



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: September 6, 2016  
Contact: Kent Munro  
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RTS No.: 11627  
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: 2395-2469 Kingsway

**RECOMMENDATION**

A. THAT the application by Ankenman Marchand Architects, on behalf of 0960813 B.C. Ltd., to rezone

- 2395-2399 Kingsway [*Strata Lots 1 and 2, District Lot 393, Group 1, New Westminster District, Strata Plan BCS2323; PIDs: 027-135-454 and 027-135-462 respectively*],
- 2405-2409 Kingsway [*Strata Lots 1 and 2, District Lot 393, Group 1, New Westminster District, Strata Plan BCS3251; PIDs: 027-765-156 and 027-765-164 respectively*],
- 2415 Kingsway [*PID: 014-790-645; Amended Lot 21 (See 592536L) of Lot 9, Blocks B and 10, District Lot 393, Plan 1388*],
- 2425 Kingsway [*PID: 014-790-670; Amended Lot 23 (See 283177L) of Lot 9, Blocks B and 10, District Lot 393, Plan 1388*], and
- 2435 Kingsway [*PID: 011-695-838; Lot 24, except part in Reference Plan 2407, of Lot 9, Blocks B and 10, District Lot 393, Plan 1388*]

from RT-2, and

- 2443-2469 Kingsway [*Lots 25 and 26, except part in Reference Plan 2407, of Lot 9, Blocks B and 10, District Lot 393, Plan 1388; PIDs: 014-790-696 and 014-790-718 respectively*]

from C-2, all to CD-1 (Comprehensive Development) District to permit one 12-storey mixed-use building and one four-storey mixed-use building at 3.8 FSR with 122 dwelling units and retail uses at grade, be referred to a public hearing together with:

- (i) plans prepared by Ankenman Marchand Architects, received June 30, 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 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-3A) 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.

- C. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 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 CD-1 By-law.

- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

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

## **REPORT SUMMARY**

This report evaluates an application to rezone a site located at 2395-2469 Kingsway from RT-2 (Two-Family Dwelling) District and C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of one twelve-storey mixed-use building and one four-storey mixed-use building, with retail at grade and containing a total of 122 dwelling units, all over two levels of underground parking.

The site is located in the Kingsway Rezoning Area of the Norquay Village Neighbourhood Centre Plan ("Norquay Plan"). Staff have assessed the application and conclude that it meets the intent of the Norquay Plan. Staff support the application, subject to design development and other conditions outlined in Appendix B. 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 the public hearing, along with the conditions of approval outlined in Appendix B.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council policies for this site include:

- Norquay Village Neighbourhood Centre Plan (2010)
- Renfrew-Collingwood Community Vision (2004)
- Green Buildings Policy for Rezoning (2010, last amended in 2014)
- Housing and Homelessness Strategy, 2012-2021 (2011)
- High-Density Housing for Families with Children Guidelines (1992)
- Rental Housing Stock Official Development Plan (2007)
- Rate of Change Guidelines for Certain RM, FM, and CD-1 Zoning Districts (2007)

## **REPORT**

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

The subject site is located on the north side of Kingsway, mid-block between Nanaimo Street and Clarendon Street (see Figure 1). The site is comprised of nine legal parcels and has 90.6 m (297 ft.) of frontage on Kingsway. Seven of the parcels are zoned RT-2 and are currently developed with single-family houses and duplexes. Two parcels at the eastern end of the site are zoned C-2 and are currently developed with a two-storey commercial building. Redevelopment for this site and the surrounding areas is anticipated in accordance with the Norquay Village Neighbourhood Centre Plan. Norquay Plan policies anticipate the adjacent area behind Kingsway evolving over time to accommodate four-storey apartments and other forms of multiple-family dwellings (see Figure 2). The 2400 Motel site across Kingsway is anticipated to include buildings of up to 16 storeys. Transit service to the site is provided by bus routes on Kingsway and Nanaimo Street.

Figure 1: Site and surrounding zoning (including notification area)

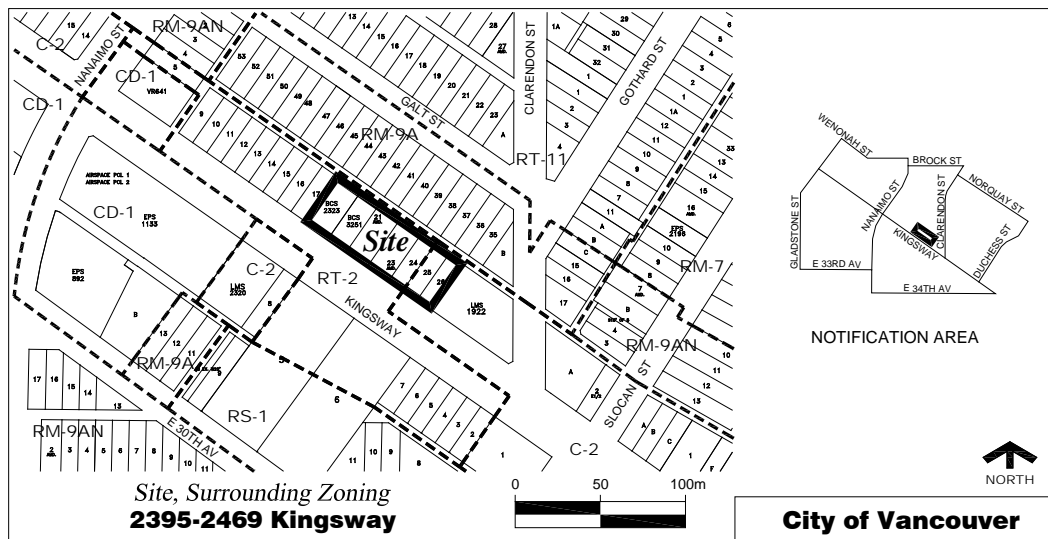
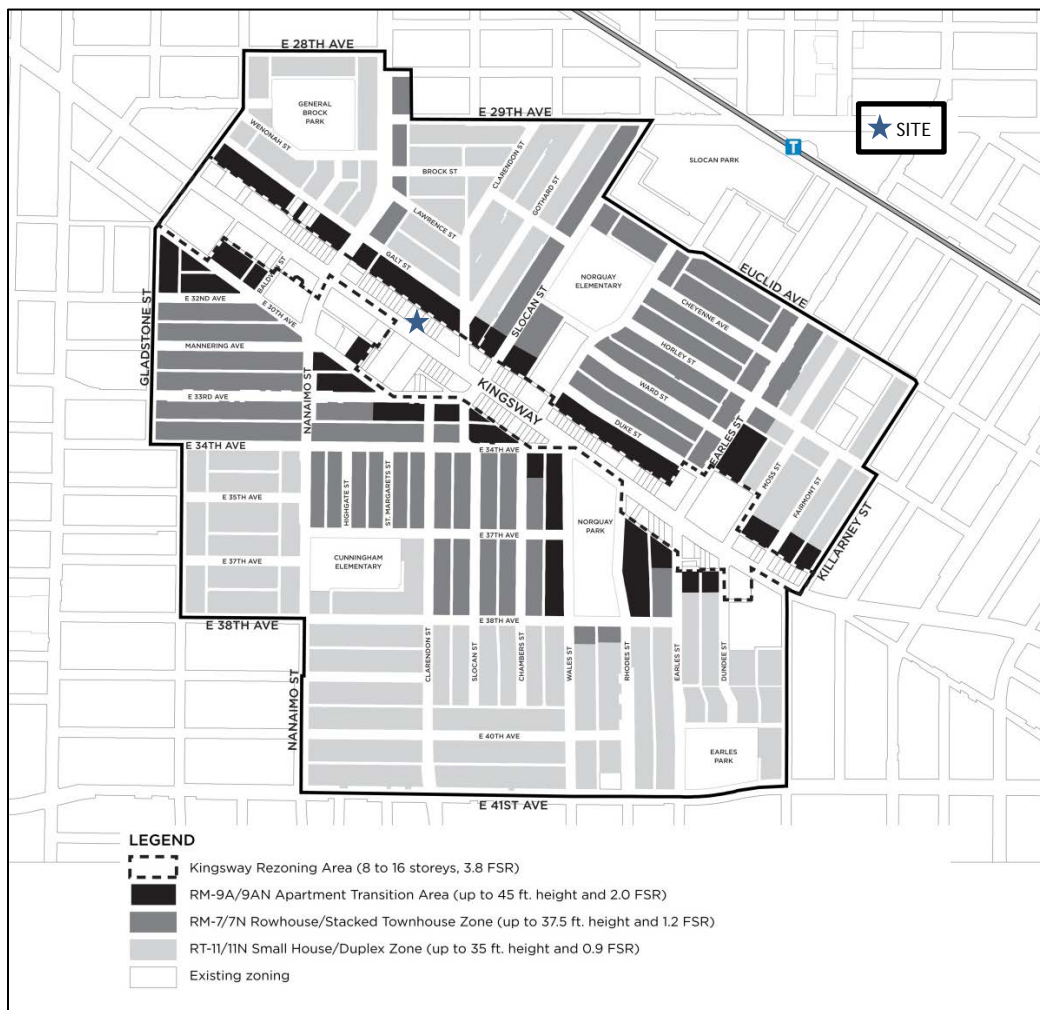


