



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: March 14, 2017
Contact: Kent Munro
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VanRIMS No.: 08-2000-20
Meeting Date: April 11, 2017

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 2153-2199 Kingsway

RECOMMENDATION

- A. THAT the application by IBI Group Architects (Canada) Inc. on behalf of Hua Long International Technical Investment Ltd, to rezone:
- 2153-2173 Kingsway [*Lots 114, 113 and 112, Except Part in Reference Plan 2407, Blocks 2 and A District Lot 393 Plan 2707; PIDs: 013-535-773, 013-534-939 and 013-534-921 respectively*],
 - 2185 Kingsway [*PID: 017-659-892; Lot B Blocks 2 and A District Lot 393 Plan LMP3068*], and
 - 2199 Kingsway [*PID: 007-725-469; Lot 1 Blocks 2 and A District Lot 393 Plan 15037*]

from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.5 to 3.35 and the building height from 13.8 m (45.3 ft.) to 20.6 m (67.5 ft.), to permit the development of a six-storey mixed-use development containing commercial retail units at grade and 101 for-profit affordable rental housing units, be referred to a public hearing, together with:

- (i) plans prepared by IBI Group Architects (Canada) Inc., received September 6, 2016;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and

- (iii) the recommendation of the 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-law for enactment, after the Housing Agreement has been agreed to and signed by the property owner(s) 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 CD-1 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 amending by-law.

- F. THAT Recommendations A to 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 bylaw 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 rezone a site located at 2153-2199 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with commercial retail units at grade and 101 secured for-profit affordable rental housing units. The application has been made under the *Secured Market Rental Housing Policy* (Rental 100) and, in accordance with that policy, the application seeks increased height and density in return for all proposed housing units being secured as for-profit affordable rental 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), a parking reduction and concurrent processing of rezoning and development permit.

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 application would contribute 101 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 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:

- 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)
- Kensington-Cedar Cottage Community Vision (1998)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992)
- Green Buildings Policy for Rezoning (2010, last amended 2016)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2016)
- C-2 District Schedule (last amended 2013) and associated guidelines (2003)

REPORT

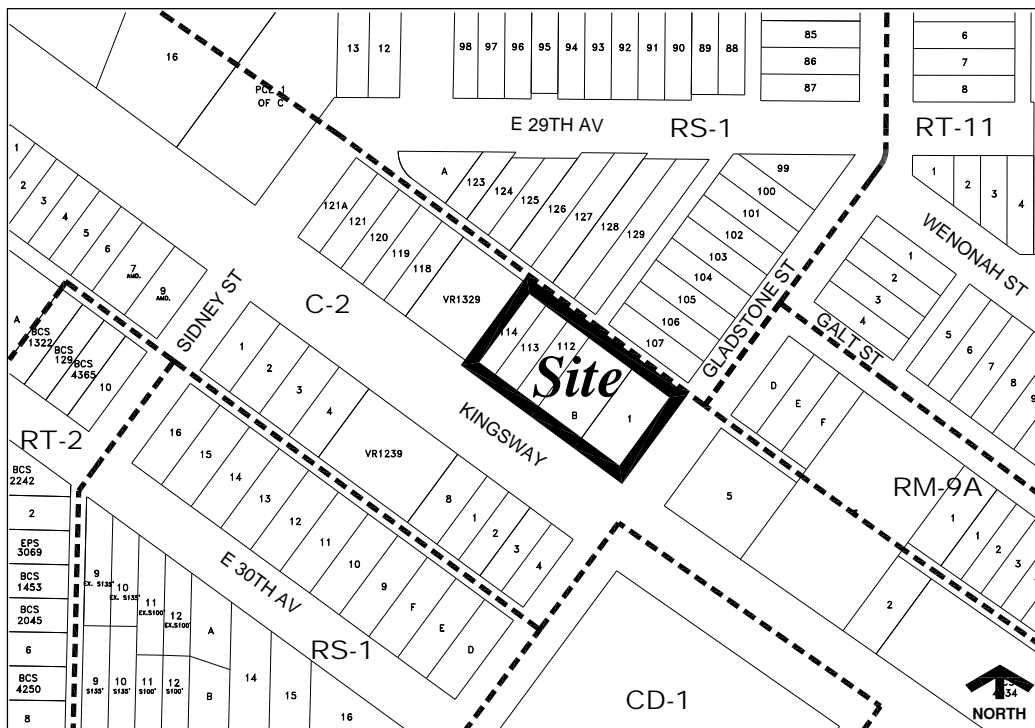
Background/Context

1. Site and Context

The subject site is located at the northwest corner of Kingsway and Gladstone Street in the Kensington-Cedar Cottage local area (see Figure 1). The site is comprised of five legal parcels, with a total site size of 2,579.4 m² (27,764 sq. ft.), a frontage of 70.45 m (231.15 ft.) along Kingsway and a depth of 36.49 m (119.72 ft.) along Gladstone Street. It is within 800 metres of the Nanaimo SkyTrain Station, adjacent to the Gladstone Bikeway, and the 25 UBC bus stop is located directly in front of the site.

The site is currently developed with two-storey commercial buildings. The majority of the surrounding lots along Kingsway are zoned C-2 and developed with two- to three-storey mixed-use buildings. The site is just outside the western boundary of the *Norquay Village Neighbourhood Centre Plan* and, under the plan, the Kingsway Rezoning Area allows for rezoning consideration from 10 to 14 storeys. The property on the northeast corner of Kingsway and Gladstone Street is currently zoned C-2 but can be rezoned for up to 10 storeys. The property on the southeast corner of Kingsway and Gladstone Street is the Kensington Gardens development site, which was rezoned to CD-1 to permit the development of three 14-storey buildings with a 6-storey mixed-use podium, and is currently under construction. The properties north of the lane of the subject site are zoned RS-1 and consist of single-family homes, and the properties directly east of the RS-1 sites across Gladstone Street were rezoned to RM-9A under the *Norquay Village Neighbourhood Centre Plan*, which permits four-storey apartments and stacked townhouses.

