



## CITY OF VANCOUVER

### POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: September 21, 2005  
Author: J. Baxter  
Phone No.: 604.871.6656  
RTS No.: 05283  
CC File No.: 5305/5308  
Meeting Date: October 18, 2005

TO: Vancouver City Council  
FROM: Director of Current Planning  
SUBJECT: CD-1 Rezoning - 2330-2372 Kingsway and 2319 East 30th Avenue

#### RECOMMENDATION

- A. THAT the application by Equitas Real Estate Advisors Ltd. to rezone 2330-2372 Kingsway and 2319 East 30th Avenue (Lots A-E, Plan 9141, Lots 2-4 and 14-16, Plan 3283 and Lots 8 and 9, Plan 3512, all of Block 11, D.L. 393) from C-2 Commercial District and RS-1 One-Family Dwelling District to CD-1 Comprehensive Development District, to permit a mixed use development, be referred to a Public Hearing, together with:
- (i) plans received June 2, 2004;
  - (ii) draft CD-1 By-law provisions, generally as contained in Appendix A; and
  - (iii) the recommendation of the Director of Current Planning to approve, subject to conditions contained in Appendix C.

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, including a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" (C-2).

- B. THAT, subject to approval of the rezoning at a Public Hearing, the Noise Control By-law be amended to include this CD District in Schedule "B" and the Subdivision By-law be amended as set out in Appendix B;

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

### GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

### COUNCIL POLICY

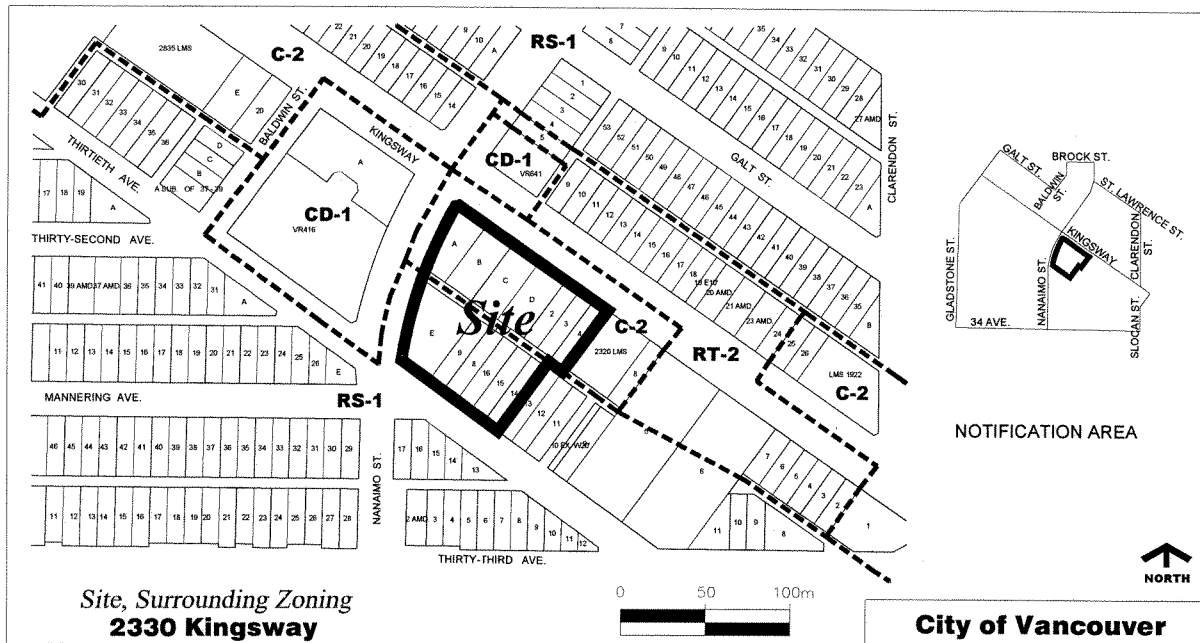
Relevant Council Policies for this site include:

- Renfrew-Collingwood (RC) Community Vision, adopted by Council on March 23, 2004, which contains directions to:
  - strengthen the shopping area along Kingsway between Nanaimo and Earles Streets as a major neighbourhood shopping area (Norquay Village) and a special community place;
  - support needed commercial and/or residential uses in the redevelopment of the Eldorado Hotel site; and
  - give strong consideration to locating new community services in or near neighbourhood centres.
- City Plan, approved by Council in June 1995, which provides for the development and reinforcing of neighbourhood centres, a diverse economy and jobs close to home.
- Public Art Program, approved by Council in October 1990, and Public Art Policies and Guidelines, approved by Council in June and November 1994, which apply to rezonings with a floor area of 15 000 m<sup>2</sup> (161,463 sq. ft.) or greater.
- Childcare Design Guidelines, adopted by Council on February 4, 1993.
- Community Amenity Contributions - Through Rezoning, approved by Council on June 24, 2003, which applies to all private rezoning applications received as of February 1, 2004, and provides funds for additional community amenities needed for new residents.

