91 per sq. ft.). Based on the proposed commercial floor area of 1,032.0 m² (11,107.9 sq. ft.), a DCL of approximately \$154,510 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12 months from the date of the DCL By-law rate amendment, provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Under the Vancouver Development Cost Levy By-law and Section 523D (10)(d) of the *Vancouver Charter*, "social housing" is exempt from DCLs. Social housing in this context is housing where a minimum of 30 per cent of the dwelling units are occupied by households with incomes below BC Housing Income Limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, for which a Section 219 covenant, Housing Agreement or other security that restricts the use of such units is registered against title and where the housing is owned by specified types of owners, including a non-profit organization. The social housing component of the project meets the criteria and is exempt from paying DCLs. The value of this exemption is estimated to be approximately \$332,750, based on the floor area of 2,222.4 m² (23,921.6 sq. ft.).

The applicant has requested a waiver of the DCL attributed to the for-profit affordable rental housing, in accordance with Section 3.1A of the Vancouver Development Cost Levy By-law. The total residential floor area eligible for the waiver is 6,948.7 m² (74,795.1 sq. ft.). The total DCL that would be waived is estimated to be approximately \$1,040,400. A review of how the application meets the waiver criteria is provided in Appendix F.

Public Art Program – The *Public Art Policy for Rezoned Developments* requires that a rezoning involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. However, floor area dedicated to social housing as defined by the DCL By-law is exempt from this policy. The proposed floor area, not including the social housing floor area, is below the minimum threshold. As such, no public art contribution will arise from this application.

Public Benefits – Offered by the Applicant

Social Housing – This project represents a strategic partnership between the Odd Fellows Low Rental Housing Society and Hungerford Properties. The applicant has proposed the replacement and renewal of the existing Odd Fellows Manor consisting of 44 units of social housing. The Odd Fellows Low Rental Housing Society would be responsible for the maintenance, operation and funding of the social housing component.

Rental Housing – The applicant has proposed that 117 residential units be secured as for-profit affordable rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City's rental housing stock for the longer of the life of the building or 60 years.

Community Amenity Contributions (CACs) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include

either the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

The public benefit achieved for this application is the renewal of the social housing and new secured for-profit affordable rental housing. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the renewal of the social housing and the new for-profit affordable rental housing units for the longer of the life of the building or 60 years, no further contribution towards public benefits is anticipated in this instance. See Appendix G for a summary of all of the public benefits for this application.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, there are no CACs or public art contributions associated with this rezoning.

The site is subject to the City-wide DCL By-law. Should Council approve the rezoning application:

- The commercial space is anticipated to generate approximately \$154,510 in DCLs;
- The social housing component is exempt from DCLs under Section 523D (10)(d) of the *Vancouver Charter* and the Vancouver DCL By-law, and the value of this exemption is estimated to be approximately \$332,750; and
- The for-profit affordable rental housing component will qualify for a DCL waiver under Section 3.1A of the Vancouver DCL By-law and the value of the waiver is estimated to be approximately \$1,040,400.

The social housing and the for-profit affordable rental housing, secured by separate Housing Agreements for the longer of the life of the building or 60 years, will be privately owned and managed, in separate airspace parcels.

Consistent with Council policy, non-market housing projects are expected to be sustainable over the long term and require no further contributions and subsidies from the City. The Housing Agreement requires all 44 units of social housing to be rented at or below rents affordable to households which fall under the BC HILs level.

CONCLUSION

Staff have reviewed the application to amend CD-1 By-law (60) for 3595 Kingsway, to allow for the replacement and renewal of the existing seniors housing development known as the Odd Fellows Manor, with the addition of secured for-profit affordable rental housing units and commercial space. Staff conclude that the application, along with the recommended conditions of approval, which includes measures resulting in a density reduction to 3.69 FSR from the initial proposal of 3.71 FSR, is consistent with the *Rental 100: Secured Market Rental Housing Policy*. Staff further conclude that the application qualifies for incentives provided for for-profit affordable rental housing, including additional height and density, a DCL waiver and a parking reduction. If approved, this application would make a significant contribution to the achievement of key affordable housing goals of the City.

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

* * * * *

3595 Kingsway
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of By-law No. 4491.
2. Council strikes "." after "1" and adds "Zoning District Plan Amendment" after "1" In Section 1.
3. Council strikes Sections 2 and 3 and substitutes the following Sections 2 through 7:

"2 Uses

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 (60), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Museum or Archives;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
- (c) Institutional Uses, limited to Social Service Centre;
- (d) Manufacturing Uses, limited to Jewelry Manufacturing and Printing or Publishing;
- (e) Office Uses;
- (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;
- (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class A, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;
- (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 2.

3 Conditions of use

- 3.1 No portion of the first storey of a building, within a depth of 10.7 m of the south wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 3.2 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for:
 - (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.
- 3.3 The design and lay-out of at least 25% of the for-profit affordable rental housing units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

4 Floor area and density

- 4.1 Computation of floor space ratio must assume that the site consists of 2,765.8 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses must not exceed 3.69.
- 4.3 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.
- 4.4 Computation of floor area must exclude:
 - (a) open residential balconies or sun decks 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 residential floor area being provided; 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 so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5 The use of floor area excluded under section 4.4 must not include any use other than that which justified the exclusion.

5 Building height

Building height, measured from base surface, must not exceed 23.0 m.

6 Horizontal angle of daylight

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

6.2 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.

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 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.