Figure 1: Site and Surrounding Zoning



2. Policy Context

Secured Market Rental Housing Policy (Rental 100) – 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.

Rental Incentive Guidelines – The intent of the *Rental Incentive Guidelines* is to inform the way in which rental incentives, taken at the applicant's discretion, are applied to specific projects. Applications made under Policy 1.2 of the *Secured Market Rental Housing Policy* (Residential Rental Projects Requiring a Rezoning for Projects where 100% of the Residential Floor Space is Rental) are eligible for additional floor area subject to urban design review, parking relaxations, a DCL waiver for the residential rental floor area of the project, relaxation of unit size provided that the design and location of the unit provides satisfactory living accommodation, and concurrent processing of rezoning and development permit applications. For sites zoned C-2, the guidelines provide general direction for consideration of additional height up to six storeys with a commensurate achievable density.

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 and using financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households.

Kensington-Cedar Cottage Community Vision – In July 1998, Council approved the *Kensington-Cedar Cottage Community Vision*, which recognizes the potential for mixed-use developments to provide housing, strengthen local shopping areas and improve safety by adding "eyes on the street". The vision also allows for rezoning consideration of affordable housing, including rental housing (Table 2.1 under the Rezoning Policy).

C-2 District Schedule and Guidelines – The intent of the C-2 District Schedule is to provide for a wide range of commercial uses serving both local and citywide needs, as well as residential uses, along arterial streets. Building design that furthers compatibility among uses, ensures livability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity is emphasized by the schedule and its associated urban design guidelines. Although this application proposes an increase in building height beyond that allowed by the existing C-2 regulations, the mixed-use form and the proposal for secured rental housing is considered to be in keeping with the land use intent for the area.

Family Room: Housing Mix Policy for Rezoning Projects – In July 2016, Council approved *Family Room: Housing Mix Policy for Rezoning Projects*, which increased the requirement for family units with two or more bedrooms in rental housing projects from a minimum of 25 per

cent to 35 per cent. This application proposes 37.6 per cent of the overall residential units as two or more bedrooms.

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, unit design and amenity areas.

Strategic Analysis

1. Proposal

This application proposes a six-storey mixed-use building with commercial retail units at grade and residential units above (see Figure 2). In total, the application proposes 101 for-profit affordable rental housing units and 1,347 m² (14,499.4 sq. ft.) of commercial floor area over two levels of underground parking accessed from the rear lane, at an overall density of 3.35 FSR and building height of 20.6 m (67.5 ft.).

Figure 2: View from Intersection of Kingsway and Gladstone Street (Looking Northwest)



2. Housing

The *Housing and Homelessness Strategy* strives to enhance access to affordable housing and sets a number of short- and long-term rental housing targets. The *Secured Market Rental Housing Policy* (Rental 100 program) plays a critical role in the achievement of those targets by helping to realize secured market 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. Dwelling units developed under the Rental 100 program 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.

This application meets the requirement of the *Secured Market Rental Housing Policy* by proposing 100 per cent of the residential floor area as for-profit affordable rental housing. All residential units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building and 60 years. Covenants will be registered on title to preclude the stratification and/or separate sale of individual units.

The proposal includes 101 secured for-profit affordable rental housing units in the form of studios, one bedroom, two bedrooms, and three bedrooms. The *Family Room: Housing Mix Policy for Rezoning Projects* requires secured market rental projects to include a minimum of 35 per cent family units with two or more bedrooms, to be designed in accordance with the *High Density Housing for Families with Children Guidelines*. This application proposes 31 two-bedroom and seven (7) three-bedroom units (37.6 percent of the overall units), thereby exceeding the policy. These units are considered to be suitable for families with children and will help meet the need for family rental housing in the city.

Since the establishment of affordable housing targets in the City's *Housing and Homelessness Strategy* in 2011, a total of 6,568 secured residential rental units have been generated in the city. The long-term goal was to achieve 5,000 new units by 2021, which has been achieved. If approved, this application would contribute an additional 101 units towards the City's stated short-term and long-term targets (see Figure 3).

Figure 3: Progress Toward the Secured Market Rental Housing Targets as set in the Housing and Homelessness Strategy 2012-2021 (December 31, 2016)*

	TARGET	CURRENT PROJECTS				GAP
	2012-2021	Completed	Under Construction	Approved	Total	Above or Below 2021 Target
Secured Market Rental Housing Units	5,000	1,629	2,457	2,482	6,568	1,568 above target

*Unit numbers exclude units proposed at 2153-2199 Kingsway, pending Council approval of this rezoning application.

Vancouver has one of the lowest rental vacancy rates in Canada. In Fall 2016, the vacancy rate in the city was 0.8 per cent. That means only eight out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3 per cent is considered to be a balanced rental market. The vacancy rate in the Kensington-Cedar Cottage neighbourhood was also very low at 0.8 per cent.

The applicant estimates that the studio units would rent for \$1,200 to \$1,300 per month, one-bedroom units would rent for \$1,500 to \$1,760 per month, the two-bedroom units would rent for \$1,800 to \$2,300 per month, and three-bedroom units would rent for \$2,540 to \$2,650 per month.