### PURPOSE AND SUMMARY

This report assesses an application to rezone the site shown on the map on page 3 from C-2 Commercial District and RS-1 One-Family Dwelling District to CD-1 Comprehensive Development District. The application proposes a mixed use development which would include:

- 346 market dwelling units in two towers and two low-rise buildings;
- 3 635 m<sup>2</sup> (39,128 sq. ft.) of commercial floor area including space for a grocery store, a small pub and a beer and wine store; and
- a 550 m<sup>2</sup> (5,921 sq. ft.) child day care facility.



This site falls within the Renfrew-Collingwood (RC) community whose Community Vision identifies this site as an important part of the Norquay Village shopping area and neighbourhood centre. Vision Directions provide the framework for the proposed rezoning.

Staff consider this rezoning proposal to be a good response to the RC Community Vision and one that will make a significant contribution to the success of the neighbourhood centre. Public response to the proposal has also been supportive. The density and accompanying form of development in the rezoning application is somewhat higher than staff support and therefore a reduction in floor space ratio (FSR) from 3.87 to 3.6 and design development conditions are recommended.

Staff recommend that the application be referred to a Public Hearing and be approved subject to conditions. Support for this application is tied to securing a child day care facility within the development.

## DISCUSSION

**Background:** The site consists of two areas separated by a lane. The north portion of the site is occupied by the Eldorado Hotel which has operated at this location for over 40 years. The 45-room hotel also includes a beer and wine store and 535-seat pub. The south portion of the site is a paved surface parking lot for the hotel's customers.

During the last 10 years, there have been a few proposals for the site for residential and commercial development but enquirers have been encouraged to wait and consider redevelopment within the context of the Renfrew-Collingwood (RC) Community Vision. The Vision was completed in 2003 (adopted by City Council in 2004) and it identifies this site as a special part of a proposed Norquay Village neighbourhood centre. The RC Community Vision includes a number of Directions which have helped provide the framework for considering the rezoning proposal (see Appendix D).

**Use:** The Renfrew Collingwood (RC) Community Vision, adopted by Council on March 23, 2004 identifies the re-development of the Eldorado Hotel site as an opportunity to provide new residential and commercial uses. Housing types could include mixed use development along with a mix of mid/high-rise towers and townhouses in areas adjacent to Kingsway.

This rezoning application proposes a mixed use development which would include residential and commercial (retail, office and service) uses and a child day care facility. A total of 346 dwelling units are proposed: 151 units in a residential tower at the corner of Kingsway and Nanaimo Street; 123 units in a tower and podium along Nanaimo Street, south of the lane; 51 units above the commercial uses along Kingsway and 21 townhouse units along East 30th Avenue. The mix of unit types (studio, one-bedroom, etc.) would be determined at the development application stage.

The commercial uses would be focussed towards Kingsway and include: a 2 622 m<sup>2</sup> (28,224 sq. ft.) grocery store, a beer and wine store, a 60-seat pub, and space for a few smaller commercial units. The development also includes space for a 550 m<sup>2</sup> (5,921 sq. ft.) child day care facility to be located in the building in the southwest corner of the site. A child day care facility of this size would serve 37 children.

Staff support the increase in residential uses which will contribute to the vitality of this emerging neighbourhood centre as outlined in the RC Vision Directions. The remainder of the proposed uses conform to the types of uses normally permitted in a commercial area. Staff support this broad range of uses, but propose that uses which have no pedestrian interest be prohibited from locating along the grade level frontage of Kingsway and Nanaimo Street.

**Density and Form of Development (Note Plans: Appendix E):** The current C-2 zoning which runs along Kingsway permits a maximum floor space ratio (FSR) of 2.5 and a height of up to 13.8 m (45.28 ft.). The RS-1 zoning on the south portion of the site permits a maximum density of 0.60 FSR and a height of up to 10.7 m (35.10 ft.).

The application proposes a maximum density of 3.87 FSR. The project includes low-rise, mid-rise and high-rise (tower) building forms. The north tower is 55 m (182 ft.); the south tower is 48.5 m (160 ft.). Liveability is addressed through the tower forms, amenities and project configuration.

Staff support the site configuration generally as proposed which allows for pedestrian and traffic access to the site while creating public spaces around vital commercial uses such as a grocery store.