Figure 2: Zoning in Norquay Village



## 2. Policy Context

In March 2004, Council approved the Renfrew-Collingwood Community Vision, which identified the section of Kingsway between Nanaimo and Earles Street as a key shopping area for the community. In November 2010, Council approved the Norquay Village Neighbourhood Centre Plan, establishing a rezoning policy to encourage the revitalization of Kingsway properties over time, and introducing new residential zones to increase housing choice. Streetscape and street network enhancements, including improved Kingsway crossings, new street trees and furniture, and provision of community amenities were to be considered as new development opportunities arose.

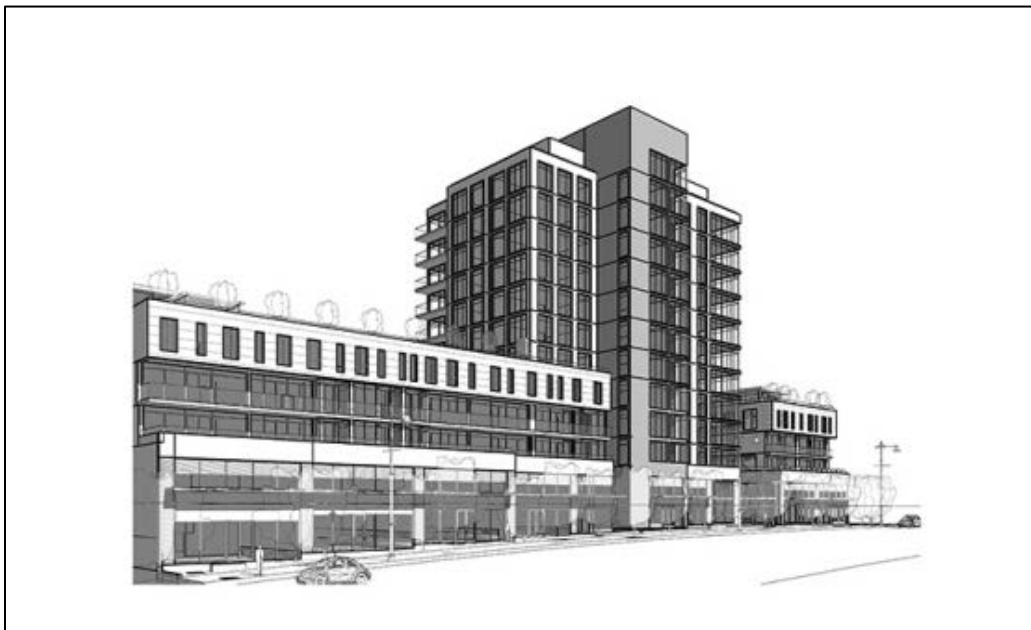
The Norquay Plan includes an area designated as the "Kingsway Rezoning Area," which supports mixed-use, mid-rise development at generally eight to ten storeys in height. Mid-block sites such as the subject site are allowed buildings up to 12 storeys in height in exchange for public realm improvements and mid-block pedestrian connections. Key larger sites along Kingsway are allowed up to 14 storeys (two sites), and on the 2400 Motel site, up to 16 storeys. The Norquay Plan notes that a density of up to 3.8 FSR will be considered throughout the Kingsway Rezoning Area. Further, new development should be set back from the Kingsway property line to create a minimum sidewalk width of 24 feet to enhance the pedestrian environment. This application is the third site in the Kingsway Rezoning Area to be considered.

### *Strategic Analysis*

#### 1. Proposal

This application proposes to rezone nine (9) legal parcels located at 2395-2469 Kingsway from RT-2 (Two-Family Dwelling) District and C-2 (Commercial) District to CD-1 (Comprehensive Development) District. One 12-storey mixed-use building including a 4-storey podium, and one four-storey mixed-use building, are proposed (see Figure 3). In total, the application proposes 122 dwelling units and 13 commercial units with a total FSR of 3.8 and a building height of 40.2 m (132 ft.), all over two levels of underground parking accessed from the rear lane.

Figure 3: Proposed Development (view from Kingsway looking east)



## 2. Form of Development (refer to drawings in Appendix F)

The proposal is consistent with the height, form of development and setback guidelines included in the Norquay Plan.

This application is for one 12-storey building and one four-storey building. Commercial retail uses and residential entries are proposed along Kingsway at the ground level of the site. The resulting form of a tower element on a low podium will allow penetration of sunlight onto the Kingsway pedestrian environment.

The Urban Design Panel reviewed and supported this application on November 18, 2015 (see Appendix D). Staff conclude that the proposed form of development generally responds to the character intended for this area in the Norquay Plan. Staff support the application subject to the design development conditions in Appendix B, which will further refine building design through the development permit process.

## 3. Open Space and Public Realm

The Norquay Plan calls for the provision of sidewalk widths on Kingsway of 7.32 m (24 ft.) in order to create a safer and more enjoyable pedestrian environment in proximity to fast-moving traffic. The proposed development includes a building setback from the Kingsway property line, producing an overall sidewalk width ranging from 7.6 to 8.8 m (25 to 29 ft.). These wider sidewalks can accommodate outdoor seating, a second row of street trees, merchandise display, and opportunities for the ground-floor retail and service use patios. A statutory right-of-way would ensure public access over the portions of sidewalk located on private property (see Appendix B, Condition (c)3).

A further contribution to the public realm is the creation of a new mid-block pedestrian link running north-south between Kingsway and the lane; this will offer a new pathway connection between the residential areas located north of this atypically long block, and Kingsway. Further, this linkage will align with a new mid-block pedestrian-actuated traffic signal across Kingsway. Together, these improvements will offer convenience and choice of pathways for pedestrians and will contribute to the calming of vehicular traffic on Kingsway. In the interest of maximizing public amenity to this link, conditions in Appendix B seek further design development to achieve a minimum open width, permanent public furniture and lighting, and adjacent uses fronted by active uses.

## 4. Existing Rental Accommodation, Tenant Relocation, and Family Housing Mix

There are currently three single-family houses and two duplexes located on this assembled site. There are four units currently tenanted, including one 1-bedroom, one 2-bedroom, one 3-bedroom and one 4-bedroom unit. Rents range from \$830 to \$1,500 per month.

As this rezoning application was submitted prior to February 15, 2016, the new *Tenant Relocation and Protection Policy* and associated *Guidelines* do not apply. Furthermore, as the existing site is currently zoned RT-2 and C-2, the *Rate of Change Guidelines* also do not apply to this application. Notwithstanding the foregoing, the applicant has provided a draft Tenant Relocation Plan (Appendix G), which is summarized below in Figure 4. If the rezoning is approved, the applicant would work with each tenant who wants assistance to develop a relocation plan specific to the needs and preferences of their household.

Figure 4: Summary of Draft Tenant Relocation Plan

Rate of Change Guidelines Requirements	Tenant Relocation Plan Offer
Rent Compensation	2 months' free rent or equivalent and tenants living there longer than 10 years will receive 3 months' free rent
Moving Expenses	\$750 per household
Notification	2 months' termination notice
Assistance in Finding Alternate Accommodation	If requested, assistance with finding three comparable units that fit as closely to current accommodation as possible, with at least one option will be in the same neighbourhood.

