



**POLICY REPORT
DEVELOPMENT AND BUILDING**

Report Date: May 1, 2018
Contact: Karen Hoese
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VanRIMS No.: 08-2000-20
Meeting Date: May 15, 2018

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 855 Kingsway

RECOMMENDATION

A. THAT the application by Cornerstone Architecture on behalf of 1026651 B.C. Ltd. to rezone 855 Kingsway [Lots 13 and 14 Block 90 District Lot 301 Plan 187; PIDS: 004-994-281 and 004-994-183 respectively] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.5 to 3.3 and the maximum building height from 13.8 m (47.3 ft.) to 24.3 m (79.7 ft.) to permit the development of a six-storey mixed use building with commercial at grade and 50 secured for-profit affordable rental housing units, be referred to a public hearing, together with:

- (i) plans prepared by Cornerstone Architecture, received on January 27, 2017 with amendments received on January 24, 2018;
- (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 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 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 applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by this report, subject to such terms and conditions as may be

required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.

- C. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, 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 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 the enactment of the CD-1 By-law.

- E. THAT Recommendations A through D 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 the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures 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 sole 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 855 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 uses at grade and 50 secured for-profit affordable rental housing units over one level of underground parking. 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 incentives available to for-profit affordable rental housing, including a waiver of the residential portion of the Development Cost Levy (DCL). The application is consistent with the Parking By-law definition of "Secured Market Rental Housing" and is eligible for a reduced parking requirement.

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. If approved, the application would contribute 50 secured for-profit affordable rental housing units to the City's affordable housing goals as identified in the *Housing Vancouver Strategy*.

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 (Rental 100) (2012)
- Housing Vancouver Strategy (2017)
- Rental Incentive Guidelines (2012, amended 2018)
- Housing and Homelessness Strategy 2012-2021 (2011)
- C-2 District Schedule and guidelines (1996, amended 2016)
- Kensington-Cedar Cottage Community Vision (1998)
- Kingsway and Knight Neighbourhood Centre Housing Plan (2004)
- High-Density Housing for Families with Children Guidelines (1992)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- Green Buildings Policy for Rezoning (2010, last amended 2017)
- Community Amenity Contributions through Rezoning (last amended 2017)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2016)

REPORT

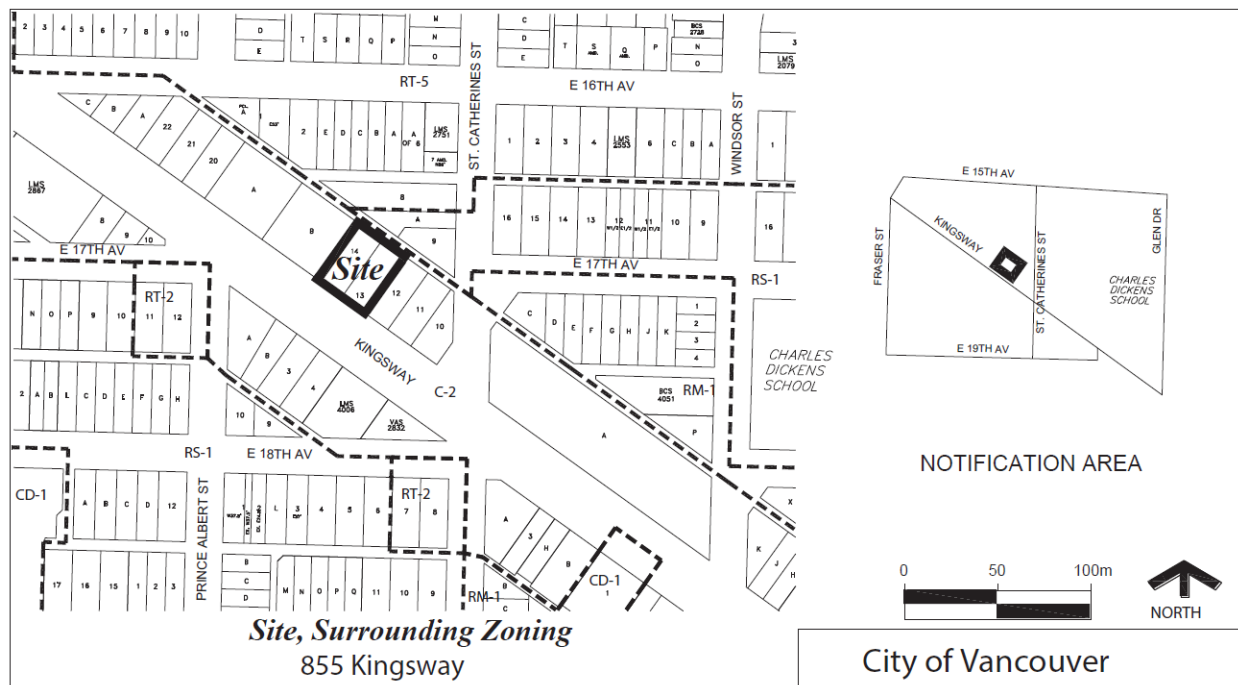
1. Background/Context

The subject site is located at Kingsway between Prince Albert and St. Catherine Streets (see Figure 1). The site is comprised of two legal parcels, with a total site area of 1,122.9 m² (12,087 sq. ft.), a frontage of approximately 30.26 m (99.28 ft.) along Kingsway and a depth of 37.35 m (122.52 ft.). There are two bus routes within two blocks of the site; the 019 on Kingsway and the 008 on Fraser Street.

The site is currently developed with two one-storey commercial buildings, which are surrounded by surface parking for vehicles. The majority of the surrounding lots along Kingsway are zoned C-2. Along the north side of Kingsway the majority of the block is developed with one- and two-storey commercial buildings. Along the south side of Kingsway is mixed use residential and a one-storey commercial building.

There are two RS-1 zoned properties north of the subject site to the north of the lane, which are at the western end of a small RS-1 zone along East 17th Avenue to Knight Street. North and north-west of the RS-1 zone, is zoned RT-5.

Figure 1: Site and Surrounding Zoning



The site is just outside the western boundary of the Kingsway and Knight Neighbourhood Centre Housing Plan (2004) which allows for the introduction of courtyard rowhouses, small houses, duplexes and infill in the area around Kingsway and Knight Street, in order to increase housing variety in the community.

2. Policy Context

Housing Vancouver Strategy (2017) In November 2017, Council approved the Housing Vancouver Strategy (2018 – 2027) and 3-Year Action Plan (2018-2020). The strategy seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining diversity of incomes and households in the city, shifting housing production towards rental to meet the greatest need, and coordinating action with partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the next 10 years, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. Nearly 50% of the new units will serve households earning less than \$80,000 per year, and 40% will be family-size units. This application will contribute towards the targets for purpose-built market rental units and units for families.

Secured Market Rental Housing Policy - In May 2012, Council approved the *Secured Market Rental Housing Policy*, commonly known as the R-100 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* 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, and relaxation of unit size provided that the design and location of the unit provides satisfactory living accommodation. 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 - On July 29, 2011 Council endorsed the Housing and Homelessness Strategy 2012-2021 which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life. Priority actions were identified to achieve some of the strategy's goals, including 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. The recently adopted Housing Vancouver Strategy added to and updates this Housing and Homelessness Strategy.