However, staff recommend several design development improvements to the massing of the proposal. The second tower, located in the southwest corner of the site, fronting onto Nanaimo Street should be reduced from a height of 15 to 7 storeys to better relate to the surrounding, lower scale residential development. In contrast, the 19-storey tower in the northwest corner of the site should be increased to 22-storeys to create a significant tower form at the intersection of Kingsway and Nanaimo Street.

In the northeast corner of the site, the proposed 4 storey building fronting onto Kingsway would also benefit from an increased scale to provide prominence and presence on this important street and relate better to the corner tower form. Staff suggest that an increase to 6 storeys would have no significant shadow or view impacts given the wide Kingsway right

of way. The alterations to the massing, as described, would result in a slight reduction in density from 3.87 to 3.6 FSR over the entire development site. Staff support 3.6 FSR and the applicant is agreeable to these changes.

A tower form would be new to this area of Kingsway and Nanaimo Street, however staff support this form at this location because:

- Vision Directions 19.1 and 19.2 support locating a mid/high-rise tower on the corner of Kingsway and Nanaimo Street to mark the emerging Norquay Village neighbourhood centre.
- it is possible that other larger sites in the neighbourhood centre (identified as the area between Nanaimo Street and Slocan Street) may also achieve a tower form so that this tower will fit into a grouping of higher tower forms identifying this node at Kingsway and Nanaimo Street, as well as relating with the previously approved tower form for King Edward Village (Kingsway and Knight Street); and
- the form is well supported by the neighbourhood and the Urban Design Panel.

The design development conditions outlined in Appendix C outline improvements to the proposed form of development, to be addressed at the development application stage generally as follows:

- remassing the mid-rise elements on each side of the corner tower;
- sidewalk and pedestrian improvements and amenity featuring “Norquay Village” character furnishings and paving;
- improved lane edge treatments;
- high degree of residential livability; and
- well resolved architectural detailing with high quality building materials and finishing.

**Parking, Access and Circulation:** The proposal includes 507 underground parking spaces, of which 149 are for the commercial uses, 346 are for the residents and 12 are for the child day care facility and other community amenities. Staff recommend that parking, loading, bicycle and passenger spaces be provided in accordance with the Parking By-law, except that the minimum residential parking requirement be based on the reduced standard commonly used for recent rezonings for market multiple residences on the east side of the city.

Access to the development’s parking and loading areas are proposed from Kingsway and Nanaimo Street. No access is proposed from East 30th Avenue in order to reduce impacts on the adjacent residential neighbourhood. Staff recognize the need for a number of access points to a project of this scale. However, there are concerns about the location of one entry, and how it will interact with traffic along the lane and the arterial streets. To address this concern, staff recommend that the entrance to the underground parking garage serving the southwest tower be relocated further to the west. This will facilitate direct access from the lane to the underground parking garage for child day care drop-off and pick-up.

Currently proposed is on-site circulation which has car and truck traffic travelling through the central portion of the site which is intended to provide a pedestrian environment and public open space. Staff recommend that functionality of vehicle and pedestrian precincts be refined and that access to loading bays be moved away from the central public open space.

**Project's Response to Renfrew Collingwood (RC) Community Vision:** The rezoning application generally follows the RC Community Vision Directions. It proposes to provide a grocery store (although not guaranteed) in accordance with Vision Direction 19.6 which acknowledges that supermarkets are important 'anchors' for neighbourhood shopping areas. The proposed development could also prove to be a catalyst for the redevelopment of "Norquay Village" which is one of Renfrew Collingwood's newly identified neighbourhood centres (Vision Direction 19.1).

A main area of interest for this development should be in promoting a more pedestrian friendly environment along Kingsway. In the RC Community Vision, there are directions to make streets safer, to improve sidewalks and pedestrian crossings, better control traffic, and enhance intersection safety. Commercial streets should be improved to make them more convenient, safe and comfortable. Shops and services should be continuous along the ground floor of buildings, there should be more street trees and sidewalk merchandise, and more attractive storefronts. In response to these Vision Directions, design development conditions are proposed to be dealt with at the development application stage, to ensure that the streetscape along Kingsway is more attractive and pedestrian oriented.

**Community Amenity Contribution (CAC):** This rezoning application is subject to a negotiated CAC because the site is in a Community Vision designated Neighbourhood Centre and is 0.40 ha (1 acre) or more in area. The RC Community Vision recommends that neighbourhood centres should be given strong consideration for community services due to their accessibility and high community profile. Furthermore, there is a great need for additional child day care spaces in this area of the city.