6.5 An obstruction referred to in section 6.2 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 (60).

6.6 A habitable room referred to in section 6.1 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 m².

7 Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

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

* * * * *

3595 Kingsway
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for Public Hearing.

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architects Inc. and stamped "Received Planning and Development Services, December 22, 2015", provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

- 1. Design development to strengthen the architectural expression at the Kingsway/Lincoln street corner, and to improve the Odd Fellows entry, as follows:
 - (i) set back the building face (approximately 12 ft.) in front of the entry doors to create a more open corner/covered plaza; and
 - (ii) increase the width of the corridor to the Odd Fellows lobby, to accommodate a stair adjacent to the chair lift.

Note to applicant: Both an able-bodied person and a person in a wheelchair should be able to use the Kingsway entry to the Odd Fellows residence. Compliance with this condition may result in a decrease in floor space.
- 2. Design development to reconfigure the northwest corner of the building massing and outdoor space to accommodate tree retention (see also Landscape Design condition 12).

Note to applicant: Compliance with this condition will result in a decrease in floor space. The amenity room for the Odd Fellows residence should be maintained at approximately 1,000 sq. ft.
- 3. Design development to provide adequate private outdoor spaces.

Note to applicant: Balcony depths on the Kingsway elevation should be increased to minimum 4 ft. They may project further into the front yard setback, or be inset.

4. Design development of the Kingsway elevation to create further depth and animation, as follows:
- (i) consideration to provide a variety of balcony depths (4 ft. and greater), and/or a combination of inset, partially inset, and projecting balconies;
 - (ii) increase the 5th storey (Level 6) setback at the northwest corner to 12 ft. (to match the storey above);
 - (iii) increase the depth of the weather canopy to 10 ft., and wrapping it around the northwest corner (at the Kingsway/Lincoln entry);
 - (iv) explore an alternative colour selection for the red "accents", including a multi-colour option;
 - (v) confirm that the colour of the vinyl window frames is black (or similar);
 - (vi) provide information on the fritting on the glass guardrails (as these are described as providing "colour and animation to the building elevations"); and
 - (vii) consideration to provide a greater colour contrast between the grey fiberglass reinforced concrete panel (horizontal pattern) and the grey fibre cement panel (rectangular pattern).

Note to applicant: Compliance with this condition will result in a decrease in floor space. The information provided in response to the above may result in further conditions.

5. Design development to mitigate the visual impacts of the north elevation on the residential properties to the north, as follows:
- (i) add planting along the north edge of the Level 6 terrace (similar to the planter on the Level 3 terrace);
 - (ii) lower the height of the wall-mounted trellis to match the parapet; and
 - (iii) consider extending the trellis structure to the east, to span the width of the urban agriculture area.

Note to applicant: It is understood that the change in plane of the exterior wall on which the trellis is mounted would also shift to the east, resulting in a slight increase in floor space.

6. Design development to improve the livability of the social housing units, as follows:
- (i) increase ceiling height on Basement/P1 Level to 9 ft.; and
 - (ii) increase ceiling height on Levels 1 and 2 to 8.5 ft.

Note to applicant: Overall building height should not be increased. If required, floor-to-floor height of the market rental can be reduced.

7. Design development to improve the accessibility of the outdoor amenity space for the Odd Fellows residence.

Note to applicant: This may be achieved by providing a wheelchair ramp. Alternatively, the chairlift could be relocated to a covered location. Note that the chairlift is currently shown in different locations on the floorplan and landscape plan.

8. Consideration to improve the sustainable design of the building envelope.

Note to applicant: Intent is to reduce the energy required to heat and cool the building. This may be accomplished through the use of solar shading, triple glazing and avoidance of thermal bridging at window frames and projecting concrete structures such as balconies. Consider the use of thermally broken door and window frames, and either insulating the concrete projections or installing thermal breaks.

9. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

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. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

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

Sustainability

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

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

drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape Design

12. Design development and coordination of the plans with a revised arborist report, to enable the retention and protection of a group of three trees in the northeast corner of the site: Trees #11, #12 and #13;

Note to applicant: It is understood that this will require revisions to the parkade and building footprint, and may result in reduced floor area. The three trees are significant, healthy Tulip Trees which currently contribute to privacy for the adjacent properties to the north. Tree #12 is already proposed for retention, however, the three trees are growing as a group, with their root zones intertwined. The trees, therefore, should be retained and protected, as a group. An updated arborist report should recommend safe methods of protection.

Engineering

13. Revision of the landscape and site plans to reflect the requirements of this rezoning application noting the following:
 - (i) all planting on street right-of-way are to be maintained by the adjacent property owner; if this is not acceptable please remove all planting on street right-of-way;
 - (ii) all plant material within the same continuous planting area which is located on street right-of-way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m, measured from the sidewalk;
 - (iii) all plant materials within the street right-of-way which are located outside of the areas described in item 14 (ii) shall not exceed 1 m in height, measured from the sidewalk; and
 - (iv) remove *Lonicera pileata* (LP) from landscaping adjacent to lane due to potential encroachment issues; replace with a plant that does not have a vigorous spreading habit.

Housing Policy and Projects

14. Provision of an Operations Management Plan, to the satisfaction of the General Manager of Community Services, that addresses key issues including but not limited to:

- (i) a draft building operations and maintenance plan and operating budget in respect of the social housing units;
 - (ii) a detailed tenant relocation plan for current non-market tenants, including first right of refusal for existing tenants at existing rents or rents geared to be no more than 30% of their income;
 - (iii) a coordinated tenant selection process for units not claimed by returning tenants, including referral from the BC Housing Registry; and
 - (iv) allocation of any potential surplus rental revenue from the non-market units to broaden and deepen affordability.
15. The proposed mix of the market residential units in this development, including 71 studio units (60.7%), 10 one-bedroom units (8.5%) and 36 two-bedroom units (30.8%), is to be included in the Development Permit drawings.