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.

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).

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 36 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 356.7 sq. m (3,839 sq. ft.) of commercial floor area at grade and for-profit affordable rental housing units above (see Figure 2), over one level of underground parking accessed from the rear lane, with a building height of 24.3 m (79.7 ft.).

Figure 2: View of the Proposed Development from Kingsway (Looking East)



2. Housing

The Housing Vancouver Strategy seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types, shifting housing production towards rental to meet the greatest need, and coordinating action with partners to deliver housing for the lowest income households. The Rental 100 policy plays a critical role in the achievement of those targets by helping to realize secured for-profit affordable rental housing. Rental housing provides a more affordable housing option for nearly half of Vancouver's population and contributes to a number of City initiatives intended to create diverse and sustainable communities. Rental 100 units are targeted to moderate income households and the program extends throughout all parts of the City, thereby providing options that are more affordable than home ownership.

The Rental 100 policy provides various incentives to be taken at the applicant's discretion to assist with a project's viability. These incentives, where the units qualify as secured for-profit affordable rental housing, include increased height and density, parking reductions and a

Development Cost Levy (DCL) waiver. Housing staff have evaluated this application and have determined that it meets the criteria of the Rental 100 policy.

This application meets the requirement of the Rental 100 policy by proposing 100% of the residential floor area as for-profit affordable rental housing. The proposal would deliver 50 for-profit affordable rental housing units in the form of studio, one-bedroom, two-bedroom units and three-bedroom units. On July 13, 2016, Council adopted Family Room: Housing Mix Policy in Rezoning Projects. The policy includes family housing requirements set at 35 percent. This application would deliver 18 family units (approximately 36 percent) with 8 two-bedrooms and 10 three-bedrooms, thereby exceeding the policy. These units are to be designed in accordance with the High Density Housing for Families with Children Guidelines.

All units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building or 60 years. The addition of 50 new secured for-profit affordable rental housing units to the City's inventory of market rental housing contributes toward the Housing Vancouver targets (see Figure 3). Conditions related to securing the units are contained in Appendix B.

Figure 3: Progress Towards 10 Year Housing Vancouver Targets for Secured Market Rental Housing as of March 31, 2018.

Housing Type	10-YEAR TARGETS	CURRENT PROJECTS
		Units Approved Towards Targets
Secured Market Rental Housing Units	20,000	1312

*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017

*Unit numbers in Figure 3 exclude the units proposed at 855 Kingsway, pending Council approval of this rezoning application.

Vancouver has one of the lowest vacancy rates in Canada. In October 2017, the vacancy rate in the City was 0.9%. That means only 9 out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3% is considered to be a balanced rental market. The vacancy rate in Kensington-Cedar Cottage neighbourhood was also very low at 0.7%.

This application includes a mix of unit types. The applicant estimates that the studio units would rent for \$1,351 to \$1,487, the one-bedroom units would rent for \$1,485 to \$1,678, the two-bedroom units would rent for \$1,938 to \$2,740 and the three-bedroom units would rent for \$2,946 to \$3,317 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, using 2017 Multiple Listing Service data.

When compared to average rents in newer buildings in the east area of Vancouver, the proposed rents are lower for studio and one-bedroom units. 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 compares initial rents proposed for units in this application to average and estimated costs for similar units. The figure also illustrates that the average rents for studios and one-bedrooms in the proposed development are below east area averages.

Figure 4 — Comparable Average Market Rents and Home-Ownership Costs

	855 Kingsway Average Proposed Rents	Average Market Rent in Newer Buildings - Eastside (CMHC, 2017) ¹	DCL By-Law Maximum Averages - Eastside (CMHC, 2017) ²	Monthly Costs of Ownership for Median- Priced Unit – Eastside - (BC Assessment 2017) ³
Studio	\$1,385	\$1,531	\$1,496	\$2,278
1-bed	\$1,638	\$1,689	\$1,730	\$2,739
2-bed	\$2,459	\$2,284	\$2,505	\$3,817
3-bed	\$3,109	No data available	\$3,365	\$5,432

1. Data from the October 2017 CMHC Rental Market Survey for buildings completed in the year 2008 or later on the Eastside of Vancouver

2. For studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents 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 2017 Rental Market Report. "

3. Based on the following assumptions in 2017: median of all BC Assessment recent sales prices in Vancouver Eastside in 2017 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 – 250 monthly strata fees and monthly property taxes at \$2.56 per \$1,000 of assessed value.

The dwelling units in this application would be secured as for-profit affordable rental through a Housing Agreement with the City 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 proposed average starting rents, as set out in Figure 4, will be secured through the Housing Agreement. The DCL By-law allows for rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum allowable increases under the Province's Residential Tenancy Act. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the occupancy permit in order to ensure compliance with the maximum increases authorized by the DCL By-law. After occupancy, rent increases are regulated by the Residential Tenancy Act.

Through the Development Permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out by DCL By-law.

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

The Rental Incentive Guidelines provide general direction for the consideration of additional density to facilitate the provision of rental housing. The C-2 District Schedule permits heights up to 13.8 m (45.3 ft.) over four-storeys and a floor space ratio (FSR) of 2.5. Through rezoning, an increase in height up to six-storeys with a commensurate increase in density may be considered, subject to urban design performance. The proposed six-storey building has a height of 24.3 m (79.7 ft.), and is consistent with the Secured Market Rental Housing Policy.

Figure 3: View of the Proposed Development from the Lane (Looking Southwest)



The Urban Design Panel reviewed the application on May 03, 2017 and offered direction to improve the livability of the north facing units, the expression of the entrance, façade design and materiality on Kingsway and circulation from the lobby to elevators. Staff concurred with the panel recommendations; however as the panel's comments were thorough and complete, staff concluded that these concerns could be resolved through the rezoning and development process.

Staff requested a resubmission to address the panel's concerns. This resubmission was received January 24, 2018. This revised application package addressed and resolved many of the concerns noted by panel. The minor items that have not yet been resolved are noted in the recommended conditions of approval noted in schedule B.

In the recommended conditions of approval, staff have requested that the upper two storeys be setback to minimize the impact of the massing beyond what would be expected in the C-2 zoning and guidelines. Accordingly, the recommendations and the CD-1 bylaw are for a floor space ratio of 3.3, not for 3.4 as was proposed in the applicant's revised submission. The reduction reflects the anticipated reduced density that would result from compliance with the setback condition.

The project is proposing a Passive House design standard. This high standard of energy efficient design will allow the residents a comfortable living environment and reduced energy costs for the operator, resulting in long-term cost saving and affordability. The depth of the building setbacks that would typically be requested by staff have been reduced to support the Passive House design.