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 east area of Vancouver (see Figure 4). When

compared to average rents in newer buildings in the east area of Vancouver, the proposed average rents are higher, but are lower than the overall average rents for new buildings in the city. In terms of the comparison to home ownership costs, the proposed rents in this application will provide an affordable alternative to homeownership, particularly for the larger units.

Figure 4: Comparable Average Market Rents and Home Ownership Costs

	2153-2199 Kingsway Average Proposed Rent	Average Market Rent in Newer Buildings - Eastside (CMHC, 2016) ¹	DCL By-law Maximum Averages- Eastside (CMHC, 2016) ²	Monthly Costs of Ownership for Median- Priced Unit - Eastside (BC Assessment, 2016) ³
Studio	\$1,256	\$1,226	\$1,360	\$1,701
1 bed	\$1,674	\$1,592	\$1,747	\$2,388
2 bed	\$2,079	\$1,980	\$2,308	\$3,375
3 bed	\$2,603		\$3,030	\$5,093

¹ Data from the October 2016 CMHC Rental Market Survey for buildings completed in the year 2007 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 in the city of Vancouver as published by CMHC in the Fall 2016 Rental Market Report. For 3-bedroom units, the maximum DCL rents are the average rents for all residential units built since the year 2000 in the city of Vancouver as published in CMHC's website "Housing Market Information Portal" for 2016.

³ Based on the following assumptions in 2016: median of all BC Assessment recent sales prices in the Vancouver Eastside in 2016 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150-250 monthly strata fees and monthly property taxes at \$3.17 per \$1,000 of assessed value.

The proposed average starting rents, as set out in Figure 4, will be secured through a 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 Section 3.1B(c) of the DCL By-law. After occupancy, rent increases are regulated by the *Residential Tenancy Act*. Through the Development Permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out by the DCL By-law.

3. Density, Height and Form of Development (see application drawings in Appendix E)

Under the Rental 100 program, proposals located within C-2 zoning districts can be considered for up to six storeys. Typical urban design considerations therefore, include a comparison between the building form permitted under existing C-2 zoning and the proposed building form under the rezoning policy. Criteria for comparison would include: how the building relates to commercial and residential streetscapes, shadow impacts of the additional height, and the success of building interfaces with existing and potential adjacent development.

Siting – Although the site is located outside of the Norquay Village Neighbourhood Centre, a portion of the building is set back to provide the 24 ft. wide sidewalk along Kingsway, which is typically required for new developments within the *Norquay Village Neighbourhood Centre Plan*. Further west, the setback transitions to provide an 18 ft. sidewalk, which is the typical setback required for commercial frontages on C-2 zoned properties.

Retail Streetscape – The proposed development responds to the urban design aims of the area by providing continuous retail use at ground floor along the Kingsway frontage. To improve the pedestrian amenity, continuous weather protection in the form of a glass canopy is provided above the storefronts over a widened commercial sidewalk. Retail use at grade is continued around the corner onto Gladstone Street. The amount of proposed retail space for this site, at approximately 0.5 FSR, is considered adequate for a large variety of different businesses to operate within.

Kingsway Frontage – Given the corner location and the permitted street wall height along Kingsway, the development proposes a six-storey height comprised of five residential floors over a commercial floor at street level. The upper fifth and sixth storeys are set back to reinforce the legibility of the envisaged four-storey street wall height and to lessen the sense of physical enclosure on the street as experienced from the sidewalk level. To ensure a transition to future redevelopment to the west on the block, the fifth and sixth storeys are also set back from the shared property line to provide a less abrupt transition to the anticipated future building form allowable under C-2 zoning.

Toward the Gladstone Street intersection, only the top floor is recessed allowing the street wall to increase to five storeys to mark the corner condition. Visual interest at the upper levels is provided by alternating vertically expressed brick bays with glazing and balconies. The material change to glass spandrel and metal panel, works in tandem with the variation of the fifth floor setback, and further articulates the corner. Architectural signage and weather protection differentiates the retail ground floor from the residential floor above, with structural bays expressed between tapered columns.

Gladstone Street Frontage – Entry to the residential units is provided from Gladstone Street and is differentiated from the glazed retail use with a more solid and opaque material palette. At the upper levels, the recessing of the top floor and expression of a five storey continues for a portion of the depth of the elevation, before stepping back at the fifth floor level.

Residential Access – The residential entry is located off the Gladstone Street sidewalk and brings occupants to a central elevator lobby serving the floors above. Staff are recommending design development to the area adjacent to this entry in order to minimize the amount of floor-mounted ventilation grille which circulates air from the underground parking garage.

Interface with Existing Adjacent Development to the North – The proposed development effectively transitions to the existing single-family dwellings across the lane by providing significant rear yard setbacks for the fifth and sixth storeys of approximately 55 ft.

Shadow Impacts – Staff reviewed the shadow analyses comparing the shadowing impacts of the proposed building with those of a four-storey building developed under existing zoning provisions. The recessing of the upper levels to the lane, described above, serve to mitigate the effect of the increased height on shadowing to adjacent developments, with increased shadowing generally only effecting rear garages across the lane. Shadow studies submitted with the application show that the effect of the additional fifth and sixth storeys on the properties to the north, during 10 am, 12 pm and 2 pm at Spring/Autumn equinox, are only slightly increased.

Laneway Interfaces and Open Spaces – The proposed development has provided private open spaces in the form of open balconies for dwelling units containing two or more

bedrooms, as well as common open spaces on the second level and at grade along the lane with a common internal amenity room. Staff are recommending design development to ensure that all dwelling units are equipped with a private balcony.

Urban Design Panel – The Urban Design Panel reviewed the current application on November 2, 2016 and supported the proposal 6-1. The Panel offered advice around some of the choice of colours and materials for the building's exterior, increasing natural light to the north-facing dwelling units located at grade, and highly recommended using the rooftop as another outdoor amenity space (see Appendix E).