Note to applicant: Any changes in the unit mix from the proposed rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units designed to be suitable for families with children.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Release of Easement & Indemnity Agreement 514183M (See 612125L), 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.

2. Provision of building setback and a surface Statutory Right of Way (SRW) to achieve a 5.5 m distance from the back of the City curb to the building face.

Note to applicant: Current plans are showing a 19 ft. boulevard dimension. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension. The SRW agreement is to accommodate the underground parking, the balconies on levels 3 to 6, and projections at the 7th level within the SRW area.

3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

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

Note to applicant: The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

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

Note to applicant: The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.

- (iii) Provision of a minimum 1.83 m (6'-0") broom finish concrete sidewalk with saw cut control joints and a minimum 1.35 m (4'-6") front boulevard with sod and street trees on Lincoln Street.

Note to applicant: The current plan shows a 3 ft. front boulevard.

- (iv) Provision of a new concrete sidewalk on Kingsway consisting of a minimum 1.2 m exposed aggregate front boulevard and minimum 3.0 m broom finish concrete sidewalk with saw cut joints.
- (v) Provision of improved curb ramps at the northwest corner of Kingsway and Lincoln Street including new curb returns should existing returns not meet current standards.
- (vi) Provision of a standard concrete lane crossing and new curb returns at the lane east of Aberdeen Street on the north side of Kingsway.

- (vii) Provision of \$275,000 towards installation of a pedestrian signal at Kingsway and Lincoln Street to improve pedestrian connections.
 - (viii) Provision of street trees adjacent to the site where space permits.
4. Provision of all utility services to be underground from the closest existing suitable service point.

Note to applicant: All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Housing

5. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to:
- (i) enter into a Housing Agreement, for the airspace parcel containing not less than 44 units (2,468 m² of gross floor area) of social housing, for the life of the building or 60 years, whichever is longer, and to include registrable covenants in respect of all such units prohibiting stratification, separate sales and rental for a term of less than one month at a time and securing a minimum of 30% of units to rent below rents that are affordable to households with an income of no more than the BC Housing Income Limits in order to comply with the exemption provisions for social housing in the *Vancouver Charter*, except that rents for a greater number of non-market units may be further defined and reduced below Housing Income Limits to accommodate the financial constraints of current/returning tenants.

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

- (ii) enter into a second Housing Agreement to secure all of the other residential units in this development, in an air space parcel, as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer, and to include registrable covenants in respect of all such units prohibiting stratification, separate sales and rental for a term of less than one month at a time, and subject to such other terms and conditions as are satisfactory to the Director of Legal Services and the General Manager of Community Services.

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

Soils

6. If applicable:
- (i) submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) as required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
 - (iii) if required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note to applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

* * * * *

3595 Kingsway
DRAFT CONSEQUENTIAL AMENDMENTS

Note: By-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

“3595 Kingsway [CD-1 (#)] [By-law #] B (C-2)”

PARKING BY-LAW NO. 6059

In Schedule C, add:

Address	By-law No.	CD-1 No.	Parking Requirements
3595 Kingsway			Parking, loading and bicycles spaces to be in accordance with by-law requirements, except that there must be 2 Class A and 2 Class B loading spaces provided.

NOISE CONTROL BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

“[CD-1 (#)] [By-law #] 3595 Kingsway”

* * * * *

3595 Kingsway
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Panel reviewed the application on March 23, 2016 and supported it.

EVALUATION: SUPPORT (4-3)

Introduction: Michelle Yip, Rezoning Planner, introduced the application as a concurrent rezoning and development permit application. It is comprised of a single parcel on the northwest corner of Kingsway and Lincoln Street, two blocks from Boundary Road. The site is currently zoned CD-1 and is surrounded by two to four-storey mixed-use buildings along Kingsway, and RS-1 lots to the north.

Currently the site is occupied by a low-income seniors rental housing development containing 44 units. This will be replaced and incorporated into a six-storey mixed-use building, with retail at grade and 117 secured market rental units.

This proposal is being considered under the Housing and Homelessness Strategy, which meets strategic directions by increasing the supply of affordable housing through the pursuit of new business models to enhance delivery and the Rental 100 program. It also considers redevelopment in CD-1 zoned areas that are appropriate to location and context. The Renfrew-Collingwood Community Vision also supports rezonings for social or affordable housing projects, and for seniors housing.

Danielle Wiley, Development Planner, continued the introduction by noting that the project is a six-storey development consisting of the replacement of the Odd Fellows seniors housing at the north side of the building, market rental residential on the upper storeys, and commercial/retail at grade fronting on Kingsway.

The site is located at the north-west corner of Kingsway and Lincoln Street, two blocks from Boundary Road. This stretch of Kingsway is a "mix" of C-2 and CD-1 zones, consisting primarily of two to four-storey buildings, with retail at grade and office or residential above. It is a fairly fine-grained mix of smaller scale frontages. To the north is RS-1 zoning with single family residences. There is an unusual condition in which the rear yards of a cul-de-sac flank the subject property with no intervening lane.