4. Transportation and Parking

The application proposes one level of underground parking accessed from the lane. A total of 24 parking spaces are proposed; 20 parking spaces for the residential component and 4 spaces for the commercial component. Also proposed are 62 Class A bicycle spaces. These provisions meet the Parking By-law standards for commercial uses and for secured for-profit affordable housing. 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

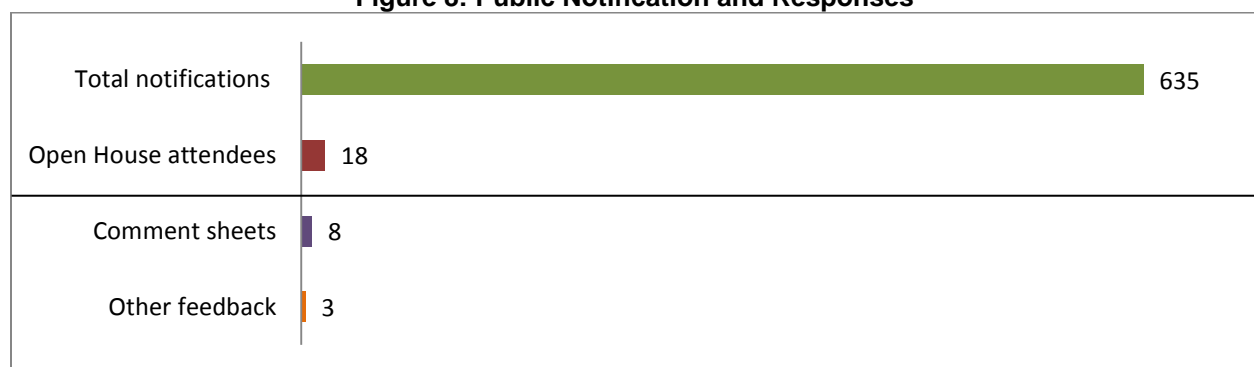
The Green Buildings Policy for Rezoning (amended by Council on April 28, 2017) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements are mandatory for all rezoning applications received on or after May 1, 2017. This application was received prior to May 1, 2017. The applicant has opted to meet the updated version of the policy, by pursuing Passive House design standards.

PUBLIC INPUT

Public Notification – The City of Vancouver Rezoning Centre webpage included notification and application information as well as an online comment form. A rezoning information sign was also installed on the site in March 2017, with the revised application in March 2018.

Approximately 635 notifications were distributed within the neighbouring area on or about April 5, 2017. In addition, notification and 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 April 18, 2017. Staff, the applicant team and a total of 18 people attended the open house.

Figure 8: Public Notification and Responses



Public Response and Comments – As of April 2018, staff received a total of 11 responses regarding the rezoning application (see Figure 8). The responses are largely supportive of the application.

Support for the proposal cited the following:

- Support for additional rental housing;
- Support for unit mix that includes 2 and 3 bedroom apartments;
- Support for design and building amenities;
- Support for keeping retail at ground level.

Concerns expressed about the proposal included:

- Concerns that more density could have been supported at this location;
- Concern the building is too tall, and will block sunlight and create privacy issues for the houses directly behind;
- Concern that Kingsway is too polluted for residential units.

Staff Response

This application is generally consistent with the Secured Market Rental Housing Policy (Rental 100) with regards to the form of development. The policy allows for consideration of additional height up to six storeys with a commensurate achievable density for this site. Residential was also permitted at this site under the previous C-2 zoning, and there are a number of other residential developments nearby on Kingsway.

PUBLIC BENEFITS

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

Public Benefits – Required by By-law or Policy

Development Cost Levies (DCLs) – DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

The city-wide DCL rate effective September 30, 2017, is \$149.73 per sq. m (\$13.91 per sq. ft.) for commercial uses and \$168.13 per sq. m (\$15.62 per sq. ft.) for residential uses above 1.5 FSR. On this basis, the proposed development of 356.65 sq. m (3,839.0 sq. ft.) commercial and 3,348.95 sq. m (36,048.10 sq. ft.) of residential, totaling 3,705.60 sq. m (39,887.10 sq. ft.) will generate a DCL of approximately \$616,470.

The applicant has requested a waiver of the DCLs attributed to the for-profit affordable rental housing, in accordance with Section 3.1A of the Vancouver Development Cost Levy By-law. The total DCL that would be waived is estimated to be approximately \$563,070. A review of how the application meets the waiver criteria is provided in Appendix F. The applicant would still be responsible for paying the DCL for the commercial component, estimated to be approximately \$53,400.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment 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 such DCL By-law rate adjustment. 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 rezonings involving a floor area equal to or greater than 9,290 sq. m (100,000 sq. ft.) allocate a portion of their construction budgets to public art or provide cash in lieu 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.

On November 29, 2017, City Council approved a CAC policy amendment that exempts CACs on routine, lower density secured market rental rezoning applications that align with the *Secured Market Rental Housing Policy (2012)* and *Rental Incentive Guidelines (2017)*. Staff note that the application is eligible for CAC exemption.

The public benefit achieved for this application is 50 secured for-profit affordable rental housing units. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the provision of secured 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 cash CACs and public art contributions associated with this rezoning. The public benefit offered for this application is secured for-profit affordable rental units.

It is anticipated that the commercial component of the project will generate approximately \$53,400 in DCLs. The residential component of the project qualifies for a DCL waiver under Section 3.1A of the Vancouver DCL By-law and the value of the waiver is estimated to be approximately \$563,070.

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, and will contribute to the City's secured rental housing stock.

CONCLUSION

Staff have reviewed the application to rezone the site located at 855 Kingsway from C-2 to CD-1 to permit development of a six-storey mixed use building with commercial at grade and 50 secured for-profit affordable rental housing units, and conclude that the application is consistent with the *Secured Market Rental Housing Policy*. The application qualifies for incentives provided for for-profit affordable rental housing, including additional height and density, a DCL waiver, and a parking reduction. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context, and is supportable. If approved, this application would make a significant contribution to the achievement of key affordable housing goals of the City.

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. Further it is recommended 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.

* * * * *

**855 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 of 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) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
 - (b) Retail Uses, limited to Farmers' Market; Furniture or Appliance Store; Grocery or Drug Store; Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;
 - (c) 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 Studio, Print Shop, Production or Rehearsal Studio, Repair Shop – Class A, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;
 - (d) Institutional Uses, limited to Child Day Care Facility and Social Service Centre;
 - (e) Office Uses;

- (f) 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, Museum or Archives, and Theatre;
- (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 and accessory uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
 - (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 1,122.9 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 3.30.
- 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:
 - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

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

Building Height

5. Building height, measured from base surface, must not exceed 24.3 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% of less of the total floor area of the dwelling unit; or
 - (ii) 9.3 m².

Acoustics

7. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

* * * * *

**855 Kingsway
PROPOSED CONDITIONS OF APPROVAL**

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

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by prepared by Cornerstone Architecture, and stamped “Received City Planning Department on January 24, 2018”, 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. Design development to reduce the apparent massing of the building by setting back the upper 5th and 6th floor 6 ft. from the primary face of the building off of Kingsway.

Note to Applicant: This upper massing setback is required to better comply with the massing profile anticipated within the C-2 zoning and guidelines.

- 2. Design development to enhance the legibility of the residential entry.

Note to Applicant: The main residential entry should be clearly legible. Changes of material, lighting and architectural elements can be used to enhance visibility of the entrance.

- 3. Design development to ensure the amenity area is a flexible functional area.

Note to Applicant: the column located in the center space limits its use. Provide confirmation that there is direct access from the indoor amenity area to the outdoor amenity area.