A final Tenant Relocation Plan will be required at the time of Development Permit application and a final Tenant Relocation Report will be required prior to occupancy.

On July 13, 2016, Council adopted *Family Room: Housing Mix Policy in Rezoning Projects*. The policy includes new family housing requirements which increase the number of family units from 25 per cent to 35 per cent. Residential strata housing projects are required to include a minimum of 35 per cent family units, including a minimum of 10 per cent three-bedroom units and a minimum of 25 per cent two-bedroom units. This application was received prior to the new family housing requirement policy and as such is governed by the pre-existing 25 per cent target. This application achieves approximately 66 per cent of two- or three- bedroom units as well as two-bedroom plus lock-off units (see Figure 5).

Figure 5: Proposed Unit Mix

Unit Type	Number	Proportion	
<b>Non-family units (41)</b>			
Studio	2	2%	34%
1-bedroom	39	32%	
<b>Family units (81)</b>			
2-bedroom	66	54%	66%
2-bedroom plus lock-off unit	8	6%	
3-bedroom	7	6%	
<b>TOTAL</b>	<b>122</b>		<b>100%</b>

## 5. Parking, Loading and Transportation

Access to underground parking, loading and refuse/recycling collection is all proposed from the lane north of the site. Vehicle and bicycle parking are proposed within an underground parking garage accessed by a ramp off the rear lane at the northeast corner of the site. The application proposes 168 parking spaces (130 residential, 30 commercial and 8 visitor) and 176 bicycle storage spaces.

With regard to loading, the Parking By-law requires one Class B space for the residential component, which is provided. For the commercial component, two Class B spaces are required. The application proposes a relaxation for commercial loading to one Class B space only. Staff support this relaxation so long as two Class A spaces are also provided. An amendment to the Parking By-law to this effect is proposed in Appendix C.

## 6. Environmental Sustainability

The Green Buildings Policy for Rezoning (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 the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and energy efficiency, and therefore would be eligible for a LEED® Gold rating.

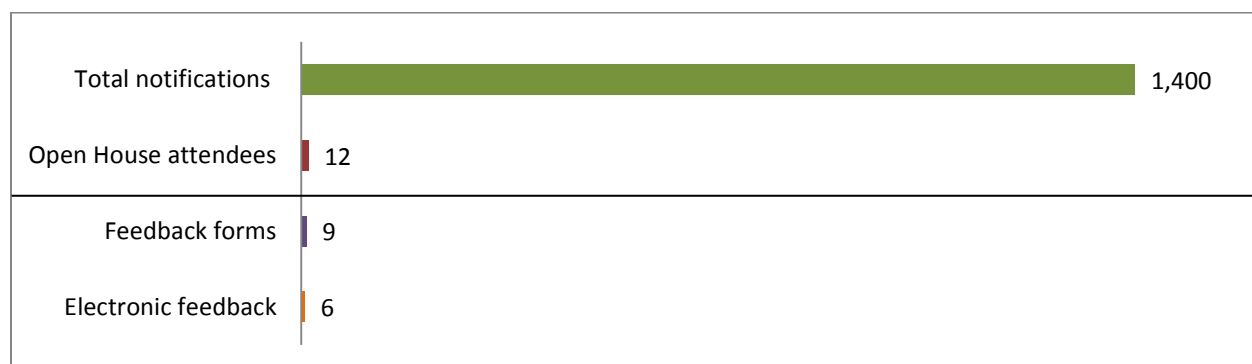
The Greenest City Action Plan seeks to reduce city-wide greenhouse gas emissions by 33 per cent or 1,110,000 tonnes of CO<sub>2</sub> per year by 2020. Neighbourhood Energy Systems (NES) are targeted to deliver 11 per cent of this reduction by more efficiently delivering thermal energy to connected buildings while also incorporating low carbon energy sources into the NES network. Under the Norquay Plan, all new buildings should be readily connectable to a neighbourhood energy system (NES) when appropriate. Staff have assessed that the proposed development is too far away from an energy centre to be economically viable for neighbourhood energy service. As such, there is no requirement for NES connectivity as part of this rezoning.

### *PUBLIC INPUT*

**Public Notification** – A rezoning information sign was installed on the site on July 16, 2015. Approximately 1,400 notifications were distributed within the neighbouring area on or about October 21, 2015 (see Figure 6). In addition, notification, application information, and an online comment form were provided on the City's Rezoning Applications webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)). An open house was held on November 4, 2015. Staff, the applicant team and a total of approximately 12 people attended the open house.

**Public Response and Comments** – Staff received 15 written responses for this rezoning application, including open house comment sheets, and email correspondence.

Figure 6: Notification and Public Response





Support for the proposal cited the following:

- Proposal is generally in line with Norquay Plan goals,
- Provision of more diverse housing types in the neighbourhood,
- Appropriate location for increased density, and
- Pleasing building design.

Concerns expressed about the proposal included:

- Height of proposed development and impact on private views,
- Lack of open space to compensate for added density,
- Proposed building materials (too much glazing vs. other materials), and
- Increased traffic congestion on already congested roads.

A more detailed summary of public comments on this application is provided in Appendix E.

The proposed height and density are aligned with the Norquay Plan. During the process and adoption of the Norquay Plan, staff and Council were cognizant that some views from the public realm and some private views would be impacted by the larger buildings envisioned in the Norquay Plan.

Condition (b)1 (Urban Design) requires design development to widen the proposed mid-block pedestrian mews, to a minimum width commensurate to similar developments on Kingsway that have been approved under the Norquay Plan.

Condition (b)4 (Urban Design) requires further design development to the proposed architecture and materials, with special attention to the use of brick masonry as a significant part of the overall material palette.

City staff have begun to address some of the comments raised regarding road congestion. The intersection at East 33rd and Nanaimo has recently been reorganized, and staff have received positive commentary from concerned nearby residents.

### ***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 collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is subject to the City-wide DCL rate, which, as of September 30, 2016, will be \$149.73 per m<sup>2</sup> (\$13.91 per sq. ft.) for new residential space (other than qualifying for-profit affordable rental housing) or commercial floor space at the time the application was received. With a total floor area of 11,170 m<sup>2</sup> (120,239 sq. ft.), a DCL of approximately \$1,672,524 is anticipated.

Examples of projects referenced in the Norquay Village Public Benefits Strategy that are eligible for DCL funding include park upgrades, new childcare spaces, and affordable housing on the 2400 Motel site.

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 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.

**Public Art Program** – The Public Art Policy for Rezoned Developments requires rezonings having a floor area of 9,290 m<sup>2</sup> (100,000 sq. ft.) or greater to contribute public art or provide 80 per cent cash in lieu as a condition of rezoning. Public art budgets are based on a formula (2015) of \$19.48 per m<sup>2</sup> (\$1.81 per sq. ft.) for all areas contributing to the total FSR calculation. With a floor area of 11,170 m<sup>2</sup> (120,239 sq. ft.), this application, if approved, will contribute a public art budget of approximately \$217,633. The Public Art rate is finalized at the development permit stage and is subject to periodic adjustments to address inflation.

#### *Public Benefits – Offered by the Applicant*

**Community Amenity Contribution (CAC)** – Within the context of the City's Financing Growth Policy and the Norquay Village Neighbourhood Centre Plan, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers 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.

In order to provide more certainty and clarity as sites on Kingsway in Norquay Village redevelop, and to improve processing efficiency for rezoning applications, a CAC approach based on a target CAC rate has been implemented. This rate is the basis for all rezoning proposals within the Kingsway Rezoning Policy area of the Norquay Village Neighbourhood Centre Plan. The applicant has offered a total CAC package of \$879,530 using the target CAC rate of \$10 per square foot based on the net additional increase in floor area (87,953 sq. ft.) from the original zoning regulations on these sites. Examples of projects referenced in the Norquay Village Public Benefits Strategy that are eligible for CAC funding include community facilities on the 2400 Motel site and affordable housing.

Target CACs are payable prior to rezoning enactment and are subject to an annual inflationary adjustment which takes place on September 30 of each year. In order to ensure fairness to rezoning applications that have been submitted prior to the adoption of new inflation adjusted CAC targets, in-stream rezoning applications are exempt from CAC target increases provided that a rezoning application has been submitted to the City and a rezoning application fee has been paid.