Staff support the proposed form of development subject to the recommended design development conditions contained in Appendix B.

4. Transportation and Parking

The application proposes two levels of underground parking accessed from the lane. A total of 85 parking spaces are provided – 62 parking spaces for the residential component and 23 spaces for the commercial component. Also proposed are 137 Class A bicycle spaces and 20 Class B 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 one Class A space 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* (amended by Council on November 29, 2016) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements will be mandatory for all rezoning applications received on or after May 1, 2017. Applications received prior to May 1, 2017 may choose to meet this updated version of the policy or the preceding version.

This application has opted to satisfy the preceding version of the *Green Buildings Policy for Rezoning*, which 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® 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 October 4, 2016. Approximately 810 notifications were distributed within the neighbouring area on or about September 20, 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 October 17, 2016. Staff, the applicant team and a total of approximately 11 people attended the open house.

Public Response and Comments – Staff received two written responses (as of February 2017) for this rezoning application. The responses generally supported the application, commenting that the additional height and density is appropriate given the context and proposed sidewalk expansion and that the proposal will enhance the local area and provide needed rental accommodation. Concerns were expressed over the placement of the parkade ventilation exhaust and the impacts it may have on the residential entrance, as well as, on the proposed colour palette. Staff have provided design conditions to address these concerns (see Appendix B).

Figure 5: Public Notification and Responses

Total notifications	810
Open House attendees	11
Feedback forms	0
Electronic feedback	2

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. This site is subject to the City-wide DCL rate, which at the time of application, was \$143.27 per m² (\$13.31 per sq. ft.) for new commercial or residential floor space (other than qualifying for-profit affordable rental housing). If the related building permit is not issued prior to September 29, 2017, the current City-wide DCL rate of \$149.73 per m² (\$13.91 per sq. ft.) will apply. Based on the rate prior to September 30, 2016, a DCL on the commercial floor area (1,347 m² or 14,499.4 sq. ft.) of approximately \$192,985 is anticipated.

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 7,237.3 m² (77,904.2 sq. ft.). The total DCL that would be waived is estimated to be approximately \$1,036,900. A review of how the application meets the waiver criteria is provided in Appendix F.

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.

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. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

Public Benefits – Offered by the Applicant

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.

Rental Housing – The applicant has proposed that 101 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. Covenants would be registered on title to preclude the stratification and/or separate sale of individual units.

The public benefit achieved for this application is 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 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 within the City-wide DCL district. Should Council approve the rezoning application, the commercial space is anticipated to generate approximately \$192,985 in DCLs and the for-

profit affordable rental housing component will qualify for a DCL waiver under Section 3.1A of the Vancouver DCL By-law, which is estimated to be approximately \$1,036,900.

The for-profit affordable rental housing, secured by a Housing Agreement for the longer of the life of the building or 60 years, will be privately owned and operated.

CONCLUSION

Staff have reviewed the application to rezone the site located at 2153-2199 Kingsway from C-2 to CD-1 to permit development of a building with for-profit affordable rental housing, and conclude that the application is consistent with the *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, a parking reduction and concurrent processing of rezoning and development permit. If approved, this application would make a significant contribution to the achievement of key affordable housing goals of the City. The proposed form of development represents an appropriate urban design response to the site and context, and is supportable. The 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 the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

2153-2199 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, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, 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 Jewellery Manufacturing, and Printing and 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, Cabaret, Catering Establishment,

Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, 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 Radiocommunication Station; and
- (i) Accessory Uses customarily ancillary to the uses listed in section 2.2.

Conditions of use

- 3.1 No portion of the first storey of a building, to a depth of 10.7 m from 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 layout of at least 35% 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 2,579.3 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 3.35; except that:
 - (a) dwelling uses must not exceed 2.85.

- 4.3 Computation of floor area must include all floors, 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 such exclusions must not exceed 12% of the permitted floor area;
 - (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, including 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 Computation of floor area may exclude enclosed residential balconies, if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (b) no more than 50% of the excluded balcony floor area may be enclosed.
- 4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any use other than that which justified the exclusion.

Building height

5. Building height, measured from base surface, must not exceed 20.6 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 m².

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

2153-2199 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 the 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 IBI Group Architects (Canada) Inc. and stamped "Received City of Vancouver, September 6, 2016", subject to the following conditions, 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. Consideration to provide an outdoor amenity area for the rooftop above Level 6, with children's play area, urban agriculture plots and areas for sitting and eating, while minimizing impacts to privacy for the properties located due north.

Note to applicant: A height relaxation may be granted if the provisions stated in the *Roof-Mounted Energy Technologies and Green Roofs - Discretionary Height Increases* bulletin are satisfied.

2. Design development to provide private outdoor space for every dwelling unit in the form of exterior balconies.

Note to applicant: All balconies should have a depth and width of no less than 1.8 m (6 ft.) in dimension.

3. Design development to maximize the access to natural light for the north-facing townhouse units located off the service lane on the ground storey.

Note to applicant: Reducing the depth of the architectural soffit over the windows would help to satisfy this condition.

4. Provision of a vertical ventilation shaft that can exhaust air from the ground-floor commercial retail units through the highest roof, for every 75 ft. of linear storefront facing Kingsway.

5. Design development to ensure that every dwelling unit has a minimum size of 398 sq. ft., excluding in-suite storage closets.
6. Relocation or design development to the proposed ventilation grill located adjacent to the public Gladstone Street sidewalk to ensure that:
 - (i) during operation, the exhaust produces little noise and low-air flow onto the sidewalk;
 - (ii) it discourages mischief and loitering in this covered area; and
 - (iii) the grille may be integrated with a more customized artistic aesthetic.
7. Consideration to vary the proposed colour palette of spandrel panels.
8. Submission of a bird-friendly strategy for the design of the building 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>.)