- 4. Design development to create visual interest to the two internal side yard elevations.

Note to Applicant: this can be accomplished through variations in the materials or texture.

5. Design development to ensure all storage areas meet the requirements set out in the *Bulk Storage and In-suite Storage Administrative Bulletin*.
<http://bylaws.vancouver.ca/bulletin/b004.pdf>
6. Provision of a vertical ventilation shaft that can exhaust air from the ground floor Commercial retail units through the highest roof.
7. 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: The strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features 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)

8. Design development to consider the principles of CPTED, having particular regard for:
 - (i) Theft in the underground parking;
 - (ii) Residential break and enter;
 - (iii) Mail theft; and
 - (iv) Mischief in alcoves and vandalism, such as graffiti.

Sustainability

9. All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at
<http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin Green Buildings Policy for Rezoning – Process and Requirements (amended April 28, 2017 or later).

Landscape Design

10. Design development to better articulate, provide more opportunities for social interaction and expand the programming of common outdoor amenity space on Level 1, as follows:
 - (i) Improve programming for the space between Children's Play area and indoor Amenity Room to be a more meaningful space, without increasing surface paving.

- (ii) Increase landscape buffer between Children's Play area and Loading.
 - (iii) Enable and provide a minimum 3 ft. wide landscape buffer next to both east and west property lines.
 - (iv) Provide high quality, creative and natural materials in landscaped areas, especially in the Children's Play area.
 - (v) Provide additional passive seating areas such as benches and seat walls.
11. Design development to improve sustainability, expand programming and improve usability of rooftop outdoor Amenity space by the addition of Urban Agriculture plots.
- Note to Applicant: Urban agriculture plots should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.
12. Design development to improve sustainability by the provision of an extensive green roof on the flat upper rooftop.
13. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.
- Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design.
14. Provision of section details at a minimum scale of 1/2"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details should show dimensioned rootballs to confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future. The depth should exceed BCSLA standard and be minimum 3 ft. for trees and 2 ft. for shrubs.
15. Provision of a high-efficiency automatic irrigation system to for all planted areas.
16. Provision of a Landscape Lighting Plan for security purposes.
- Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.
17. Coordination of new proposed street trees with Engineering and the Park Board, confirming quantities, species, sizes and locations, and addition of the following note on the plans:

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location.

New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.

Note to Applicant: The applicant must contact Park Board and Engineering prior to final DP submission and ensure this information is included on the Plant Schedule.

18. Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

“Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board”.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.

19. Provision on the landscape drawings of landscape features intended to create a bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

20. Provision of the following to ensure complete information:

- (i) Plans to be at a correct, known scale (not reduced) and to match architectural scale;
- (ii) Details to be referenced on plans;
- (iii) Complete coordination, notations and references;
- (iv) Complete schedules for hard and soft materials (the use of artificial turf will not be supported on any surfaces); and
- (v) Improved graphic readability by deleting grey tones or submit plans in colour.

Engineering Services

21. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
22. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time is required for any major crane erection / removal or slab pour that requires additional street use beyond that already identified in the project street use permissions.
23. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
24. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
25. Provision of an updated Site Plan and Landscape drawings showing and noting the SRW line on Kingsway.
26. Provision of Class B bike parking on private property as per the By-law.

Note to Applicant: Please ensure Site Plan and landscape drawings illustrate all Class B bike parking requirements to ensure all racks are installed on private property and bicycles secured to rack do not encroach onto public property.
27. Provision of an updated plan showing the access route for 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.
28. Provision of automatic door openers on the doors providing access to the bicycle rooms.
29. Design development to improve the parkade layout and access design and compliance with the Parking and Loading Design Supplement, and Bicycle Parking Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Clarify if hatching and a handrail is required on the main ramp for pedestrian egress.

Note to Applicant: The ramp may need to be widened to maintain a 20 ft. drive aisle width.

- (ii) Provision of a reduced slope and crossfall at the bottom of the main ramp.

Note to Applicant: this is to reduce the overall combined cross slope of approximately 7%. Refer to section drawing A4.5 to confirm if the elevations at the south wall of the parkade can be raised while still maintaining the required vertical clearance for disability parking.

- (iii) Provision of measures to address conflicts between vehicles at the bottom of the ramp.

Note to Applicant: Engineering recommends improving visibility through provision of view portals in the parkade ramp wall and installation of a parabolic mirror at the bottom of the ramp.

- (iv) Provision of a section drawing through residential small car stall 13 with overhead projections and vertical clearances under projections dimensioned on the drawings.

- (v) Provision of 8 ft. 6 in. stall width between the wall and the column for single module parking stall Visitor 3.

Note to Applicant: column encroachments are not permitted in single module stalls.

Affordable Housing

- 30. That the proposed unit mix, 16% 2-bedroom units and 20% 3-bedroom units 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.

- 31. 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.

- 32. Prior to issuance of development permit, applicant to display a sign on the site, throughout construction, that acknowledges that for-profit affordable rental

housing is being provided as part of the City of Vancouver's initiatives. Sign design, format, and location to be approved by the City.

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 and the Approving Officer, as necessary, and at the sole cost and expense of the owner, make arrangements for the following:

Engineering Services

1. Consolidation of Lots 13 and 14, Block 90, DL 3016, Plan 187 to create a single parcel.
2. Release of Easement & Indemnity Agreement 330533M (commercial crossing) 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.

3. Provision of a building setback and a surface Statutory Right of Way (SRW) on Kingsway adjacent the site to achieve a 5.5 m (18 '0") sidewalk from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the City curb is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrance at grade such as structure, stairs, door swing, landscape and bicycle parking but must accommodate portions of structure on Level P1 and Levels 2 to 6 within the SRW agreement.
4. Provision of a Services Agreement to detail the on 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 security for the services is provided.
 - (i) 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, 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% of any water system upgrading that may be required.

- (ii) 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.
- (iii) In addition, 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.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.
- (iv) Provision of new CIP light broom finish concrete sidewalk with saw cut joints on Kingsway adjacent the site between the front boulevard and the property line and new 1.2M exposed aggregate utility strip at the curb with 4 piece standard tree surrounds where they can be accommodated.
- (v) Upgraded street lighting on Kingsway adjacent the site to current LED standards including a review of the existing lighting to determine its adequacy and a lighting design as required

Affordable Housing

- 5. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function) 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 or the life of the building, and 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	855 Kingsway Average Starting Rents
Studio units	\$1,385
1-bedroom	\$1,638
2-bedroom	\$2,459
3-bedroom	\$3,109

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Arts Culture and Community Services (or successor in function) 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 Arts Culture and Community Services (or successor in function) and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Section 219 Covenant and 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

- 6. 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 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 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 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.

* * * * *

**855 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. 11879

Amend Schedule A (CD-1 Zoning District regulated by Part 9) by adding the following:

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

NOISE CONTROL BY-LAW NO. 6555

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

“[CD-1 (#)] [By-law #] 855 Kingsway”

* * * * *

**855 Kingsway
ADDITIONAL INFORMATION**

Urban Design Panel

The Urban Design Panel reviewed the application and recommended resubmission on May 3rd 2017.