The developer has offered to provide a fully equipped child day care facility to the City at nominal rent for 2000 years, at a location suitable to the City, in the building located in the southwest corner of the site, with adjoining outdoor play areas. Gross indoor floor area of 545 m<sup>2</sup> (5,866 sq. ft.) would accommodate a 37-space licensed child care program, with 480 m<sup>2</sup> (5,167 sq. ft.) of immediately adjacent, fenced and equipped outdoor play space, plus 200 m<sup>2</sup> (2,152 sq. ft.) of covered outdoor space. Also provided are start-up costs and an operating endowment for 10 years (Refer to Appendix C, page 8). The community has supported this amenity as a desirable public benefit of this project. This proposed facility responds to a significant priority need for additional child day care identified by Social Planning staff, and it responds to staff encouragement to the developer to provide such a public benefit.

Social Planning and Facilities staff advise that the design in general appears to work, with further modifications to be addressed at the development application stage. Staff also note that 7 spaces would be required for the child day care facility and these would be provided at no cost to the City.

On the basis of a pro forma analysis of the construction and operating costs for the child day care facility, staff recommend that the facility be accepted as an in-kind CAC which is valued at \$2,400,000.

Staff, therefore, recommend that Child Day Care Facility be listed as a permitted use in the CD-1 By-law, and that it be excluded from FSR calculations. Also recommended is a condition of rezoning approval to include a legal agreement for the provision of the proposed facility.

**Community Response:** Both residents and the business community are supportive of the proposed rezoning as indicated by meetings, surveys and other public comments received before and after submission of the rezoning application (see Appendix D - Public Input).

## **FINANCIAL IMPLICATIONS**

There are no financial implications with respect to City budget, fees or staffing.

## **CONCLUSION**

Staff support this rezoning application for a mixed use development on a significant site in the Renfrew Collingwood community. Overall, the proposal responds well to the Renfrew Collingwood Community Vision and will make an important contribution to the success of the Norquay Village Neighbourhood Centre. Staff recommend somewhat less density than the application proposes, with design development conditions to reduce the height of the project where it abuts a single-family neighbourhood and increase the height along Kingsway to create a stronger focal point. The applicant is agreeable to these changes.

The Director of Current Planning recommends that the application be referred to a Public Hearing and approved, subject to conditions.

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**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.

**Use**

- Multiple Dwelling.
- Dwelling units in conjunction with any of the uses listed in this by-law.
- Residential Unit with Artist Studio.
- Cultural and Recreational Uses but not including Arcade, Bingo Hall, Casino, Golf Course or Driving Range, Marina, Park or Playground, Riding Ring, Stadium or Arena, and Zoo or Botanical Garden.
- Institutional Uses but not including Ambulance Station, Detoxification Centre, and Hospital.
- Manufacturing Uses limited to Jewellery Manufacturing and Printing or Publishing.
- Office Uses.
- Retail Uses limited to Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Retail Store, and Secondhand Store.
- Service Uses but not including Body-rub Parlour, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Production or Rehearsal Studio, Repair Shop - Class A, Restaurant - Drive-in, and Work Shop.
- Utility and Communication Uses limited to Public Utility and Radio Communication Station.
- Wholesale Uses limited to Wholesaling - Class A and Wholesaling - Class B.
- Accessory Uses.
- Interim Parking Use.

**Conditions of Use**

- The following uses are not permitted at grade on the Kingsway or Nanaimo Street frontage, except for entranceways: Bowling Alley, Fitness Centre, Hall, Rink, Swimming Pool, Club, Dwelling Uses, School - Elementary or Secondary, School - University or College, Special Needs Residential Facility, General Office except for insurance, travel agency or real estate office, Auction Hall, Bed and Breakfast Accommodation, Cabaret, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade.

**Density**

- Maximum floor space ratio of 3.6, based on calculation provisions of the C-2 District Schedule.

**Height**

- A maximum of 63.8 m (209.3 ft.) or 22 storeys
- Height exclusion for mechanical appurtenances such as elevator machine rooms.



## Parking, Loading, Bicycle and Passenger Spaces

Parking, loading, bicycle and passenger spaces are to be provided, developed and maintained in accordance with the requirements of the Vancouver Parking By-law, including the exemption, relaxation, and shared-use provisions, except that:

- For multiple residential use, a minimum of 1 parking space per 80 m<sup>2</sup> gross floor area (GFA) must be provided for dwelling units up to and including 80 m<sup>2</sup> gross floor area; and for dwelling units larger than 80 m<sup>2</sup> gross floor area a minimum of 0.5 space per dwelling unit plus one additional space per 160 m<sup>2</sup> gross floor area must be provided, except that no more than 2 spaces for any unit shall be required; and
- the minimum parking requirement may be reduced by 3 spaces for each co-operative vehicle and parking space provided to the satisfaction of the Director of Planning, in consultation with the General Manager of Engineering Services, to a limit of one co-op vehicle per 60 dwelling units.
- the provision of child day care parking spaces shall be a minimum of 2 parking spaces for staff, plus for short term parking, a maximum of 6 parking spaces, and depending on the capacity of the day care facility, additional parking may be required as follows:

|                              |                           |
|------------------------------|---------------------------|
| 0 to 4 child capacity        | no parking space required |
| 5 to 14 child capacity       | 1 parking space required  |
| 15 to 24 child capacity      | 2 parking spaces required |
| 25 to 34 child capacity      | 3 parking spaces required |
| 35 to 44 child capacity      | 4 parking spaces required |
| 45 to 59 child capacity      | 5 parking spaces required |
| 60 or greater child capacity | 6 parking spaces required |

## Acoustics

- Per C-2 District Schedule for dwelling units.