9. That the proposed unit mix of 45% studio, 17% one bedroom, 31% two bedrooms and 7% three bedrooms be included in the development permit drawings.

Note to applicant: Any changes in the unit mix from the 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 35% of the dwelling units designed to be suitable for families with children.

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.

Landscape Review

11. Design development to expand programming to provide a children's play area with visual access from an indoor amenity room.

Note to applicant: This can be achieved from Level 1 amenity area, Level 2 amenity area, or on the rooftop (see condition (b)1).

12. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to applicant: Underground parking slabs and retaining walls may need to be sloped or altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

Sustainability

13. Confirmation of the building's sustainability performance as required by the *Green Buildings Policy for Rezoning*s, 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.

Engineering

14. Clarification of garbage pick-up operations.

Note to applicant: Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note that 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.

15. Provision of the following notations on the landscape plans:

- (i) "All sidewalks between the curb and property line are to be reconstructed fully at the applicant's expense."
- (ii) "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive 'For Construction' approval and related permits are issued. Please contact Kevin Cavell at 604.873.7773 for details."
- (iii) "Installation of parking regulatory signage on Kingsway and Gladstone Street adjacent the site to the satisfaction of the General Manager of Engineering Services".

16. Deletion of lane lines and median shown on Kingsway on the site plan (drawing 9 of 34) as there are no plans to revise the existing paint markings.

17. Provision of automatic door openers providing access to the bicycle rooms clearly noted on the plans.
18. Provision of 3 ft. (0.9 m) clearance from walls for the outer most Class B bicycle spaces.

Note to applicant: Additional width is required for access to these spaces.

19. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services as follows:

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

Note to applicant: This is required to calculate the slope and crossfall.

- (ii) Provision of a minimum 6.1 m (20 ft.) wide overhead gates and maneuvering aisle width.

Note to applicant: Clearly note on plans and dimension the width of both O/H gates on P1.

- (iii) Provision of updated plans showing consistent number of Class B bicycle spaces.

Note to applicant: Tech table and sheet 15 indicate 20 Class B spaces are being provided and drawing L1.1 shows 12 spaces.

- (iv) Modify column placement to comply with the requirements of the *Parking and Loading Design Supplement* as follows:

- a. Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns and dimension on plans.
- b. Dimension the overall stall width for stalls where columns are set back more than 4 ft. from the end of the stall as additional parking stall width is required.
- c. Dimension all columns.

- (v) Provision of an improved section drawing showing 2.3 m of vertical clearance for the main ramp and security gates.

Note to applicant: Section A-A dimensions 9 ft. to the top of the slab and not the ceiling of the parking level. Update drawings to show the overhead gate and ensure all utilities are located beyond the 2.3 m of required clearance.

- (vi) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

Housing Policy and Projects

20. The building is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a common amenity room with kitchenette and accessible washroom.

Note to applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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. Consolidation of Lots 112, 113 & 114, All Except Part in Reference Plan 2407, Plan 2707; Lot 1, Plan 15037; and Lot B, Plan LMP3068; All of Blocks 2 and A, DL 393 to create a single parcel.
2. Provision of a statutory right of way for public pedestrian use of an expanded sidewalk over the area between the at-grade building face and the south (Kingsway) property line. The SRW agreement must accommodate underground parking levels P1 and P2, and upper portions of the building from Level 2 to the roof within the SRW area.
3. Release of Easement & Indemnity Agreements 114764M (support agreement), 243014M (commercial crossing agreement) and A56423 (extension) 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.

4. Provision of a shared use loading agreement between the residential and commercial uses for use of the two proposed Class B loading bays.
5. 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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 per cent of any water system upgrading that may be required.

- (ii) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off.
- (iii) Provision of new concrete sidewalks adjacent the site in keeping with the Norquay Village treatment and public realm plans. Provision of concrete sidewalk with saw cut joints on Kingsway and Gladstone Street as the proposal indicates tooled joints.
- (iv) Provision for street re-construction on Gladstone Street adjacent to the site to generally include the following: new curb and gutter; a 2.5 m wide raised protected bike lane; a 1.83 m (6'-0") wide CIP light broom finish concrete sidewalk with saw cut joints in front of the residential component and 4.27 m (14'-0") in front of the commercial components; curb ramps; boulevard with street trees; improved street and pedestrian LED lighting; removal of the existing curb bulge; and adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (v) Provision of upgraded street lighting fixtures using LED technology at the intersection of Gladstone Street and Kingsway.
- (vi) Relocation of the existing bus stop ID to 23.5 m west of the property line along Gladstone Street (approximately 7.4 m west of existing ID location) and removal of the existing bus shelter and litter can on Kingsway and reinstallation of the bus shelter 2.1 m west of the new bus ID location (bus shelter ad panel to be 1.5 m east of existing trolley pole).
- (vii) Provision of street trees adjacent the site where space permits.

6. 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.

7. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Housing

8. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:

- (i) A no separate-sales covenant.
- (ii) A no stratification covenant.
- (iii) That none of such units will be rented for less than one month at a time.
- (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance.
- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents subject to adjustment as contemplated by Section 3.1B(c) of the Vancouver Development Cost Levy-By-law:

Unit Type	2153-2199 Kingsway Proposed Average Starting Rents
Studio	\$1,256
One bedroom	\$1,674
Two bedrooms	\$2,079
Three bedrooms	\$2,603

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Community Services and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by Section 3.1B(c) of the Vancouver Development Cost Levy By-law.
- (vii) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

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

Environmental Contamination

9. If applicable:
- (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Note: 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 registered charges pursuant to 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

sites as is 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-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * * *

2153-2199 Kingsway
DRAFT CONSEQUENTIAL AMENDMENTS

Note: A By-law 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:

"2153-2199 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
2153-2199 Kingsway			Parking, loading and bicycle spaces to be in accordance with by-law requirements, except that there must be 1 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 #] 2153-2199 Kingsway"

* * * * *

2153-2199 Kingsway
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Panel reviewed the application on November 2, 2016 and supported it.

EVALUATION: SUPPORT (6-1)

Introduction: Michelle Yip, Rezoning Planner, and Paul Cheng, Development Planner, introduced the site as a concurrent rezoning and development permit application being comprised of five parcels on the northwest corner of Kingsway and Gladstone Street.

The site is located in the Kensington-Cedar Cottage local area. It is also located just outside the Norquay Neighbourhood Centre Plan, which ends at Gladstone Street. Under the plan the Kingsway Rezoning Area allows for rezoning consideration from 10 to 14 storeys. The property on the north side of Kingsway has the potential for 10 storeys. The site on the south side of Kingsway is the Kensington Gardens site, which is currently under construction and consists of three 14-storey buildings and a six-storey mixed-use podium.

The area north of the lane is zoned RS-1. This site is currently zoned C-2, which allows for fourstorey mixed-use buildings. The proposal is being considered under the Secured Market Rental Housing Policy (Rental 100), which allows for consideration of up to six-storeys. The proposal is for a six-storey development containing retail at grade and 101 rental housing units above for an FSR of 3.37.

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

1. In a typical C-2 development on a corner site, residential uses are required to be setback from the side property line by 12 ft. in order to transition to the R-zoned properties located further away from the arterial.

Does this proposal warrant a waiving of this setback requirement, given the proposed use of residential townhouses facing the rear lane?

2. Given the long site frontage of 231 ft., does the proposed Kingsway-facing elevation provide a sufficient amount of architectural variety?
3. Further setbacks to the fifth and sixth storeys from the rear property line were directed by staff in order to mitigate any increase in shadows, overlook and building mass on the R-zoned properties located due north.
4. Do the proposed setbacks provide a sufficient response to these concerns?

Applicant's Introductory Comments: The applicant team has requested a relaxation of a loading space which required full loading access to everything. This shifted everything slightly.

A blank commercial wall was not wanted up against the lane, so the residential wraps around that corner now. The architecture gets lighter and opens up to act as a transition towards the northern neighbourhood. There is also a 5.5 ft. setback which becomes a 7.5 ft. setback at the corner to help act as a transition piece going around the corner. The proposed setbacks are more than enough to capture the best solar angles and light penetration.

More street trees are not supported by the City, but a pedestrian sidewalk has been provided which is separated from the lane. Amenity is provided onto the lane with consideration of overlook.

There is a planter at level 2, and a small amenity patio which is not linked to a room. At the upper level there is planting along the parapet. Patio planting includes the soil depth to accommodate mature trees.

The applicant team then took questions from the panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Consider getting more light into the south units;
- Extend the simplicity of the dark brick across the back;
- The rooftop amenity should be a children's play area;
- Make it a simpler beige brick box on the corner.

Related Commentary: The panel started by noting that consideration should be given to the long relentless roofline to break it up more. While some members thought that the break-up approach to Kingsway seems sufficient, others thought that the Kingsway side needs a bit more design development.

Panel members fully support a rooftop amenity as an outdoor kid's space amenity with consideration for proper setbacks. The proposed setbacks do provide sufficient response and show a high level of consideration to shadows and the neighbours. However, consideration should be given to the livability of the townhomes as they seem a bit dark; get more light into these units.

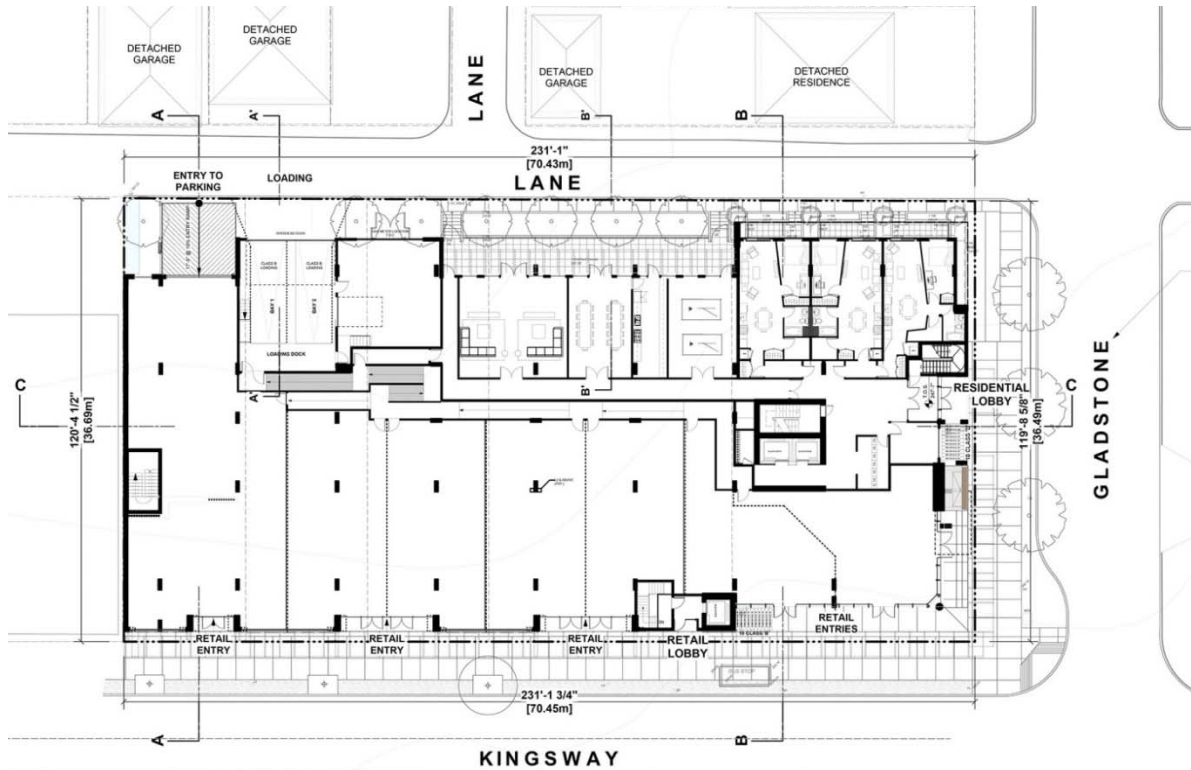
There is good use of colour in the project and a good sense of rigor and play, but higher quality materials would add a sense of whimsy and delight and take away from the soberness. If the entry were moved to the 'gap' it would make a lot more sense. Consider privacy issues at the back.