Staff recommend that the cash CAC from this application be allocated to the following identified community needs:

- \$439,765 (50% of total CAC package) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Norquay Village Neighbourhood Centre Plan area; and
- \$439,765 (50% of total CAC package) towards childcare and community facilities serving residents and workers in or near the Norquay Village Neighbourhood Centre Plan area.

The allocations recommended by staff are consistent with the Norquay Village Public Benefits Strategy. See Appendix H for a summary of the public benefits that would be achieved should this application be approved.

### ***FINANCIAL IMPLICATIONS***

As noted in the Public Benefits section, the applicant has offered a total CAC package of \$879,530 comprised of:

Cash CAC to be allocated as follows:

- \$439,765 (50% of total CAC package) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Norquay Village Neighbourhood Centre Plan area; and
- \$439,765 (50% of total CAC package) towards childcare and community facilities serving residents and workers in or near the Norquay Village Neighbourhood Centre Plan area.

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget processes.

This site is within the Citywide DCL District. It is anticipated that the project will generate approximately \$1,672,524 million in DCLs. The applicant will also be required to provide new public art on site, or make a cash contribution to the City for off-site public art, at an estimated value of \$217,633.

### ***CONCLUSION***

Staff assessment of this rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and its context, and that the application is consistent with the Norquay Village Neighbourhood Centre Plan with regard to land use, density, height and form. In addition, the draft Tenant Relocation Plan is appropriate and robust in addressing the needs of existing tenants who will need to be relocated during the development of the site.

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 F, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

2395-2469 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.

### Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

*[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

### Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, 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 Child Day Care Facility and Social Service Centre;
  - (d) Office Uses;
  - (e) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;
  - (f) 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;

- (g) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (h) Accessory Uses customarily ancillary to the uses listed in this Section 2.2.

### Conditions of Use

- 3.1 No portion of the first storey of a building, within a depth of 10.7 m of the front 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 dwelling 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".

### Floor Area and Density

- 4.1 Computation of floor space ratio must assume that the site consists of 2,938 m<sup>2</sup>, 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 3.80, as follows:

- For dwelling uses in conjunction with other uses, up to a maximum of 3.45 in storeys located above the front street-level storey;
  - For non-residential uses, a minimum of 0.35 in the front street-level storey.
- 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 sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all balcony and sundeck exclusions must not exceed 8% of the residential floor area being provided;
  - (b) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
    - the total area of all open and enclosed balcony exclusions does not exceed 8% of the residential floor area being provided; and
    - no more than 50% of the excluded balcony floor area may be enclosed;
  - (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 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
  - (f) any mezzanine floors located in a Commercial Use, provided that:
    - it is located within a demised commercial unit that has a minimum clear ceiling height of 20 ft.; and
    - the mezzanine floor area does not exceed 40% of the floor area of the demised commercial unit located directly below.
- 4.5 The use of floor area excluded under section 4.4 must not include any use other than that which justified the exclusion.

## Building Height

5. Building height, measured from base surface, must not exceed 40.2 m.

## 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 ( ).
- 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 m<sup>2</sup>.

## Acoustics

7. 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

\* \* \* \* \*



2395-2469 Kingsway  
DRAFT 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 Ankenman Marchand Architects Inc. and stamped "Received Planning and Development Services, June 30, 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. Significant design development to the proposed mid-block courtyard, located in the middle section of the site, to be a more useable and vibrant public place rather than a passageway, including the following:
  - (i) An increase to the overall width to a minimum of 40 ft. clear of any overhanging building elements (except for the proposed pedestrian bridge) for the entire height of the space;
  - (ii) Integrated permanent seating and tables to be strategically located within the space;
  - (iii) Active uses to fully animate the entire depth of the plaza, such as amenity rooms and commercial units, with direct entrances and maximum transparent glazing facing the plaza.
- 2. Design development to the commercial retail units:
  - (i) Locate all exhausts resulting from the commercial retail units to be through the roof of the buildings.
  - (ii) Ensure that there is no more than 1'-6" of vertical distance between the floor elevation of any CRU space and the sidewalk grade directly adjacent on the Kingsway frontage.

- (iii) Confirmation that a minimum 0.35 FSR is allocated for non-residential uses on the ground floor plane.
- 3. Design development to provide opaque doors and garage doors at the lane that will mitigate any noises or odours emitting from the proposed garbage, loading and parking areas.
- 4. Design development to secure a significant amount of brick masonry as an exterior cladding material within the podium and tower portions of the development.
- 5. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

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

- 6. Design development to respond to CPTED principles, 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.

#### Landscape Design

- 7. Provide enhanced landscape treatment of public realm open spaces at the street, lane and mid-block courtyard for neighbourhood identity, greening and safe, enjoyable spaces for pedestrians to circulate, stop, rest and interact.

Note to Applicant: At the mid-block courtyard, incorporate fully landscaped planters integrated with bench seating and a variety of small trees, low shrubs and groundcover plantings, and lighting. At the lane, terraced planters should be provided with substantial greenery to buffer near to grade private patios. At Kingsway, additional trees should be provided on private property to create a double row effect with existing street tree colonnade.

- 8. Incorporate a universally accessible continuous level pedestrian path through the mid-block public courtyard to connect the lane and Kingsway.

Note to Applicant: If possible, provide ramped path to replace one set of courtyard stairs; as well as a bike ramp at the edge of the stairs.

9. Final coordination of the public realm landscape treatment to meet the intent of the Norquay Village Public Realm Plan.

Note to Applicant: Aspects to consider at time of Development Permit application include paving, lighting, planting, pedestrian pathways, safety and way finding, permanent site furniture, weather protection, garbage storage, recycling and loading.

10. Provide maximized plant growing medium volumes for trees and shrubs within landscaped planter areas on structure to ensure long term viability of plant species.

Note to Applicant: Soil volumes for landscape planters should exceed BC Landscape Standard (latest edition) with the goal to provide a minimum 4 ft. depth of growing medium for large species trees planted in ground, and 3 ft. depth for trees on structure. Where possible, alter (drop) slab to achieve soil depths to accommodate substantial trees and shrubs below the level of courtyards and pedestrian pathways. Where possible, angle edge of parkade slab to expand below grade planting area for tree roots without compromising headroom requirements in the parking garage. Trees planted on structures should be consolidated within a continuous trench, where possible, to improve planting condition. Consider use of structural soil for street level trees at Kingsway.

11. Incorporate edible landscaping and/or garden plots, with infrastructure to support urban agricultural activity at the outdoor amenity roof deck.

Note to Applicant: The design should maximize sunlight, integrate into the overall landscape design, and provide universal access. Design to be in keeping with the Urban Agriculture Guidelines for the Private Realm.

12. Provide a flexible Child's Play Space incorporating forms for children to engage in active and passive social play within a main common open space gathering area.

Note to Applicant: Recommend the use of solid natural elements arranged for people to climb, step up and socialize around. Refer to the High-Density Housing for Families with Children Guidelines for further features that are recommended.

13. Provide a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention, treatment and utilization of rainwater.

Note to Applicant: Strategies could include high efficiency (drip) irrigation, the use of drought tolerant plants and mulching. Proposed plantings should be consistent with the City of Vancouver Water-wise Planting Guidelines.

14. Incorporate the principles of the City of Vancouver Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat, in addition, reduce potential threats to accommodate birds in the city.

Note to Applicant: Incorporate a diversity of native and non-invasive plants within the planting scheme. Use of high visibility glass for windows, reduce reflection and dangers for attractants at building facades is encouraged.  
<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

15. At time of development permit application:
- (i) Provision of a legal survey;
  - (ii) Provision of a fully labelled Landscape Plan, Sections and Details;
  - (iii) Provision of larger-scale section drawings at  $\frac{1}{4}''=1'-0''$  / 1:50 or better, to illustrate the public realm interface landscaping from the building face to the street and lane edge, lane interface, and courtyard plaza areas;
  - (iv) Provision of larger-scale architectural details  $\frac{1}{2}''=1'-0''$  or 1:25 or better to illustrate proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other landscape features applicable to proposal. Planter sections details to confirm depth of proposed planting on structures.
  - (v) Provision of an external lighting plan for pedestrian routes and courtyards, to ensure that adequate lighting levels are achieved for CPTED performance while minimizing glare for residents and birds.