EVALUATION: RECOMMEND RESUBMISSION

Introduction

Michelle Yip, Rezoning Planner, introduced the site for this concurrent rezoning and development permit application as comprised of two parcels on the north side of Kingsway at 17th Avenue, between Prince Albert Street and St. Catherines Street. It is located in the Kensington Cedar Cottage local area, two blocks from the area known as the “golden triangle” at Kingsway and Fraser.

The sites along Kingsway are zoned C-2. The sites located to the north across the lane are zoned RS-1 and RT-5. The area east of St. Catherines Street is zoned RM-1. The C-2 zone allows for four-storey mixed use buildings. The proposal is being considered under the Secured Market Rental Housing Policy (Rental 100), which allows for consideration up to six storeys. The proposal is for a six-storey mixed-use development containing commercial at grade and 49 rental housing units, at a height of 68.9 feet and density of 3.3 FSR, using the Passive House standards.

Tim Potter briefly introduced the project and some of the base zoning criteria noting that the proposal is seeking additional height from 4 to 6 stories and additional density from 2.5 to 3.3 FSR. Mr. Potter then took questions from the panel.

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

Comments are sought on the proposed form of development for this application as follows:

1. Please comment on the building's relationship to the site and its existing and/or future context.
2. Please comment on the success of the overall expression of the building, the material palette and its execution;
3. Please comment on the landscape design.
4. In summary, is the proposal's overall massing, density, and height supportable?

Applicant's Introductory Comments

The applicant created a vertical setback on the Kingsway elevation as recommended by Planning. There is a 'beam line' on the 5th floor to create a 5 storey streetwall. The residential entrance is further setback to give it greater emphasis along with a vertical element to break up the streetscape.

Amenity spaces, indoor and outdoor, are on the main floor. Studio units are located along Kingsway. The building will be built to passive house standards, so steps have been avoided to the extent possible. Brick is proposed on the main floor for durability and on the upper floors there is 'tresla' proposed for the frames to give them prominence.

The applicant team then took questions from the panel.

Panel Consensus

Having reviewed the project it was moved by Ms. Karen Spoelstra and seconded by Ms. Amela Brudar, and was the decision of the Urban Design Panel THAT:

The Panel RECOMMEND RESUBMISSION of the project with the following recommendations:

- The architecture needs more development
- The setback on Kingsway should be questioned
- The expression of the entrance needs work
- The façade design and materiality on Kingsway needs work
- The massing at the lane could be simplified
- The loading and unloading facilities need improving
- The lobby access to the elevators is problematic and needs re-design with consideration to add a second elevator
- The play area needs further design development with consideration for use of natural materials
- Recommend revisiting the livability of units facing north

Related Commentary

The panel noted that the building needed a stronger architectural expression. One panel member recommended removing the L shape on the 5th and 6th floor and making it 2 storeys. This should be a more robust building with less steps. The brick material is not successful in narrow bands. There is a code problem with dead end corridor that will affect the final planning.

The loading and unloading is problematic through a single elevator in the back. The front entry should have improved visibility of the elevator. The two private patios and the lightwell could use more work.

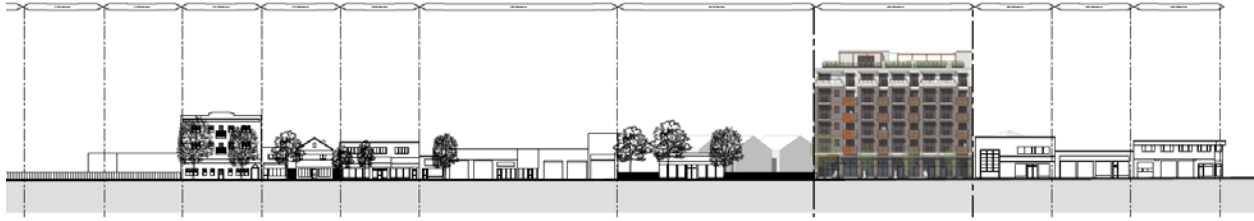
The landscape at the street level should have more planting. The parkade exhaust is in conflict with the trees. Remove the mechanical on the top.

Applicant's Response

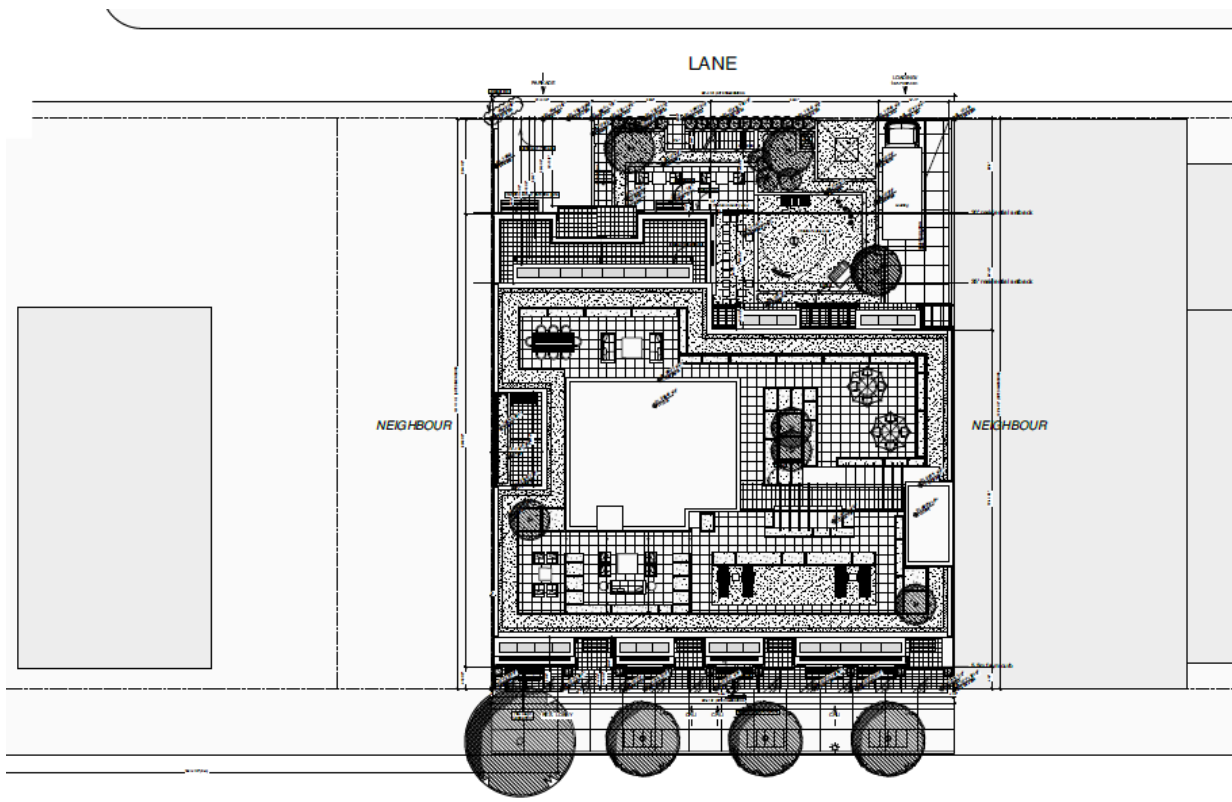
The applicant team thanked the panel and could use many of the panel's recommendations to improve the submission.