There is a significant slope from Kingsway to the north, with a 15.5' drop across depth of site. The slope exacerbates the potential visual and shadowing impacts of the development on the single family neighbours. Due to site topography the proposed development has 8 "levels" but, technically, complies with the six-storey maximum height at any given section of the site.

To mitigate the impacts of the development on the neighbouring single-family properties, substantial setbacks are proposed on the north side of the building, which effectively shifts the massing to the south fronting onto Kingsway. The Kingsway elevation is six-storeys, with the uppermost storey set back 10'. At grade there is a 5 ft. setback with weather protection, creating an enhanced pedestrian realm related to the retail units. The entry to the market rental is located here.

The Lincoln Street elevation has a stepped form, with eight levels climbing the slope. An 18 ft. setback is provided, with the upper two storeys set back a further 3 ft. A split entry to the Odd Fellows residence is provided at the Lincoln Street and Kingsway corner. The entry from Kingsway also provides access to a chairlift. The west elevation addresses an "L" lane condition, which provides site serving and access to underground parking.

The rear elevation presents the greatest challenges, interfacing with single-family properties on a downslope. The proposed setbacks are similar to a C-2 development, with 20 ft. for lower storeys, 35 ft. to the third and fourth storey, and approximately 50 ft. to the fifth and sixth storeys. Shadow studies demonstrate that shadowing onto the adjacent rear yards is not significantly greater than what would be cast by a C-2 development.

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

1. Comment on the appropriateness of the overall height, massing and density.
2. Comment on the visual and privacy impacts of the additional massing - that is, "additional" to the development potential under C-2 as viewed from RS-1 properties to the north?
3. Comment on how successfully the proposal "fits" into the Kingsway streetscape, and engages the pedestrian scale.
4. Please comment on the resolution of the corner at Kingsway & Lincoln, and specifically the treatment of the split entry to the Odd Fellows facility.
5. Comment on the design of the private and semi-private outdoor spaces, including screening of potential overlooks to neighbouring properties.
6. Comment on the exterior materials and architectural detailing.

Applicant's Introductory Comments: The applicant team noted that this project has been in the works for a few years as the current building is old and in need of replacement. A number of schemes have been proposed, which included towers as substantial density is needed in order to make the project viable. Eventually a six- storey form was settled on due to the maximum height.

As mandated by the City there are prescriptive cuts on the north side adjacent the neighbours. The density for the site is 3.71 FSR, which is a bit of a challenge but is still doable. Due to the 15 ft. slope on the site, the major elements, including residential and commercial, are actually neatly organized. All of the non-market units have been fit located under the rental units.

The building was done with a wood frame structure because of the proforma.

There is an amenity space for the renters on the upper levels, and the amenity for the nonmarket is raised on the lower levels.

The two primary entrances include the market units entry on Kingsway, and the nonmarket entry on Lincoln Street. As the Lincoln street is quite steep there is also a handicap access off of the corner. The Odd Fellows Manor entrance is split because of the grade.

Brick is being used around the base of the building, and hardy panel exists throughout the centre of the building. FiberC panel strips make the palette lighter going up the building. A randomized pattern of red panels is being used to add colour.

The stepped massing at the back mitigates the overlook for the units at the north side and reduces the shadow impact. A continuous glass and steel canopy at the pedestrian level provides weather protection.

On the ground floor at the north side there are a series of patio spaces which are separated by planting strips. Interfacing with the single-family residential there is a hedge with a railing, and a tree is being retained on the corner of the building. At the upper levels there is a planter to protect the privacy of units below, and privacy screens between the balconies. Urban agriculture and a private roof deck are located at the uppermost level of the building. There is also a vine wall which backdrops a children's play area.

Panel's Consensus on Key Aspects Needing Improvement:

- The panel is split on whether the height and massing is supportable. Several panel members commented that the Kingsway façade seems relentless and requires further relief in the massing and articulation; one panel member was comfortable with the "long" building expression
- The entry and exit off Kingsway to the Odd Fellows housing should be pulled back and combined with the upper rental housing entry to create a covered entry court on the corner of Lincoln and Kingsway. At the very least there should be further design development of this corner of the building to create a stronger expression of the entry and covered public space off Kingsway whether or not the rental entry is moved to this location
- Generally there was support for the shaping of the building corners, but some panel members noted that the Lincoln St corner is more prominent and should be expressed differently than the west corner (at the lane)
- The private and shared outdoors spaces are well-designed, but the amenity decks are on the north-side may be under-used
- While the tree retention is supported, some panel members did not support raising the deck in order to accomplish this
- The red accents on the exterior elevation are, in principle, a good strategy but alternate colour schemes may bring more delight to the building
- The sustainability strategy is minimal, and more should be done; the projecting balconies should be thermally broken

Related Commentary: The panel thought that, while generally this is a well-resolved project, more rigor is needed for a concurrent rezoning and development application. The overall scheme seems cleverly resolved with the massing and multiple uses.

The terracing at the back is as successful as it can be given the density. The impacts of the fifth and sixth floors are quite minimal on the developments to the north. While the building does not cast a lot of shadow, it seems to loom a bit large over the neighbours.

The use of materials helps with breaking up the Kingsway elevation, and creates a good rhythm. This is a very neat looking building with the materials and colours. The dark to light strategy is great and the wood is supportable. There is also a good interface between the concrete and wood, and the brick at the base is nice. A few panelists questioned the selection of the red accent colour, and noted that the colour choice could bring more “delight.”