### Sustainability

16. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water 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 the 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.

### Housing Policy and Tenant Relocation Plan

17. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that

indicates the number of units occupied on the date of the notice; and includes information on posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change Guidelines; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.

18. Provision of a final Tenant Relocation Report which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent); and includes a summary of all communication provided to the tenants.

Note to Applicant: As per Section 10.12.2 of the Zoning & Development By-law pertaining to developments resulting in the demolition of existing residential rental accommodation, the development permit is not issuable until all building permits for the new development and a building permit for the demolition are issuable. Please do not issue any Notices to End Tenancies until all permits described above are issuable.

### Engineering

19. Clarify garbage storage and pick-up space. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins.

Note to Applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick-up. Bins are to be returned to storage areas immediately after emptying.

20. Provision of Ginkgo biloba 'Princeton Sentry' as the street tree on Kingsway.
21. Provision of 'Norquay Tree Surround' in the exposed aggregate utility strip on Kingsway and deletion of the proposed plantings at the base of the street trees.
22. Provision of Norquay Village street furniture in accordance with the Norquay Village Public Realm and Transportation Plan.

Note to Applicant: Norquay Village Neighbourhood Centre: Shopping Area - Public Realm and Transportation Improvements Plan (November 2010)  
<http://vancouver.ca/docs/planning/norquay-village-public-realm-and-transportation-plan-2010-november-4.pdf>

23. Provision that any plantings should not encroach on the adjacent sidewalk. Please show all planting at least 1.0 ft. behind the back of the City sidewalks where applicable.
24. Landscape plan to show the revised parking regulations along the Kingsway and lane frontages. (COV to supply.)

25. Provide automatic door openers on the doors providing access to the bicycle room(s).
26. Provision of universal access along the pedestrian mews between Kingsway and the lane. Any stairs should be replaced with a barrier-free access route.

Note to Applicant: Engineering does not support the stairs-only access between Kingsway and the lane. Applicant should provide an alternate solution to provide a 'stairs-free' access for people with mobility aids, strollers and people walking from the lane to Class A or Class B bicycle parking or the street.

27. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

Please refer to the Parking and Loading Design Guidelines at the following link: (<http://former.vancouver.ca/engsvcs/parking/admin/developers.htm>)

- (i) Provision of the required loading for the site.

Engineering would consider the provision of 2 Class B and 2 Class A loading spaces as meeting the loading requirement for the site provided a shared use agreement for the Class B and Class A loading spaces, freight elevator and loading corridor will be provided. Confirm that the commercial loading corridor from the freight elevator to gridline F on drawing A110 can be shared with the residential loading access to the residential elevator core as only one loading corridor is shown.

- (ii) Number and label all parking spaces, dimension all parking stalls, maneuvering aisles and column encroachments.
- (iii) Provision of additional width for parking stalls adjacent walls.
- (iv) Modify column placement or stall widths to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: Drawings A102, A104 and A106 show 4' columns with no set back from the maneuvering aisle. A column 2' in length must be set back 2' from either the opening to or the end of the parking space. A column 3' long may be set back 1'. Refer to the Parking and Loading Design Guidelines.

- (v) Dimension the O/H gate on drawing A106 to confirm that the required 20' minimum width is being provided.

- (vi) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, within the parking areas and at all entrances.

Note to Applicant: This is to calculate the slope and cross fall.

- (vii) Confirm that 'stairs free' access is being provided between the commercial elevator and the commercial disability spaces on drawing A106.

- (viii) Modification of the parking ramp design to address the following:

- Provision of a maximum 10% ramp grade for the first 20' from the property line. Drawing A110 shows a 10% slope for approximately 17'.
- Modify the ramp slope after the first 20' from the PL to achieve a maximum slope of 12.5% slope.

Note to Applicant: A consistent 12% slope can be achieved from elevation 292' to 283.89' on the ramp rather than the 15% shown.

- (ix) Provision of modifications to the Class B loading spaces, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The Transportation Study by Bunt dated November 25, 2015 identifies numerous conflicts and modifications to the loading bays to improve loading access and maneuvering. Loading throats, additional bay widths or stall setbacks may all be required. Please update the plans to eliminate these identified conflicts.

- (x) Provision of minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

- (xi) The storm and sanitary connections should be made to existing mains on Kingsway.

#### 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 Managing Director of Cultural Services, the General Manager of Community Services (or successor in function), and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Consolidation of the following
  - 2395-2399 Kingsway [*Strata Lots 1 and 2, District Lot 393, Group 1, New Westminster District, Strata Plan BCS2323; PIDs: 027-135-454 and 027-135-462 respectively*],
  - 2405-2409 Kingsway [*Strata Lots 1 and 2, District Lot 393, Group 1, New Westminster District, Strata Plan BCS3251; PIDs: 027-765-156 and 027-765-164 respectively*],
  - 2415 Kingsway [*PID: 014-790-645; Amended Lot 21 (See 592536L) of Lot 9, Blocks B and 10, District Lot 393, Plan 1388*],
  - 2425 Kingsway [*PID: 014-790-670; Amended Lot 23 (See 283177L) of Lot 9, Blocks B and 10, District Lot 393, Plan 1388*], and
  - 2435 Kingsway [*PID: 011-695-838; Lot 24, except part in Reference Plan 2407, of Lot 9, Blocks B and 10, District Lot 393, Plan 1388*]
  - 2443-2469 Kingsway [*Lots 25 and 26, except part in Reference Plan 2407, of Lot 9, Blocks B and 10, District Lot 393, Plan 1388; PIDs: 014-790-696 and 014-790-718 respectively, (upon dissolution); to create a single parcel.*]
2. Release of Easement & Indemnity Agreement 269241M (See 122789L) - 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 for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

3. Provision of a building setback of 24 feet (7.31 m) per the Norquay Village Neighbourhood Centre Plan and provision of a Statutory Right of way to achieve a 5.5 m distance from the existing curb to the inner edge of the statutory right of way along Kingsway. 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 SRW dimension.

Note to Applicant: The SRW area is to be clear of tables, chairs, planters, benches and door swings but will allow for structures below grade and certain structures above grade such as canopies located to the satisfaction of the General Manager of Engineering Services in consultation with the Director of Planning.

4. Provision of a surface Statutory Right of Way to secure a pedestrian connection through the breezeway between the two buildings from Kingsway to the lane.



Note to Applicant: The SRW agreement is to accommodate both below-grade and above-grade structures which are to be located to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services.

5. Provision of a SRW along the north edge of the site adjacent the laneway, for the sign posts and bases allowing for installation of parking regulations on private property.
6. Provision of \$250,000 towards the installation of mid-block pedestrian crossing and traffic signal in the 2400-block of Kingsway to support the proposed connections from Kingsway to the lanes and residential areas beyond and break up the long blocks in support of the mid-block shopping courts intended of the Norquay plan.
7. 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 in the form of a letter of credit, or other security satisfactory to the City, for the Services are provided.
  - (i) Provision of new concrete sidewalks and street furniture adjacent the site in keeping with the Norquay Village plan.
  - (ii) Provision of street trees adjacent the site where space permits.
  - (iii) Provision of adequate water service to meet the fire flow demands of the project. 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.
8. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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.

#### Community Amenity Contribution (CAC)

9. Pay to the City a Community Amenity Contribution of \$879,530 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$879,530 is to be allocated as follows:
  - (i) \$439,765 (50% of total CAC package) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Norquay Village Neighbourhood Centre Plan area; and
  - (ii) \$439,765 (50% of total CAC package) towards childcare and community facilities serving residents and workers in or near the Norquay Village Neighbourhood Centre Plan area.

#### Public Art

10. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact the Public Art Program Manager at 604-871-6002 to discuss your application.

#### Soils

11. 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.

\* \* \* \* \*

**2395-2469 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:

“2395-2469 Kingsway [CD-1 (#)] [By-law #] B (C-3A)”

**PARKING BY-LAW NO. 6059**

In Schedule C, add:

Address	By-law No.	CD-1 No.	Parking Requirements
2395-2469 Kingsway			Parking, loading and bicycle spaces 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 #] 2395-2469 Kingsway”

\* \* \* \* \*

2395-2469 Kingsway  
URBAN DESIGN ANALYSIS

**URBAN DESIGN PANEL**

The Urban Design Panel reviewed the application on November 18, 2015 and supported it.