Applicant's Response: The applicant team thanked the panel for their well thought-out comments. They will take a look at the mechanical venting of the retail, and consider having less 'break-up' and more of a box. They will also consider the privacy of the Level 2 deck and the addition of a rooftop amenity.

* * * * *

2153-2199 Kingsway
FORM OF DEVELOPMENT

Site Plan with Ground Floor



View from Intersection of Kingsway and Gladstone Street (Looking Northwest)



Aerial View from Northeast (Looking South)



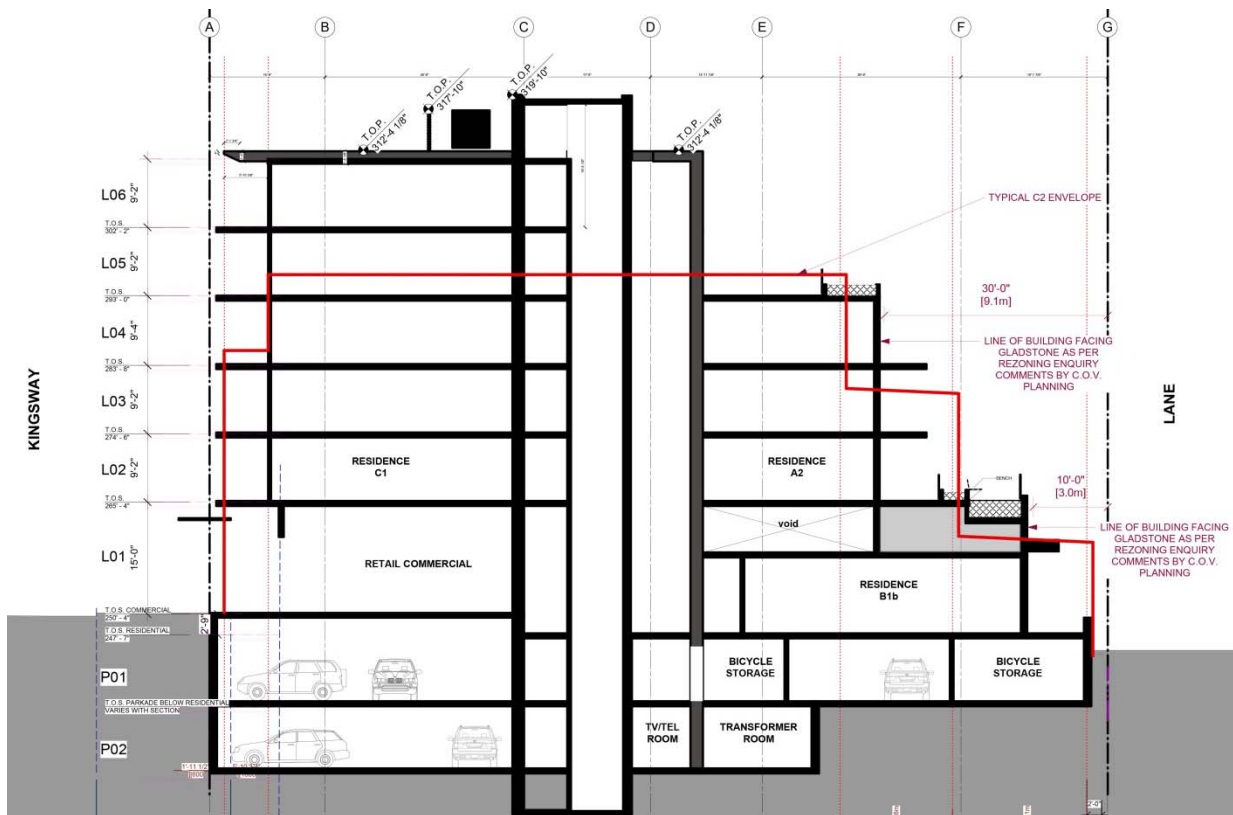
View from Gladstone Street at Lane (Looking Southwest)