**SUBDIVISION BY-LAW AMENDMENT**

A consequential amendment is required to delete Lot E, Plan 9141, Lots 14, 15 and 16, Plan 3283 and Lots 8 and 9, Plan 3512, all of Block 11, District Lot 393 from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

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## 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.

### FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Ankenman Marchand Architects, and stamped "Received City Planning Department", June 2, 2004, provided that the Director of Planning may allow 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 Director of Planning, who shall have particular regard to the following:

### DESIGN DEVELOPMENT

#### Overall Site

- (1) design development to reduce the overall density of both the north and south sites to a maximum of 3.6 FSR;
- (2) design development to the public lane to provide pedestrian crossing points located at sidewalks on each side of the new access driveway through a raised table crossing, or other similar treatment, to the satisfaction of the General Manager of Engineering Services;
- (3) design development to the commercial street frontages on Kingsway and Nanaimo Street to provide small scale store front rhythms and pedestrian amenity, having regard, where applicable, to the Council-adopted C-2 Guidelines;
- (4) provide a concrete driveway ramp at the sidewalk on Nanaimo Street, to the satisfaction of the General Manager of Engineering Services;
- (5) provide lane edge landscape treatments and setbacks;
- (6) use high quality building materials and detailing;
- (7) clarify fire flow demands for the development. [Note to Applicant: The current application does not contain enough detail to determine the need for water system upgrading. Any water system upgrading necessary for this project is to be fully at the applicant's expense];

- (8) submit an acoustical consultant's report which assesses noise impacts on the site and recommends noise mitigating measures;

**North Site - General**

- (9) provide scored broom finish panels and exposed aggregate banding with speciality "Norquay Village" character insets for the sidewalk treatments on Kingsway and Nanaimo Street, to the satisfaction of the Director of Planning and the General Manager of Engineering Services;
- (10) provide street trees, and furnishings such as garbage bins, tree grates, bicycle racks, newspaper vending surrounds and pedestrian lighting, to the satisfaction of the Director of Planning and the General Manager of Engineering Services;
- (11) design development to delete the roof encroachments shown on each side of the Kingsway entry to the plaza;
- (12) design development to delete portions of the building shown over the 1.5 m (5 ft.) by 1.5 m (5 ft.) corner cut at Kingsway and Nanaimo Street. [Note to Applicant: Canopies are permitted through a separate application to the General Manager of Engineering Services];

**North Site - Northwest Tower**

- (13) relocate the pub to the Kingsway and/or Nanaimo Street side and confirm acoustical and mechanical separations between the pub and residential use;
- (14) relocate loading bay and garbage storage area to be between the retail unit facing Nanaimo Street and the retail unit facing onto the new access driveway, the loading bay and garbage storage area to be gated with electronic communication to commercial users, and provide limited access to residential users for loading and shared use for garbage;
- (15) provide a 1.5 m (4.92 ft.) building setback on both Kingsway and Nanaimo Street;
- (16) design development to the tower character to provide a strong 4 to 6 storey base element to relate to the context, with the tower element rising from that base and orienting toward the corner of Kingsway and Nanaimo Street, with the tower floor plate to be minimized to reduce scale;

**North Site - Easterly Massing (East of New Access Driveway)**

- (17) provide a 0.6 m (1.97 ft.) building setback on Kingsway at the east end, increasing to a 1.2 m (3.94 ft.) building setback from the westerly side of the residential entrance to the new access driveway;
- (18) design development to provide a strong sense of street enclosure on Kingsway by increasing the massing to 6 storeys;

- (19) design development to the commercial parking garage to provide pedestrian friendly access and visibility;
- (20) provide a 0.6 m (2 ft.) landscape setback from the lane and relocate commercial loading and garbage to the easterly end of the site, off the lane, and provide a loading management plan, to the satisfaction of the General Manager of Engineering Services;