**EVALUATION: SUPPORT (7-1)**

**Introduction:** This is an application to rezone a site on Kingsway in the Norquay Neighbourhood Centre Plan area.

The site is located on the north side of Kingsway between Nanaimo and Clarendon Streets. It is a six-lot assembly currently zoned C-2 on the eastern-most lot, with the remainder zoned RT-2.

The proposal is to build a mixed-use development with two buildings, one at four-storeys and the other, including a twelve-storey element over a four-storey podium.

The site falls within the Kingsway Rezoning Policy area in Norquay Village. It is one of three mid-block sites on Kingsway, where the Plan allows a height of twelve-storeys in exchange for public realm improvements, specifically, open space and mid-block pedestrian connections. The base building height along the rest of Kingsway is generally ten-storeys, with two "gateway sites" at either end of the Plan boundary allowing up to fourteen-storeys. The "heart" of the neighbourhood centre is envisioned to be on the 2400 Motel site, directly across from the subject site. There, the Plan envisions two tower elements of twelve and sixteen-storeys, along with a significant public open space, among other amenities. The permitted density on all of these sites along Kingsway, is 3.8 FSR.

Behind the subject site currently are single-family homes. Per the Plan, this area is meant to be a transition area from the taller buildings on Kingsway, to the lower scale context behind. The policy envisions four-storey apartment buildings in this transition area.

The eastern-most lot is zoned C-2 and developed with a two-storey commercial building. The rest of the lots in the assembly are zoned RT-2 and developed with single-family houses and duplexes [2395 in 2006].

The site size is approximately 31,000 sq. ft., with a 297-ft. frontage along Kingsway, and a 106-ft. lot depth. The grade drops from east to west approximately 6 feet, and the site also slopes down from the lane to street. As such a retaining wall currently exists along the front property line.

To the east is a four-storey mixed-used building with commercial at grade and market residential on top, developed under C-2 in 1995. To the west are more houses and duplexes for the rest of the block. Across Kingsway are: the 2400 Motel site, a four-storey C-2 development with market residential, and the mixed-use development of the previous Eldorado Hotel site, including a 22-storey tower (CD-1 487). Across the lane is the Apartment Transition Zone Rezoning Area, currently developed with single family houses.

The proposal is to develop a thirteen-storey mixed-use building with retail at grade fronting Kingsway and market residential units on upper floors. Form of development consists of a

four-storey podium and a thirteen-storey tower located in the mid-section of the site. Density is 3.8 FSR (120,169 sq. ft. of total floor area), with 0.37 FSR of commercial uses. 142 market residential units are proposed, with a mix of one-bedroom and two-bedroom units. Some two-level townhouse units are proposed fronting the back lane. Underground parking is provided from the lane.

A “plaza” and a pedestrian access from Kingsway to the lane are proposed, located near a proposed mid-block pedestrian-activated crossing on Kingsway, a requirement of Engineering Services. A building setback to achieve a 25 ft. wide sidewalk, as required by the Norquay Plan, has been proposed.

Advice from the Panel on this application is sought with regards to general commentary on the project.

**Applicant’s Introductory Comments:** The podium expression has been broken up quite a bit and articulated. The building form has a tricky mass as it is squat and big. Window treatments will be used to give it more of a sense of verticality.

The lane-scape will have townhouses with their own gates, patios and addresses.

There is an amenity off the lobby which activates the streetscape and a CRU (a large chiropractor or the like). The treatment of Kingsway, the storefronts, the canopies, is a bit repetitive and needs some design development.

The streetscape on Kingsway has some trees and paving patters in keeping with the Guidelines. The roofs have been programmed to make more usable space.

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

- The Panel was generally supportive of the density, height and massing but consideration should be given to slimming the tower to mitigate overshadowing in the neighbourhood.
- Revisit the mid-block connection space with the view to creating a space; more place than passage. Look at installing seating, cafes and ways to activate and create community.
- Carefully consider how the lane will be used and by who, and what the building will do.
- There was concern about the loading bay interfering with the lane.
- The Panel was generally supportive of the Kingsway setback strategy, but more space for people to gather and maybe some trees would be beneficial.
- The bridge is an opportunity for celebration and art elements.

**Related Commentary:** Panel comments generally supported the height, form and massing. There is good contrast between the strong horizontal and vertical; it seems to suit Kingsway in terms of movement. The podium is well done.

There was largely Panel support for a taller, skinnier building, with some comments that the building was a bit bulky, and expressing concern about overshadowing and the effect on the lane-scape and neighbourhood. Going taller and thinner would mean that things are being overshadowed for less time. More stepping of the tower could happen on the lane to help with shadow impact. The four-storey blue element is a bit heavy and functionally it takes

away a lot of sunlight from the units below and creates a heavy top. It needs to be pushed back and changed in colour.

The Panel commented on the need to consider the relationship and conflicts between the commercial and public realms, particularly within the context of a large grocery store. From a sustainability perspective, a holistic approach should be taken to grocery and residential elements. The conflict between grocery loading and townhouses off lane in the same location needs to be explored further. Not knowing about what commercial tenant will use the space is problematic in terms of loading space requirements, but generally bringing the space down is a positive. The retail units need to be more pedestrian-friendly, both in height and width. Parking needs to be better resolved.

There was Panel support for the townhouses, and activation was considered good. It was commented that moving the townhomes north a bit would allow them to be expressed more clearly, and less hidden by the towering elements above; and suggested that holding them up off the lane will make them more livable and allow for backyards.

There was Panel support for the pedestrian bridge, with comments that it was unusual, could be celebrated more, and is a public art opportunity.

Regarding the throughway, it was generally felt that the area required expansion and activation. The cut-through is an opportunity for a civic space; get a café in there, open it up, pull people in with seating outside - the throughway should not just be a connector. Think of it as a space in and of itself. It would be great to see an indoor amenity to activate the midblock courtyard. Reduce the lobby to create a more flat open space.

Panel comments regarding the setback and sidewalk along Kingsway varied. The larger setback allows for more landscaping and makes it more pedestrian friendly, allowing for stores to spill out on the street (vegetable carts, displays, etc.). Creating too large a sidewalk, that wasn't big enough for patios, was cautioned. Maybe constrict this space a bit, and redistribute to create more courtyard spaces that can be activated. The sidewalk needs to be big enough for a parking lane and big trees.

In terms of landscaping, it was suggested that layered landscaping would help to counter the length of the block and to break things up a bit and that large trees are needed on Kingsway.

**Applicant's Response:** Initially a taller, narrower tower had been proposed, but it didn't work out as it didn't respond to the Guidelines and the Norquay Plan. Revisiting taking the townhouses all the way under the tower on the lane-side will be considered.

There is an indoor amenity adjacent to the lobby, to activate the back half and the commercial across from that. The comments of the design development of the retail will be taken to heart; fine-grade detail is what it will create a more pedestrian experience.

\* \* \* \* \*

2395-2469 Kingsway  
PUBLIC CONSULTATION SUMMARY

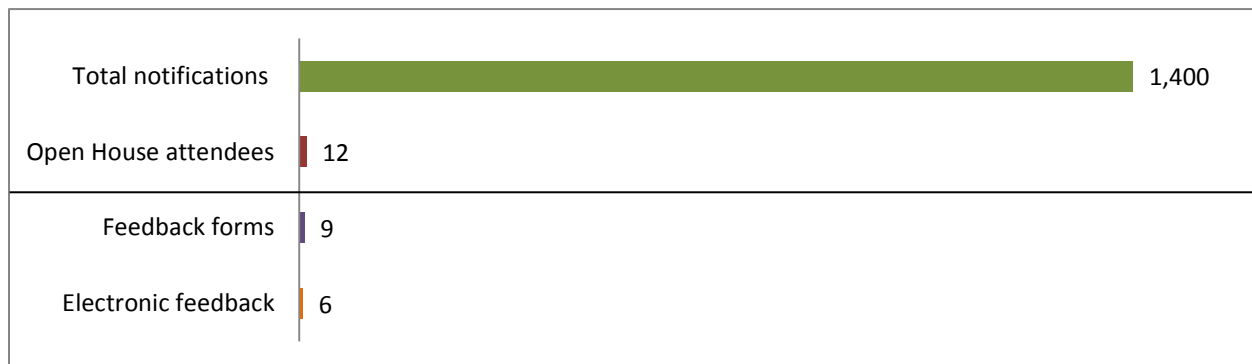
**Public Notification**

A rezoning information sign was installed on the site on July 16, 2015. A community open house was held on Wednesday, November 4, 2015. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Applications webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

**November 4, 2015 Community Open House**

A community open house was held from 5-8 pm on November 4, 2015 at the Renfrew Community Centre (2929 E 22nd Ave). A total of approximately 1,400 notifications were distributed within the neighbouring area on or about October 19, 2015. Staff, the applicant team, and a total of approximately 12 people attended the open house.