While the building fits into the Kingsway streetscape at grade, there are concerns that the Kingsway façade looks relentless and flat. Some panelists commented that the mass and density are too much, and should be reduced. It is a long building with not much relief and needs to be broken down much more. The building is a very functional box, and does not have the form which could support the proposed density. One person thought that the long form was fine, but that using the red panel to break it up is not the right solution.

The panel was split on the corners. Some people thought that the four corners are dealt with nicely, while others thought that they feel a bit abrupt with the setbacks. One person thought that it seems a bit strange that the building follows the angles of the property line so strictly.

The corridors inside the building are long and dark. There is an opportunity to open the corridor up - maybe by adding glazing or access to the exterior amenity spaces.

On the wood frame portion on the sixth floor there seems to be an ‘eyebrow’ detail which sticks out and adds nicely to the privacy.

The split entry to the Odd Fellows residence, to address accessibility, is commendable. The weather canopy is also appreciated, but the entries are too understated and could be difficult to find. Something is needed to gracefully improve the entry to Odd Fellow Manor, maybe with a bit more landscape treatment or some coloured accents. One person thought that the entries were subtle but fine.

The amenity spaces are well-considered. However, the raised deck for the Odd Fellows outdoor amenity space may not connect well to the amenity room.

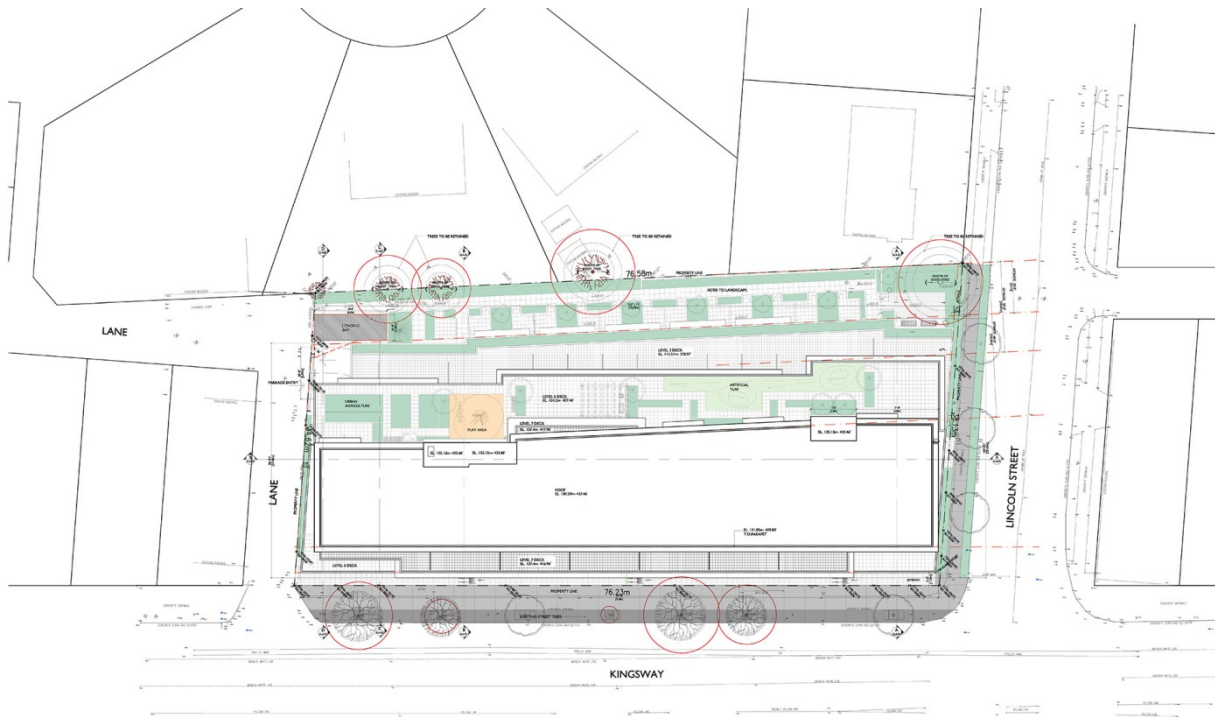
On the lowest level, the pathway passing in front of the private patios on the north side is confusing. People walking past the planters in this location are being imposed upon, and it does not seem to be adding anything. There is an existing retaining wall on the north side which has a guardrail and a hedge that works quite well. The retention of the tree is great, but more greenery and softness needs to be brought to all the levels.

The bare minimum of sustainability is being done, and this is disappointing. Look at doing a higher performance as there is a payback to making it more energy efficient.