**North Site - New Access Driveway and Associated Sidewalks**

- (21) provide two-way traffic drive aisles maximum and perpendicular parking on one side, plus maximize sidewalk space with a minimum of 1.8 m (5.9 ft.) sidewalk on the west side (tower may overhang up to 3.6 m (11.8 ft.) as shown on drawings), and a 3.8 m (12.5 ft.) sidewalk on the east side to allow walking plus outdoor seating or display of goods from adjacent retail units;
- (22) ensure that driveway paving treatments are pavers, coloured concrete, rolled curbs, exposed aggregate;
- (23) provide open space at points on the sidewalk as community seating space with trees, benches, pedestrian lighting, newspaper vending surrounds, garbage bins and landscaping;

**South Site - General**

- (24) provide a sidewalk and curb on East 30th Avenue to residential standards and a new sidewalk and street trees on Nanaimo Street in coordination with the General Manager of Engineering Services;

**South Site - Southwest Corner of Nanaimo Street and East 30th Avenue**

- (25) design development to reduce the height of the building to a maximum height of 23 m (75.5 ft.) and 7 storeys, including the child day care level;
- (26) provide a 3.6 m (11.8 ft.) setback and universal access to the ground level residential use from the street, and internal corridor access for ground level units on the mews, East 30th Avenue and Nanaimo Street to facilitate flexible conversion to artist live-work studios;
- (27) provide a second row of street trees inside the property line along Nanaimo Street and East 30th Avenue;

**South Site - Southeast Quadrant - Townhouses**

- (28) ensure front yard setback on East 30th Avenue to principle building facade of townhouses (not including porches or bay windows) matches adjacent single-family residential use to a maximum of 6.1 m (20 ft.), with a 3-storey mass

rhythm on East 30th Avenue, and a 6.1 m (20 ft.) setback to residential units on the lane with steps and gated entrances;

- (29) provide privacy fencing and hedging adjacent to existing residential use to the east of the site, and reduce overlook through the placement of trees, and reorienting townhouse units to the lane and East 30th Avenue;
- (30) design development to ensure that the townhouse units, on the mews, are oriented along the angle of the mews with individual front porches, steps and bay windows projecting onto the mews;
- (31) relocate parking entrance way accessed from the lane to the westerly side of the site to facilitate easy access to the underground parking garage for child day care drop-off and pick-up;

#### LANDSCAPE

- (32) design development to clarify the public and private pedestrian circulation pattern throughout the site;
- (33) design development to provide a better transition at the ground level between the private entry walks and the public areas, increase the width of the public sidewalk at the ground level alongside the private residences adjacent to the proposed grocery store;
- (34) design development to the public realm to include the provision of boulevard street tree planting. New street planting locations and species along Kingsway, Nanaimo Street and East 30th Avenue should be to the approval of the Park Board and the City Engineer (Streets). Tree planting on inner boulevard is not encouraged. All new street trees planted in a pavement to be in a structural soil integral to the new public sidewalk at ground level along Kingsway, Nanaimo Street and East 30th Avenue walk and the driveway paving system within the site;
- (35) provide of more landscape detail of private outdoor open spaces;

[Note to Applicant: The yards should be planted in a continuous pattern of lawn with layered small tree/shrub/perennial borders. Front property lines should be bordered with low hedges to create a sense of enclosure and protection from the street, while allowing for views into the front yard for security.]

- (36) provide private outdoor open space for the residents of the tower;
- (37) provide an arborist report to confirm the safe retention of the existing stand of privately-owned evergreen trees along East 30th Avenue. The safe retention of the neighbouring Cherry tree bordering the east property line on East 30th Avenue should be considered;

- (38) provide a cross section detail to show the proposed east property line treatment at the ground level (south of lane). Provision of a tall-growing evergreen hedge along the east property line (south of the lane) to ensure adequate screening between the new residences and the neighbour;
- (39) provide gated front yards (illustrated on the site plan and landscape plans); [Note to Applicant: The location of the front entry walk gates should be set back from the main walkway to allow for a landscape area between the gate and the public sidewalk.]
- (40) provide a gated private pedestrian walk for residents at street level, entering the site at East 30th Avenue and connecting to the central plaza area;
- (41) provide street trees adjacent to all sides of the site where space permits;

#### CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- (42) design development to take into consideration the principles of Crime Prevention through Environmental Design (CPTED) having particular regard for:
  - reducing opportunities for theft in the underground by providing secure separation between uses and by the location of perimeter exit stairs;
  - reducing opportunities for graffiti on blank walls and skateboarding on planter walls adjacent to residential uses; and
  - reducing opportunities for mischief in alcoves by deleting alcoves.