**Notification and Public Response**



**Public Response**

Public responses to this proposal have been submitted to the City as follows:

- In response to the November 4, 2015 open house, a total of 9 comment sheets was submitted.
- A total of 6 online comments was submitted by email about the proposal.

Comments about the application (both online and from the open house) related to the proposal are summarized below and ordered by frequency of topic:

**Design**

Several respondents liked the building design. One respondent felt that there was too much use of glass and that there should be more use of brick in the façade.

**Height and Density**

Many respondents were concerned that the proposed building is too high for being located mid-block and on a hill. It was suggested that 6-8 storeys would be a better fit, be more human in scale, and not block views. There was general support for the proposed increase in density, however it was felt that there was not enough open space provided to compensate for additional density.



### **Housing**

At least one respondent commented that the proposed unit sizes would contribute to the affordability of housing in the area.

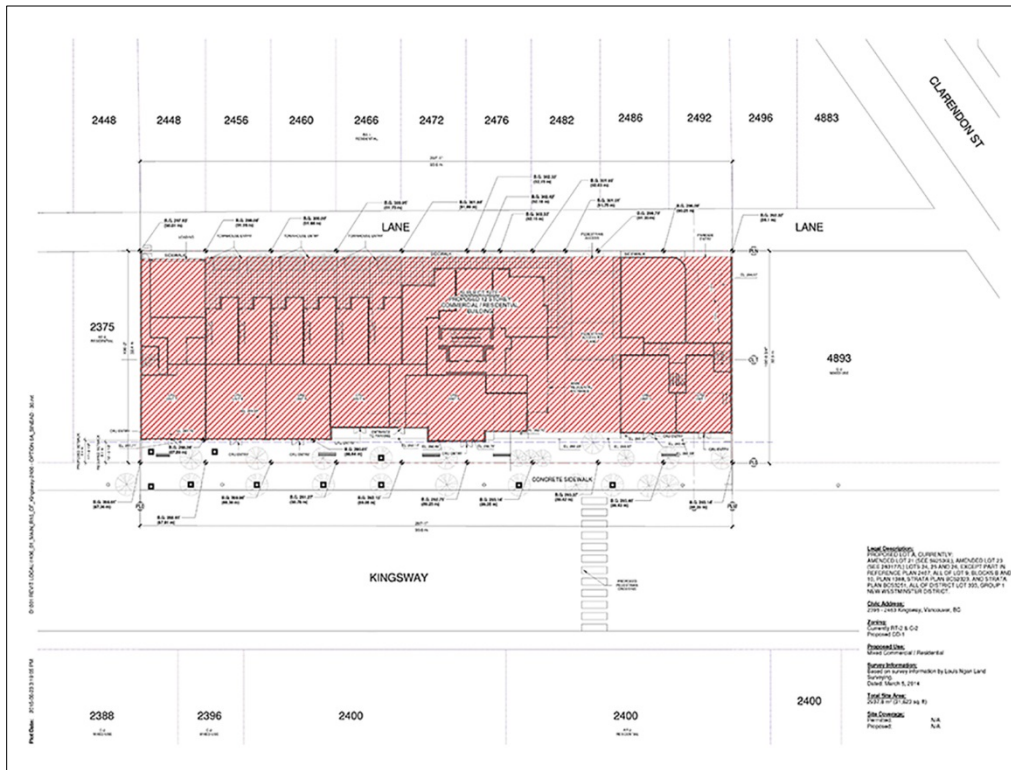
### **Traffic and Parking**

Several residents were concerned that increases in car traffic would overwhelm an already congested neighbourhood, adding that development should not be approved until a traffic management plan was in place. It was recommended that the proposal include adequate bike parking and storage, to encourage more trips on foot/bike. One respondent also felt that the proposal provided too much parking, undermining both transportation and affordability goals.