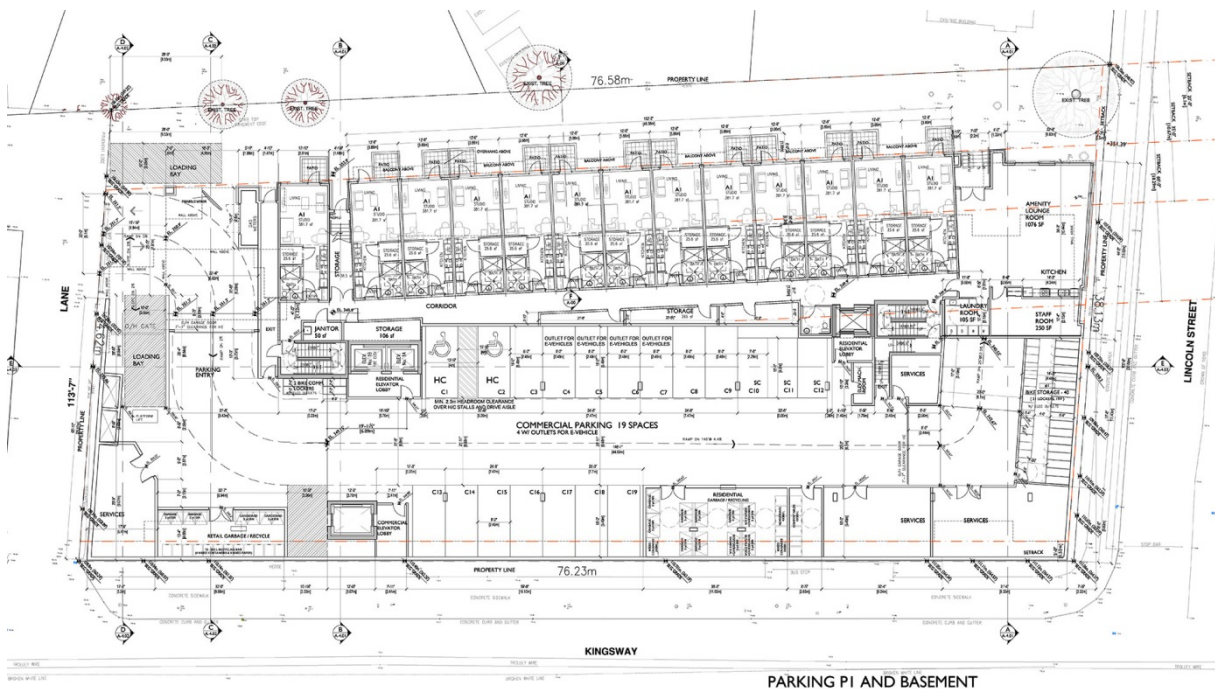
Applicant’s Response: The applicant team thanked the panel and noted that challenging projects are enjoyable, and that a certain amount of density is needed on this site. Certainly there are ways to deal with all the comments, including ways to mitigate the relentlessness of the façade which do not lose density.