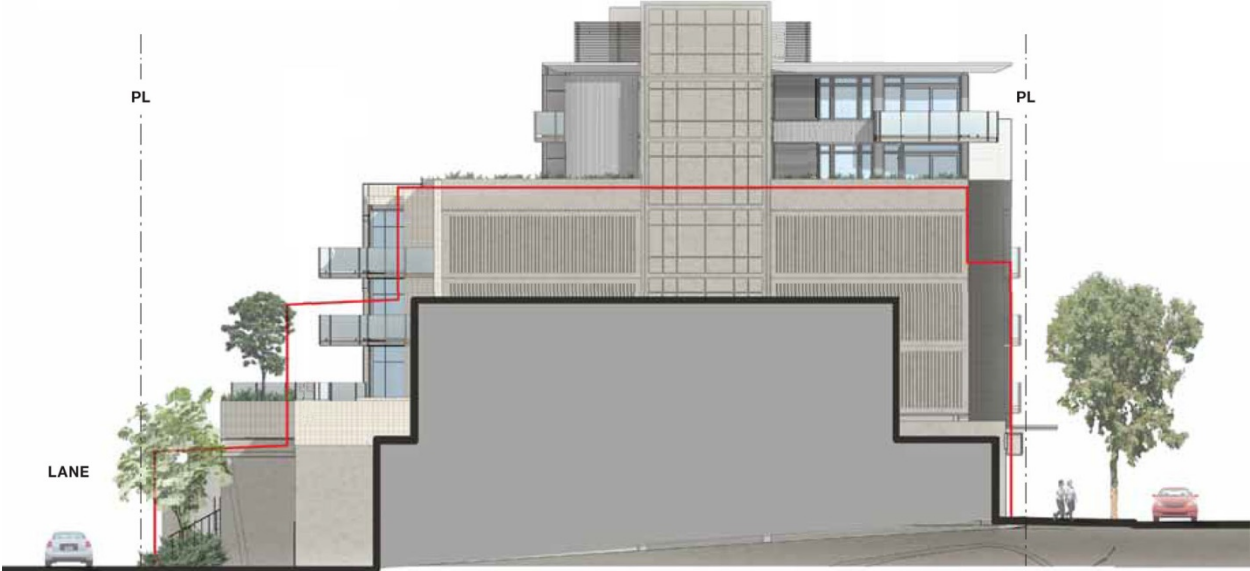
Elevation - East (Gladstone Street Frontage)



Section-Elevation - East (with Typical C-2 Envelope)



Elevation - West



* * * * *

2153-2199 Kingsway
DEVELOPMENT COST LEVY WAIVER ANALYSIS

To qualify for a 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 Vancouver 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 Housing Agreement called for under rezoning condition (c) 8 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	45	42 m ² (450 sq. ft.)	41 m ² (436 sq. ft.)
One Bedroom	18	56 m ² (600 sq. ft.)	52 m ² (563 sq. ft.)
Two Bedrooms	31	77 m ² (830 sq. ft.)	76 m ² (820 sq. ft.)
Three Bedrooms	7	97 m ² (1,044 sq. ft.)	88 m ² (951 sq. ft.)

- (d) The average initial rents for the proposed dwelling units do not exceed rents specified in the DCL By-law, subject to Section 3.1B(c).

Unit Type	Number of Units Proposed	DCL By-law Maximum Average Unit Rent*	Proposed Average Unit Rent
Studio	45	\$1,360	\$1,256
One Bedroom	18	\$1,747	\$1,674
Two Bedrooms	31	\$2,308	\$2,079
Three Bedrooms	7	\$3,030	\$2,603

* 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
\$3,014 per m ² (\$280 per sq. ft.)	\$2,800 - \$2,906 per m ² (\$260 - \$270 per sq. ft.)

- (f) By way of the Housing Agreement, the tenure of the housing will be secured as rental for the longer of the life of the building and 60 years, and the initial rents at occupancy will be secured to meet proposed averages set out under (d) above.

2153-2199 Kingsway
PUBLIC BENEFITS SUMMARY

Project Summary:

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

Public Benefit Summary:

The proposal would provide 101 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	C-2	CD-1
FSR (site area = 2,579.4 m ² (27,764 sq. ft.))	2.50	3.35
Floor Area (sq. ft.)	69,410	92,404
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)	923,840	192,985
	Public Art		n/a
	20% Social Housing		n/a
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		923,840	192,985

Other Benefits (non-quantified components):

101 units of rental housing secured for the longer of the life of the building or 60 years.

* 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%).

2153-2199 Kingsway
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
2153 and 2157 Kingsway	013-535-773	Lot 114, Except Part in Reference Plan 2407, Blocks 2 and A District Lot 393 Plan 2707
2163 and 2165 Kingsway	013-534-939	Lot 113, Except Part in Reference Plan 2407, Blocks 2 and A District Lot 393 Plan 2707
2169, 2171 and 2173 Kingsway	013-534-921	Lot 112, Except Part in Reference Plan 2407, Blocks 2 and A District Lot 393 Plan 2707
2185 Kingsway	017-659-892	Lot B Blocks 2 and A District Lot 393 Plan LMP3068
2199 Kingsway	007-725-469	Lot 1 Blocks 2 and A District Lot 393 Plan 15037

Applicant Information

Applicant/Architect	IBI Group Architects (Canada) Inc.
Developer/Owner	Hua Long International Technical Investment Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Site Area	2,579.4 m ² (27,764.0 sq. ft.)	2,579.4 m ² (27,764.0 sq. ft.)
Zoning	C-2	CD-1
Land Use	Commercial / Residential	Commercial / Residential
Floor Space Ratio	2.50	3.35
Floor Area	6,448 m ² (69,410 sq. ft.)	8,584 m ² (92,404 sq. ft.)
Maximum Height	13.8 m (45.3 ft.)	20.6 m (67.5 ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law, except that there must be 1 Class A and 2 Class B loading spaces provided