\* \* \* \* \*

## 2395-2469 Kingsway FORM OF DEVELOPMENT

### Site Plan



### Landscape Plan



Shadow Studies



SPRING EQUINOX - 10:00 AM



SPRING EQUINOX - 12:00 PM

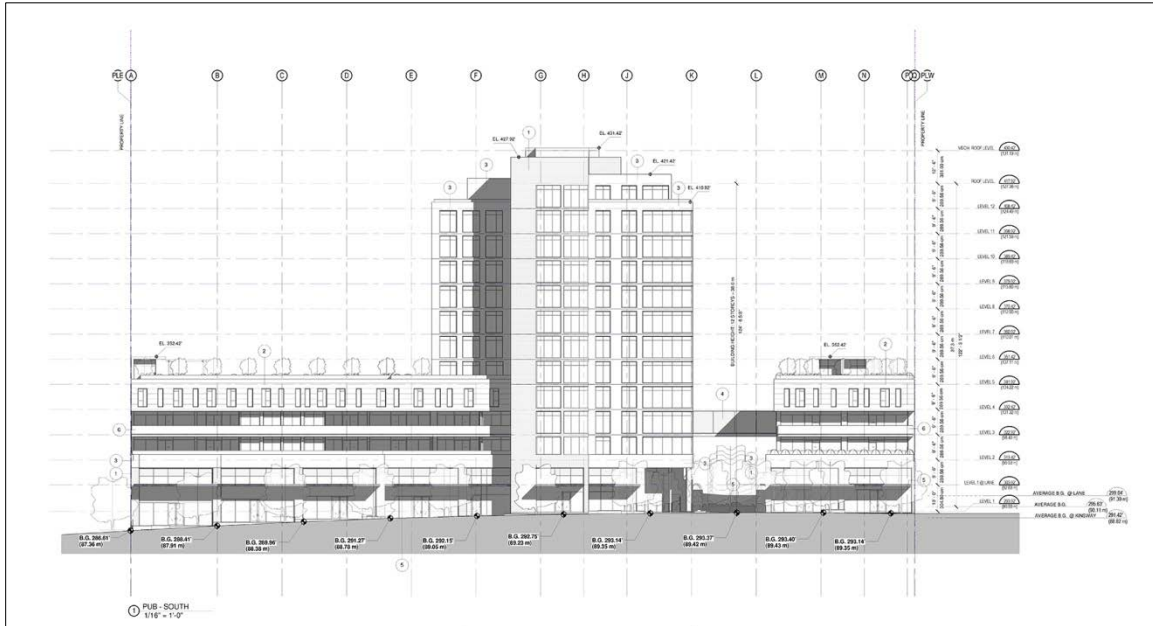


SPRING EQUINOX - 2:00 PM

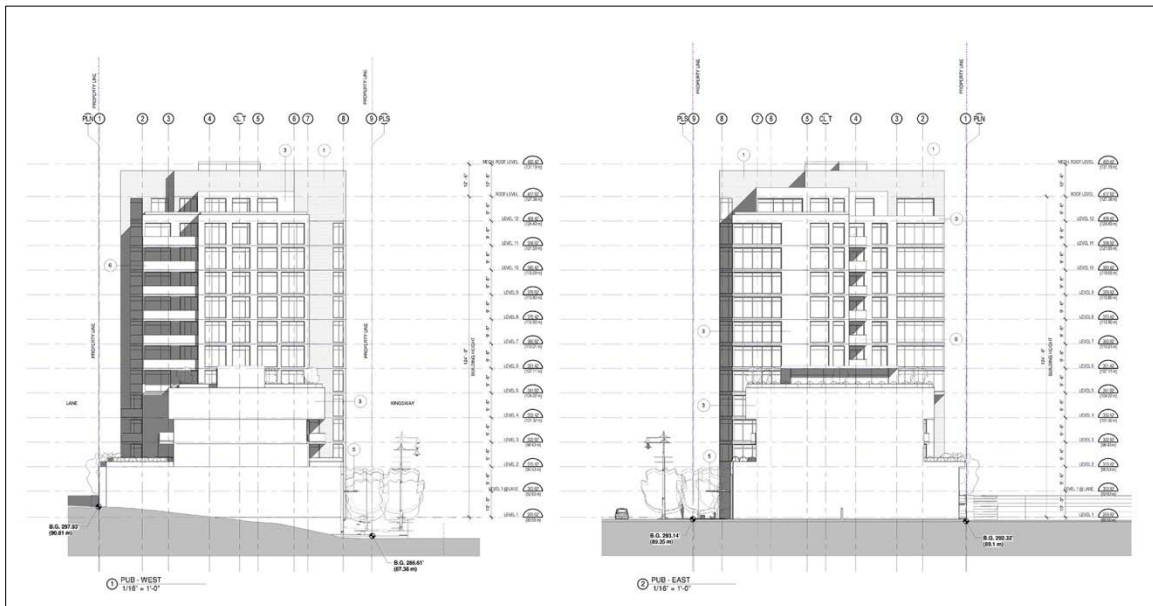


SPRING EQUINOX - 4:00 PM

### South Elevation



### East and West Elevations



### North Elevation



### Perspectives



2395-2469 Kingsway  
DRAFT TENANT RELOCATION PLAN

**Section 3: Draft Tenant Relocation Plan**

Please complete the “Draft TRP Details” column in the following chart. The notes in the shaded column correspond to the expectations under the City’s rental housing protection policies and indicate both minimum requirements and typical scenarios encountered. Staff will assess the proposed Tenant Relocation Plan and provide comments during the application phase.

Relocation Plan Components	Draft TRP Details <i>(to be completed with Rezoning or DE application submission)</i>	City Staff Comments <i>(to be completed during Application Review)</i>	FINAL/ REVISED TRP
	Date: Sept 4, 2015	Date: Sept 24, 2015	Date:
<b>Describe existing project compared to new project</b>	<ul style="list-style-type: none"> <li>Existing units vs. new units</li> <li>Existing rents vs. new rents</li> <li>Existing unit mix vs. new unit mix</li> </ul>		
<b>2 Months’ Free Rent</b> <ul style="list-style-type: none"> <li>For long-term tenants residing in the building more than 10 years, consider an additional month free rent.</li> </ul>	<ul style="list-style-type: none"> <li>All current tenants will receive 2 months' free rent with the exception of 2415 and 2435 who will get 3 months' free rent</li> </ul>	<ul style="list-style-type: none"> <li>Acceptable as described</li> </ul>	
<b>Notification</b> <ul style="list-style-type: none"> <li>A minimum of two months’ notice to end tenancy must be provided.</li> <li>A longer time frame may be offered.</li> </ul>	<ul style="list-style-type: none"> <li>All current tenants will receive a 2-month notice to end tenancy</li> </ul>	<ul style="list-style-type: none"> <li>Acceptable as described</li> </ul>	
<b>Moving Expenses</b> <ul style="list-style-type: none"> <li>A moving company may be hired by the applicant, with all arrangements and costs covered</li> <li>A flat rate of \$750 towards moving expenses and reconnection fees is acceptable.</li> </ul>	<ul style="list-style-type: none"> <li>All current tenants will receive \$750 towards moving expenses and reconnection fees if applicable</li> </ul>	<ul style="list-style-type: none"> <li>Acceptable as described</li> </ul>	

Relocation Plan Components	Draft TRP Details <i>(to be completed with Rezoning or DE application submission)</i>	City Staff Comments <i>(to be completed during Application Review)</i>	FINAL/ REVISED TRP
	Date: Sept 4, 2015	Date: Sept 24, 2015	Date:
<p><b>Assistance in Finding Alternate Accommodation</b></p> <ul style="list-style-type: none"> <li>• Three options in Vancouver must be provided to the tenants, one of which must be in the same general area as their current home.</li> <li>• Note for projects in the West End, <u>two</u> options should be provided in the same general area as their current home.</li> <li>• All options must rent for no more than 10% above their current rental rate, unless otherwise agree to with the tenant (i.e. tenant may be looking for newer, bigger unit etc. and able to pay more for such).</li> </ul>	<ul style="list-style-type: none"> <li>• All current tenants will receive assistance in finding alternate accommodation if they require assistance</li> </ul>	<ul style="list-style-type: none"> <li>• Acceptable as described</li> </ul>	
<p><b>First Right of Refusal</b></p> <ul style="list-style-type: none"> <li>• Where starting rents are anticipated to be higher than what the tenant currently pays, a discount for any returning tenants should be offered. E.g. 20% off starting rents.</li> <li>• In cases where starting rents are essentially on par with current rents, consider the current rent plus any allowable increases under the RTA during the period of construction as the proposed starting rent.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Acceptable as described</li> </ul>	
<p><b>Other</b></p> <ul style="list-style-type: none"> <li>• Where a Building Manager is paying reduced rent in exchange for services, consider compensation at the same monthly rate as for a similar sized unit.</li> <li>• Consideration for any additional compensation for long-term building residents who may require assistance in some form.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Acceptable as described</li> </ul>	

2395-2469 Kingsway  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

A 12-storey mixed-use development containing retail uses on the ground floor and 122 residential units above.

**Public Benefit Summary:**

The project would generate a DCL payment and a CAC offering to be allocated toward the affordable housing fund, childcare, and community facilities in and around the Norquay Village area. A public art contribution would also be provided.

	Current Zoning	Proposed Zoning
Zoning District	RT-2/C-2	CD-1
FSR (site area = 2,938 m <sup>2</sup> / 31,623 sq. ft.)	0.6/2.5	3.80
Floor Area (sq. ft.)	32,286	120,239
Land Use	Commercial/Residential	Commercial/Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required *	DCL (City-wide)	429,727	1,672,524
	Public Art		217,633
	20% Social Housing		
Offered (Community Amenity Contribution)	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		439,765
	Parks and Public Spaces		
	Childcare Facilities/Social/Community Facilities		439,765
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$429,727</b>	<b>\$2,769,687</b>

\* 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%).



2395-2469 Kingsway  
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Parcel Identifier (PID)	Legal Description
2395 Kingsway 2399 Kingsway	027-135-454 027-135-462	Strata Lots 1 and 2, District Lot 393, Group 1, New Westminster District, Strata Plan BCS2323
2405 Kingsway 2409 Kingsway	027-765-156 027-765-164	Strata Lots 1 and 2, District Lot 393, Group 1, New Westminster District, Strata Plan BCS3251
2415 Kingsway	014-790-645	Amended Lot 21 (See 592536L) of Lot 9, Blocks B and 10, District Lot 393, Plan 1388
2425 Kingsway	014-790-670	Amended Lot 23 (See 283177L) of Lot 9, Blocks B and 10, District Lot 393, Plan 1388
2435 Kingsway	011-695-838	Lot 24, except part in Reference Plan 2407, of Lot 9, Blocks B and 10, District Lot 393, Plan 1388
2443/2469 Kingsway	014-790-696 014-790-718 tied	Lots 25 and 26, except part in Reference Plan 2407, of Lot 9, Blocks B and 10, District Lot 393, Plan 1388

Applicant Information

Applicant/Architect	Ankenman Marchand Architects
Developer/Property Owner	Imani Development/0960813 B.C. Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	RT-2 and C-2	CD-1
Site Area	2,938 m <sup>2</sup> (31,623 sq. ft.)	2,938 m <sup>2</sup> (31,623 sq. ft.)
Land Use	Residential and Commercial/Residential	Commercial/Residential
Maximum FSR	0.6 and 2.50	3.80

Maximum Height	9.2 m (30.2 ft. ) and 13.8 m (45.3 ft.)	40.2 m (132 ft.)
Floor Area	2,999 m <sup>2</sup> (32,286 sq. ft.)	11,170 m <sup>2</sup> (120,239 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law, except that there must be 2 Class A and 2 Class B loading spaces provided.

\* \* \* \* \*