3595 Kingsway FORM OF DEVELOPMENT

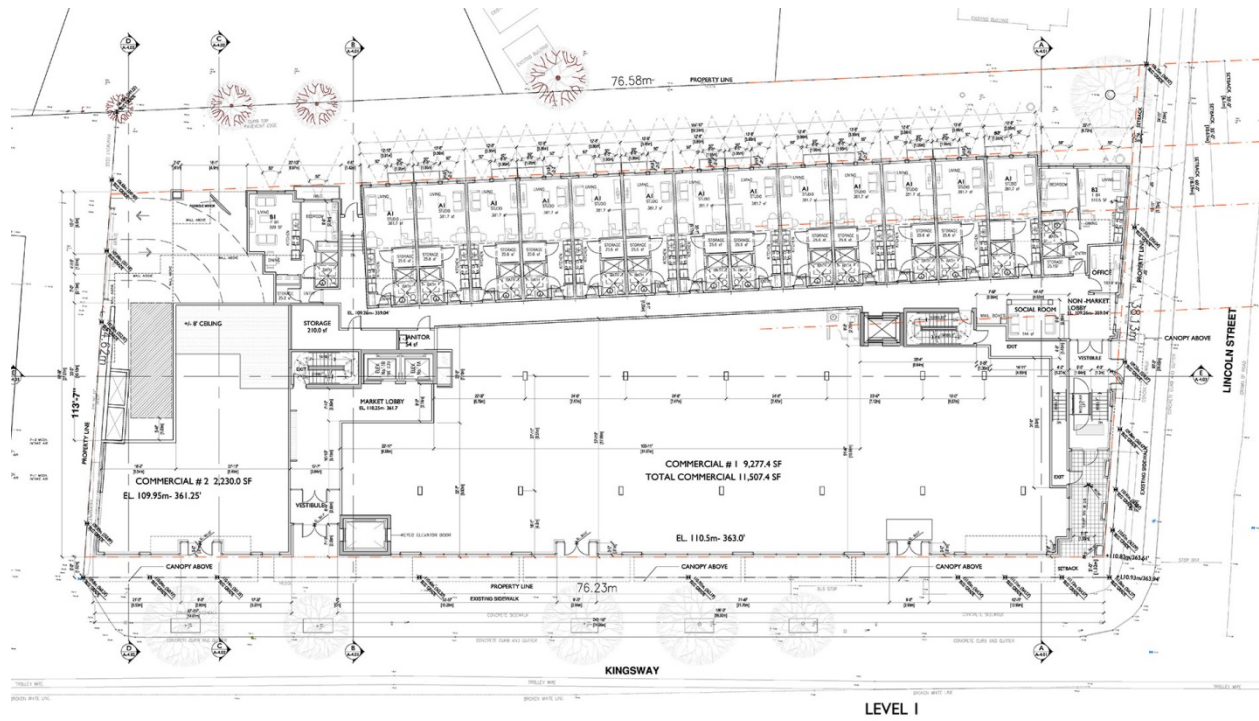
Site Plan



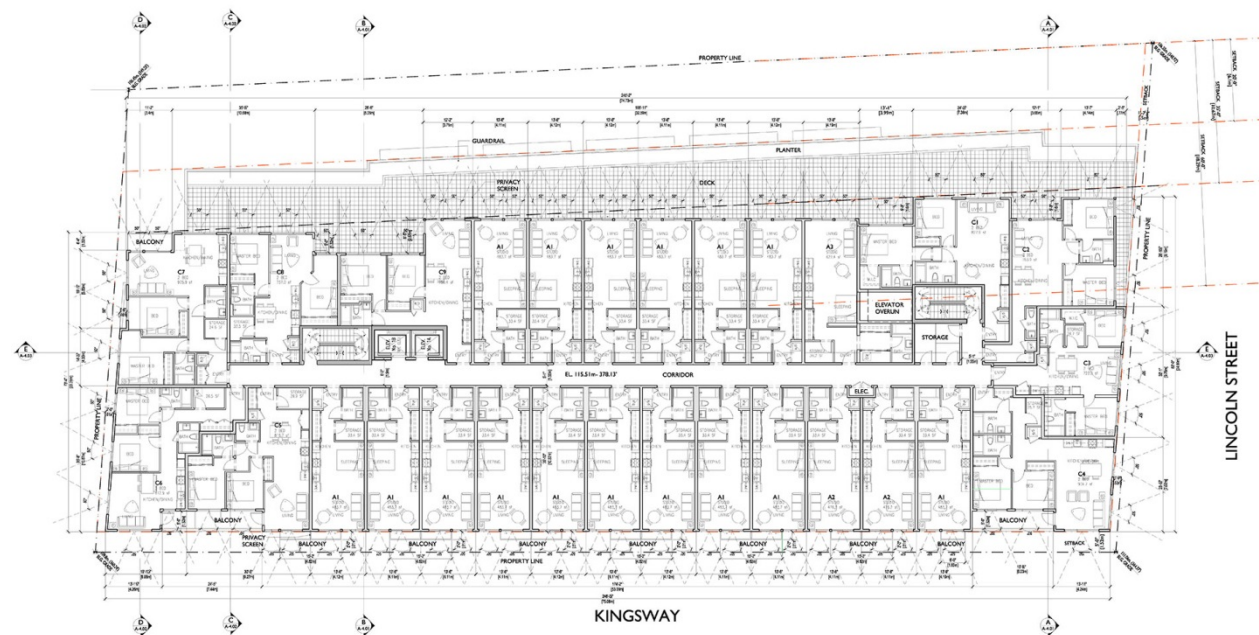
Parking P1 and Basement



Level 1



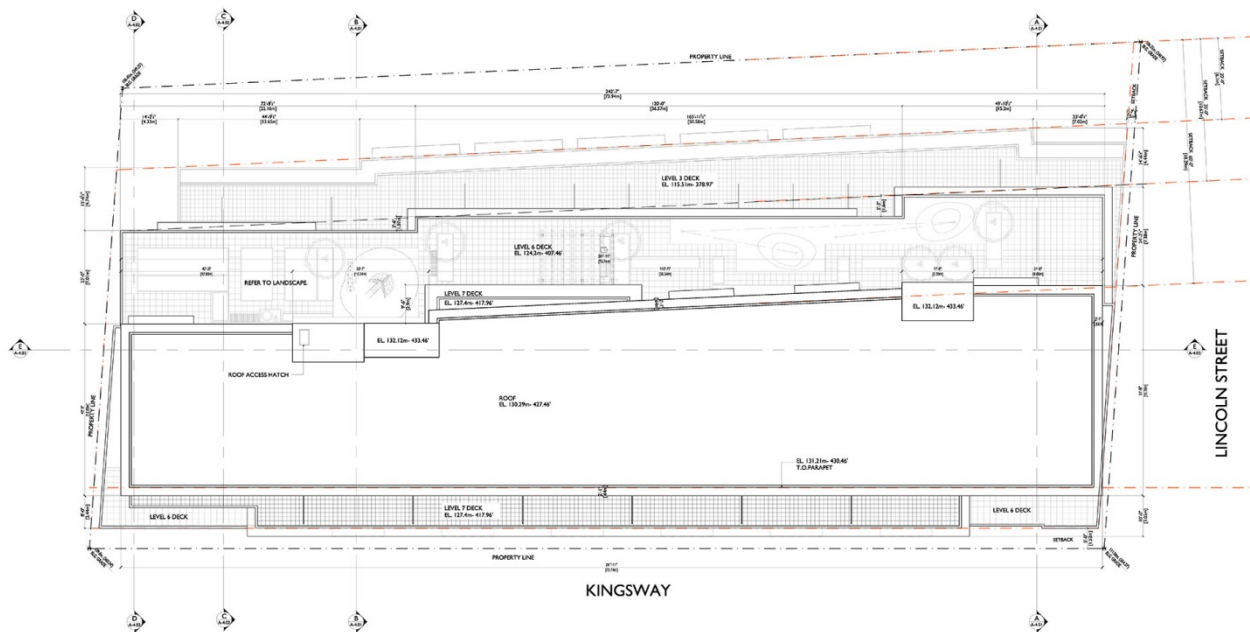
Level 3



Level 6



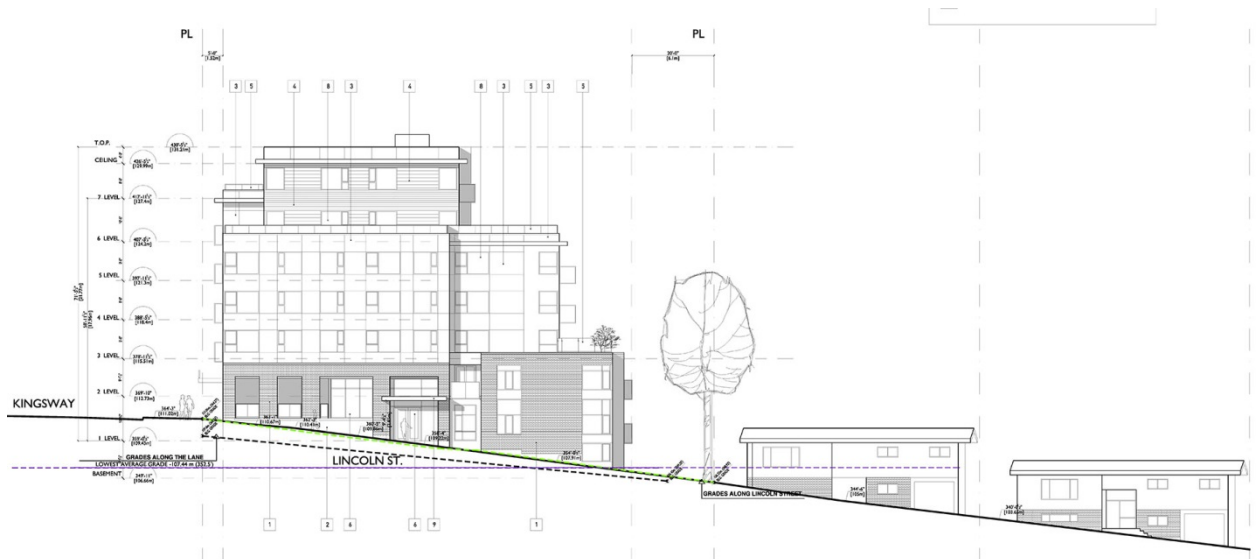
Roof



Elevation – South (Kingsway)



Elevation - East (Lincoln Street)



* * * * *

3595 Kingsway
DEVELOPMENT COST LEVY WAIVER ANALYSIS

To qualify for waiver of the Development Cost Levy (DCL) for the residential floor space as for-profit affordable rental housing, the application must meet the criteria set out in the relevant DCL By-law under section 3.1A. This application qualifies as outlined below.

- (a) All dwelling units proposed in the building will be secured as rental through the two Housing Agreements called for under rezoning condition (c) 5 in Appendix B.
- (b) None of the proposed dwelling units will be strata units, as required through the Housing Agreement.
- (c) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.

Unit Type	Number of Units Proposed	DCL By-law Maximum Average Unit Size	Proposed Average Unit Size
Studio	71	42 m ² (450 sq. ft.)	38.3 m ² (411.9 sq. ft.)
One Bedroom	10	56 m ² (600 sq. ft.)	46.0 m ² (495.01 sq. ft.)
Two Bedroom	36	77 m ² (830 sq. ft.)	66.8 m ² (718.9 sq. ft.)

- (d) The average initial rents for the proposed dwelling units do not exceed rents specified in the DCL By-law.

Unit Type	Number of Units Proposed	East Area DCL By-law Maximum Average Unit Rent*	Proposed Average Unit Rent
Studio	71	\$1,260	\$1,260
One Bedroom	10	\$1,675	\$1,675
Two Bedroom	36	\$2,084	\$2,084

* Both the maximum and proposed rents are subject to annual adjustment as per the DCL By-law.

- (e) The proposed construction cost for the residential floor area does not exceed the maximum specified in the DCL By-law.

DCL By-law Maximum Construction Cost	Proposed Construction Cost
\$2,691 per m ² (\$250 per sq. ft.)	\$2,314 per m ² (\$215 per sq. ft.)

- (f) By way of two Housing Agreements, the tenure of the housing will be secured as rental for the longer of the life of the building and 60 years, and the other requirements applicable to for-profit affordable rental housing and social housing, respectively, will be stipulated.