#### AGREEMENTS

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

#### PLANNING

- (1) Enter into an agreement, to the satisfaction of the Director of Current Planning and the Director of Legal Services to provide a 6.1 m (20 ft.) wide mews, secured for public use through the south site, to provide public access from East 30<sup>th</sup> Avenue to the north site;

#### ENGINEERING

- (2) Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for subdivision of the development site in accordance with the proposed development plans, and including:
  - i) consolidation of Lots A, B, C and D, Plan 9141, and Lots 2, 3, and 4, Plan 3283, all of Block 11, District Lot 393; and
  - ii) consolidation of Lot E, Plan 9141, and Lots 8 and 9, Plan 3512, and Lots 14, 15, and 16, Plan 3283, all of Block 11, District Lot 393.

- (3) Make suitable arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the provision of concrete sidewalk and curb and gutter with pavement to the centre line of East 30th Avenue from Nanaimo Street to the lane east of Nanaimo Street;
- (4) Enter into an agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, to provide for the following off-site services, including but not limited to the following off-site services:
  - i) upgrading of the traffic signals at the intersection of Kingsway and Nanaimo Street, Kingsway and Slocan Street, and Nanaimo Street and East 33rd Avenue, subject to Council approval where appropriate, fully at the developer's expense within five (5) years of occupancy of the last building constructed on the site. [Note to Applicant: Provision of a fully actuated left turn phase for all but the westerly leg of the Nanaimo Street/Kingsway intersection and provision of advance left turn arrows on the east leg of the Kingsway/Slocan Street intersection];

Notwithstanding the foregoing, condition 4(i) may be reduced or eliminated, at the discretion of the General Manager of Engineering Services, pending further review by the transportation consultant and City staff pursuant to the reduction of density to 3.6 FSR.

- (5) Enter into an infrastructure servicing agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, to incorporate all of the agreed upon improvements and upgrades listed below, including results from various studies, all fully at the developer's expense as follows:
  - i) provision of a study by a transportation professional which provides and assesses information pertaining to the necessary increase in storage length required for the left turn bays around the site, traffic volume analysis based upon projected 2010 traffic volumes, analysis of entering/exiting queues, required geometric changes and corner cuts necessary to accommodate trucks along the route and entering and exiting the site;
  - ii) provision of a truck access and routing management plan by a transportation professional which identifies and assesses all inbound and outbound truck routes, as well as all movements on-site and in the surrounding street network, and which identifies geometric changes necessary to accommodate trucks, including the need for corner cuts at the southeast corner of Nanaimo Street and Kingsway, the northeast corner of East 33rd Avenue and Nanaimo Street, and at all driveway connections to the street network;
  - iii) provision of a plan which identifies and provides traffic calming measures on East 30th Avenue and a commitment to undertake a neighbourhood open house with the residents of East 30th Avenue to confirm measures;



- iv) modification of the intersection design of the Nanaimo Street/Mannering Avenue/East 30th Avenue intersection to normalize the east leg and to facilitate pedestrians crossing Nanaimo Street with localized sidewalk widening at crosswalks;
- v) modification of the design of the Kingsway/Slocan Street intersection to reconfigure the southwest corner to decrease the length of the south crosswalk while accommodating westbound Kingsway to southbound Slocan Street truck turning movements; and
- vi) examination of the left turn vehicle storage requirement for the westbound Kingsway to southbound Slocan Street movement based upon a 120 second signal.

Notwithstanding the foregoing, condition 5(vi) may be reduced or eliminated, at the discretion of the General Manager of Engineering Services, pending further review by the transportation consultant and City staff pursuant to the reduction of density to 3.6 FSR.

- (6) Make suitable arrangements, to the satisfaction of the General Manager of Engineering Services, for all new BC Hydro and Telus services to be undergrounded from the closest existing suitable service point, including a review of any cabling that may be necessary to determine the impact on the neighbourhood;
- (7) Do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571 (B) of the Vancouver Charter as required by the General Manager of Engineering Services and the City's Director of Legal Services in their discretion;
- (8) Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for clarification of all charges registered in the Land Title Office against the lands (a charge summary, including copies of all charges, must be provided) and the modification, extension or release of any charges deemed necessary by the Director of Legal Services.

#### SOILS REMEDIATION

- (9) Obtain and submit to the City copies of all soil studies and the consequential Remediation Plan, approved by the Ministry of Environment. Enter into or cause to be entered into agreements satisfactory to the Director of Legal Services, providing for the remediation of any contaminated soils on site in accordance with a Remediation Plan approved by the Ministry of Environment and acceptable to the City, providing security satisfactory to the Director of Legal Services for the completion of remediation and indemnifying the City and the Approving Officer against any liability or costs which may be incurred as a result of the presence of contaminated soils on the site;