* * * * *

855 Kingsway FORM OF DEVELOPMENT



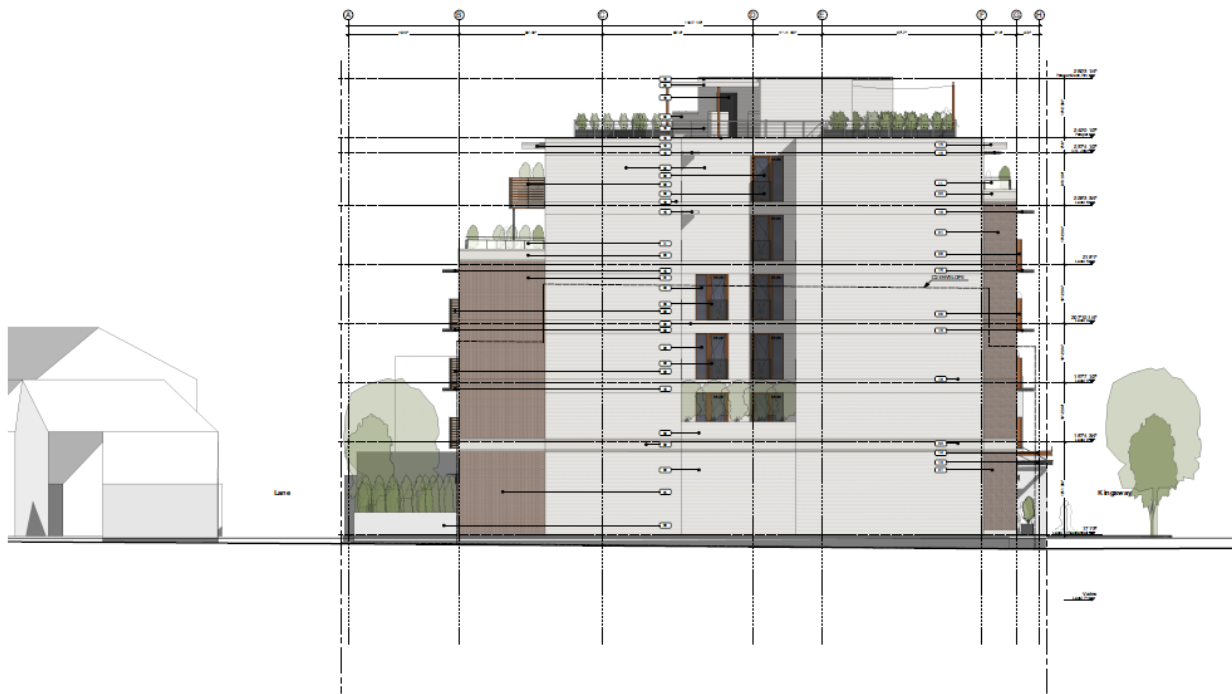
Streetscape



KINGSWAY
Site Plan



South Elevation



West Elevation



North Elevation



East Elevation



1 View Angles - General
Scale: 1/8" = 1'-0"



2 View Angles - General
Scale: 1/8" = 1'-0"

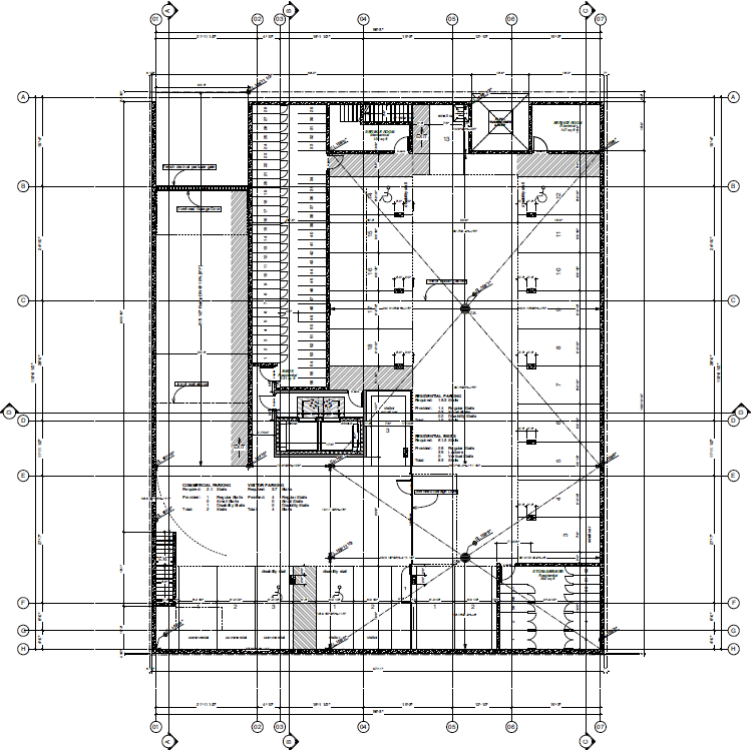


3 View Angles - General
Scale: 1/8" = 1'-0"

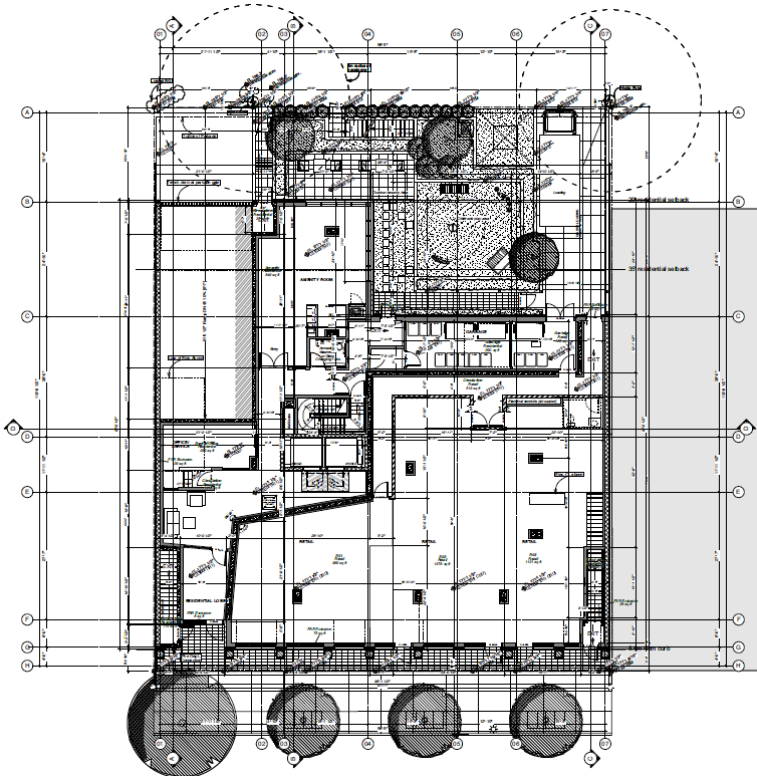


4 View Angles - General
Scale: 1/8" = 1'-0"

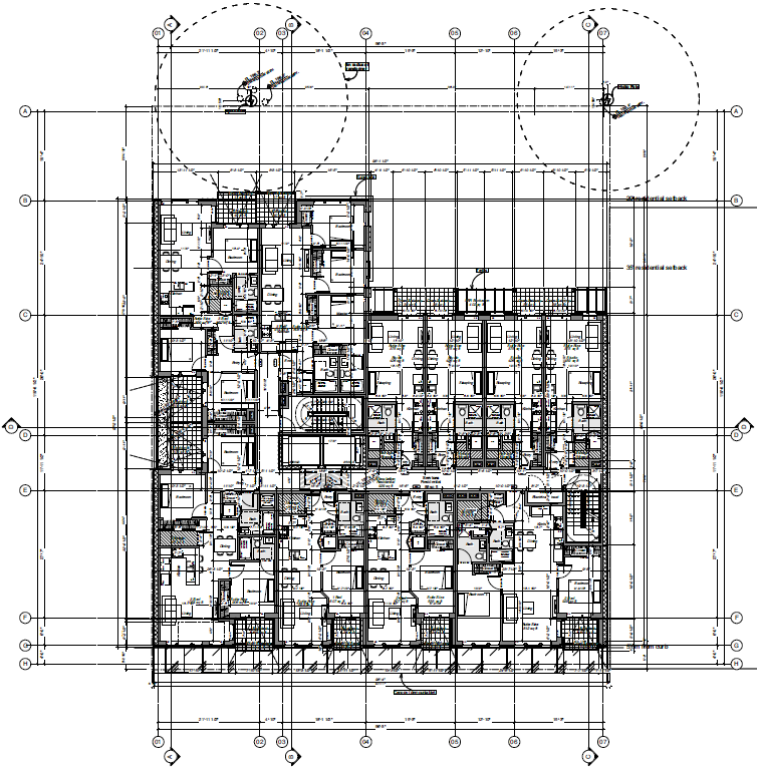
Birds Eye Views



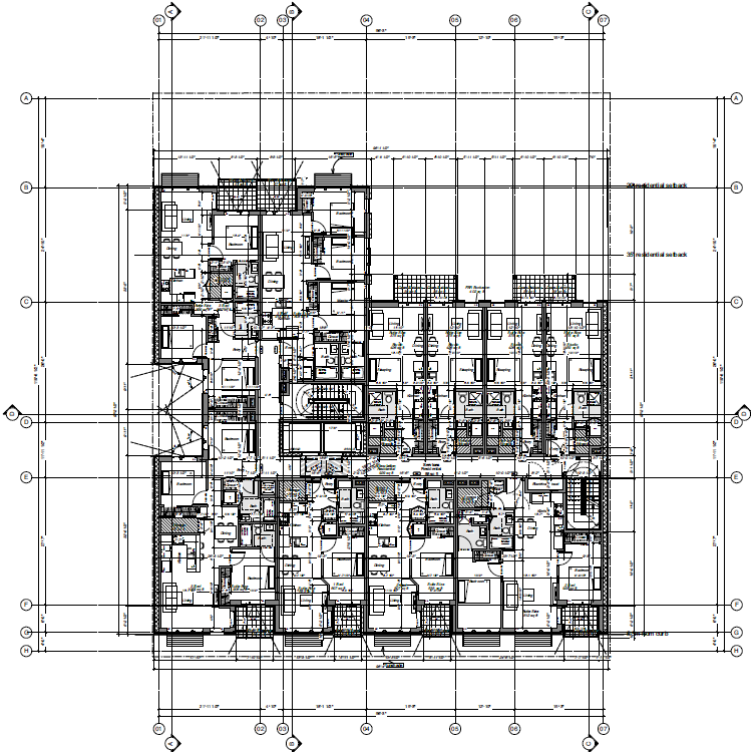
Underground Parking Level



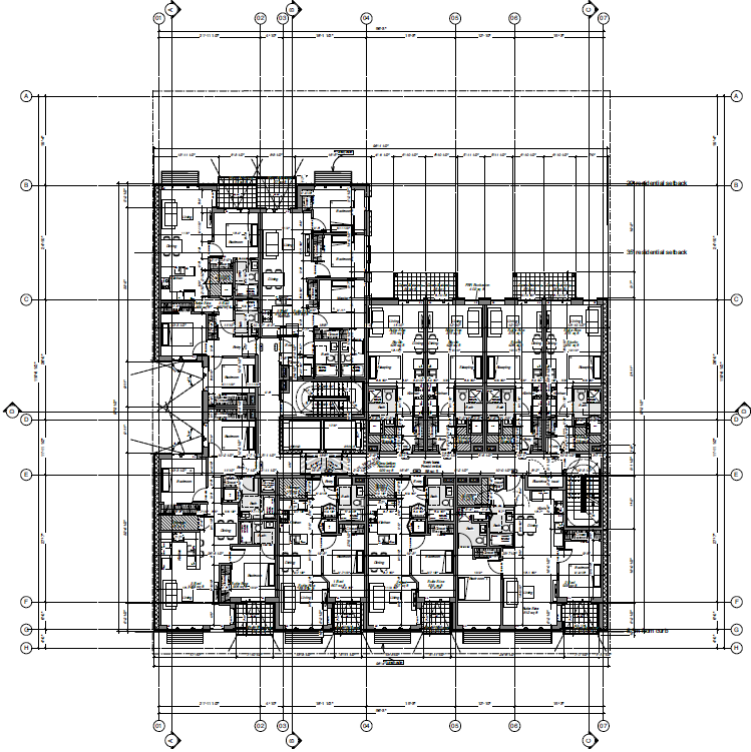
Level 1



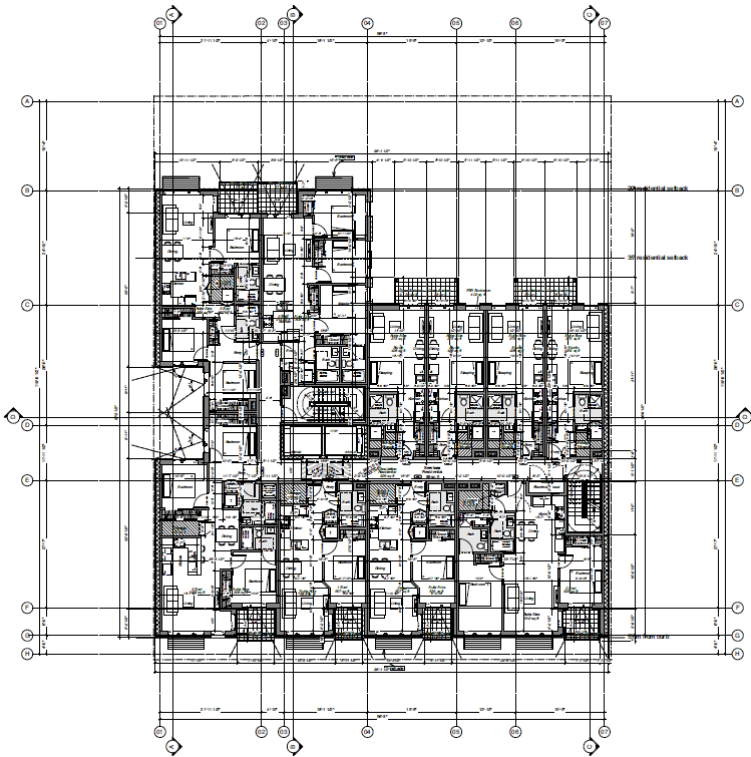
Level 2



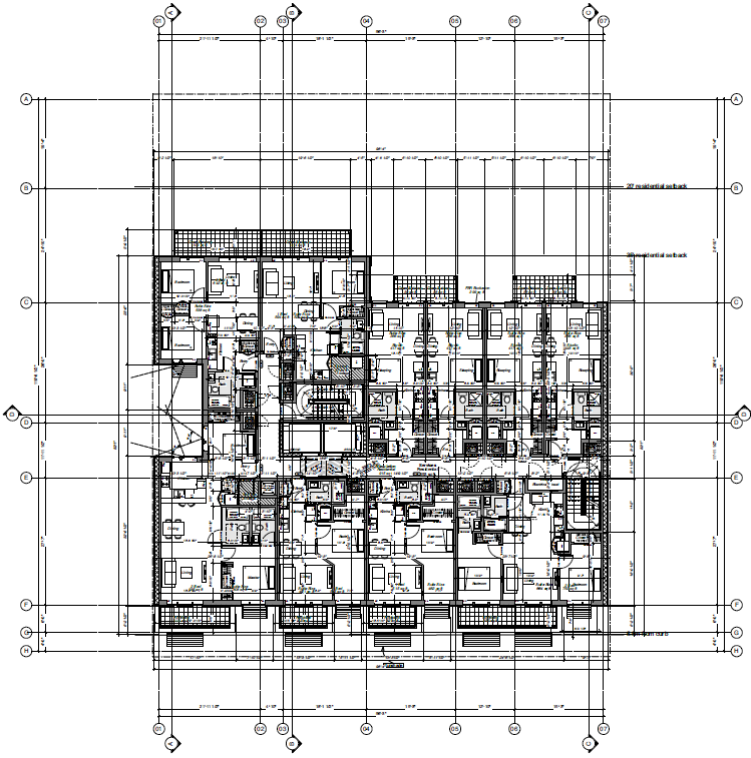
Level 3



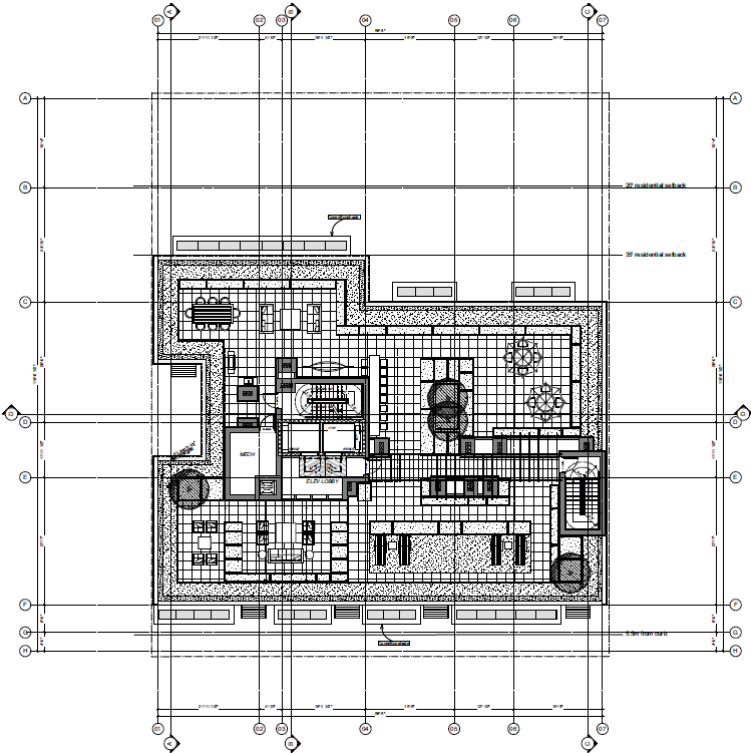
Level 4



Level 5



Level 6



Roof Level

**855 Kingsway
DEVELOPMENT COST LEVY WAIVER ANALYSIS**

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

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

Unit Type	No. units proposed	DCL By-law maximum average unit size	Proposed average unit size
Studio	20	42 m ² (450 sq. ft.)	417
1-bedroom	12	56 m ² (600 sq. ft.)	568
2-bedroom	8	77 m ² (830 sq. ft.)	815
3-bedroom	10	97 m ² (1,044 sq.ft.)	966