3595 Kingsway
PUBLIC BENEFITS SUMMARY

Project Summary:

Six-storey mixed-use building containing commercial retail units at grade, 44 social housing units and 117 secured for-profit affordable rental housing units.

Public Benefit Summary:

The proposal would provide 44 social housing units and 117 dwelling units secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer.

	Current Zoning	Proposed Zoning
Zoning District	CD-1 (60)	CD-1
FSR (site area = 2,765.8 m ² / 29,771 sq. ft.)	Not specified	3.69
Floor Area (sq. ft.)	Not specified	110,400
Land Use	Residential	Commercial/Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)		154,510
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		See Other Benefits
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS			154,510

Other Benefits (non-quantified components):

44 units of social housing secured for the longer of 60 years and the life of the building.

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-Wide DCL, revenues are allocated into the following public benefit categories: Engineering (22%); Replacement Housing (32%); Parks (41%); and Childcare (5%).

3595 Kingsway
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	3595 Kingsway
Property Identifier (PID)	008-822-808
Legal Description	Lot 26, Blocks 3 and 4, District Lot 49, Plan 12672

Applicant Information

Applicant/Architect	GBL Architects
Developer/Property Owner	Hungerford Properties / Odd Fellows Low Rental Housing Society

Development Statistics

	Permitted Under Existing Zoning	Proposed	Recommended (if different than proposed)
Site Area	2,765.8 m ² (29,771 sq. ft.)		
Zoning	CD-1 (60)	CD-1 (60)	
Land Use	Residential	Commercial / Residential	
Floor Space Ratio	n/a	3.71	3.69
Floor Area	n/a	10,256.3 m ² (110,398.3 sq. ft.)	10,203.0 m ² (109,824.6 sq. ft.)
Maximum Height	2 storeys	23.0 m (75.2 ft.)	
Parking and Bicycle Spaces	n/a	As per Parking By-law	
Loading Spaces		2 Class B spaces	2 Class A and 2 Class B spaces

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