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

Unit Type	No. units proposed	DCL By-law maximum average unit rent*	Proposed average unit rent*
Studio	20	\$1,496/ \$1,646	\$1,385
1-bedroom	12	\$1,730/ \$1,903	\$1,638
2-bedroom	8	\$2,505 / \$2,756	\$2,459
3-bedroom	10	\$3,365/ \$3,702	\$3,109

*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
\$3,391 per m ² (\$315 per sq. ft.)	\$3,380 per m ² (\$314 per sq. ft.)

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 the averages set out under (d) above

**855 Kingsway
PUBLIC BENEFITS SUMMARY**

Project Summary:

Six-storey mixed use building with commercial at grade and 50 secured for-profit affordable rental housing units above.

Public Benefit Summary:

The proposal would provide 50 dwelling units secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer. DCL's on the commercial component will be received.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 1,122.9 sq. m (12,087 sq. ft.))	2.5	3.3
Floor Area (sq. ft.)	30,217.5	39,887.1
Land Use	Commercial and Residential	Commercial and Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (Citywide)	\$464,763	\$53,400
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$420,325	\$53,400

Other Benefits (non-quantified):

50 units of market 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 Citywide DCL, revenues are allocated into the following public benefit categories: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

**855 Kingsway
APPLICATION, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Applicant and Property Information

Address	855 Kingsway
Legal Descriptions	Lots 13 and 14 Block 90 District Lot 301 Plan 187; PIDS: 004-994-281 and 004-994-183 respectively
Applicant/Developer	Cornerstone Architecture
Architect	Cornerstone Architecture
Property Owners	1026651 B.C. Ltd.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development	Staff Recommendation
ZONING	C-2	CD-1	CD-1
SITE AREA	1,122.9 sq. m (12,087 sq. ft.)	1,122.9 sq. m (12,087 sq. ft.)	1,122.9 sq. m (12,087 sq. ft.)
USES	Commercial	Commercial and Residential	Commercial and Residential
FLOOR AREA	2,807.3 sq. m (30,217.5 sq. ft.)	3,792.1 sq. m (40,817.3 sq. ft.)	3,705.6 sq. m (39,887.1 sq. ft.)
FLOOR SPACE RATIO (FSR)	2.50 FSR	3.38 FSR	3.3 FSR
HEIGHT	13.8 m (45.3 ft.)	24.3 m (79.7 ft.)	24.3 m (79.7 ft.)
PARKING, LOADING AND BICYCLE SPACES	as per Parking By-law	as per Parking By-law	as per Parking By-law

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