- (10) Execute an Indemnity Agreement, satisfactory to the Director of Legal Services, providing for security to the satisfaction of the Director of Legal Services; protecting the City and the Approving Officer from all liability or damages arising out of or related to the presence of contaminated soils on the lands comprising the subject site, howsoever occurring, arising during the period commencing immediately following the Public Hearing until such time as the Ministry of Environment issues an approval, in a form satisfactory to the Director of Legal Services and the General Manager of Engineering Services, certifying that the subject site, including all roads, utility corridors and open spaces contained therein, have been remediated to Provincial Standards as defined in such approval;

#### PUBLIC ART

- (11) Execute an agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide a preliminary public art plan to the satisfaction of the Director of Cultural Affairs, setting out the proposed public art program aims, artist terms of reference, site and artists selection methods, project budget, implementation plan and a schedule;

#### CHILDCARE

- (12) Execute a legal agreement, satisfactory to the Directors of Legal Services, Social Planning and Facilities Design and Management for the provision of a fully fitted up (i.e. ready for immediate occupancy), furnished and equipped, day care facility comprising:
- 37 spaces for toddlers and 3 to 5 years old, at a location acceptable to the City, within the building located in the southwest corner of the site, and shall comprise 429 m<sup>2</sup> (4,620 sq. ft.) of gross floor area of fully finished indoor space, plus a minimum of 390 m<sup>2</sup> (4,200 sq. ft.) of immediately adjacent fenced and equipped outdoor space, plus a minimum of 78 m<sup>2</sup> (840 sq. ft.) of covered outdoor space.;

[Note: Floor area for indoor space excludes additional circulation space required to accommodate the elevator, elevator lobbies and emergency exit stairwells, and the outdoor space will be immediately adjacent, fenced and equipped outdoor play space which includes landscaping and grassed areas.]

Both the indoor and outdoor space of the toddler and 3 to 5 Programs must meet all community care facilities licensing and Childcare Design Guidelines requirements and be satisfactory to the Director of Social Planning and Director of Facilities Design and Management. The owner shall bear all start-up costs.

The indoor day care space shall be leased to the City at nominal rent for 2000 years and similarly the outdoor play yard (unless the Director of Legal Services

determines that the City should hold it under easement), with an endowment contribution of \$2,000 per toddler (12 toddlers) per year for 10 years, and a start-up cost contribution of \$2,000 per space (37 children) for 2 years. The day care space shall bear its own utility costs but it shall not contribute to building operating costs or taxes. The lease shall include at no additional cost the unrestricted use of 7 parking spaces at a location to be determined by the City. The lease shall be secured by an option to lease. The owner shall have the right to sublease the day care from the City on the same terms and conditions as the lease. This right shall be secured by an option to sublease.

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

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances effecting the subject site, 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-law; provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, 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, letters of credit and withholding of permits, as deemed necessary and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult with other City officials and City Council.

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ADDITIONAL INFORMATION

**Site, Surrounding Zoning and Development:** This site is comprised of two areas, bisected by a lane. The north portion of the site is comprised of seven parcels with a total area of 4 393 m<sup>2</sup> (47,285.86 sq. ft.) and has frontages of 107 m (351.19 ft.) along Kingsway and 40.9 m (134.33 ft.) along Nanaimo Street. It is zoned C-2 and is occupied by the Eldorado Hotel which includes a 535-seat pub and a beer and wine store.

The south portion of the site is comprised of six parcels with a total area of 3 682 m<sup>2</sup> (39,632.72 sq. ft.) and has frontages of 527.4 m (160.75 ft.) along Nanaimo Street and 70.2 m (230.33 ft.) along East 30th Avenue. It is zoned RS-1 and provides paved surface parking for the hotel's customers.

The surrounding area is zoned C-2 along the south side of Kingsway, and RT-2 along the north side of Kingsway. The sites to the west and at the northeast corner of Nanaimo Street and Kingsway are zoned CD-1, with residential and retail uses on both sites. To the east are three one-family dwellings along East 30th Avenue, and the City-owned 2400 Motel. Properties south of the subject site are zoned RS-1.

**Proposed Development:** The proposed project is a mixed-use development. On the north portion of the site, the proposed development includes a 60-seat pub and a beer and wine store at grade at the corner of Nanaimo Street and Kingsway, with an 18-storey plus penthouse residential tower (151 units) above. To the east is a 2 622 m<sup>2</sup> (28,000 sq. ft.) grocery store, with two levels of residential use (51 units) above.

On the south portion of the site, the proposed development includes a podium on the corner of Nanaimo Street and East 30th Avenue with loft townhouses (8 units) and a child day care on the main and mezzanine levels, and a 15-storey plus penthouse residential tower above (115 units). To the east would be two-storey townhouses (21 units).

The central portion of the site provides both a new access driveway and a public open space area. Significant planting is also proposed to enhance the environment and pedestrian experience.

**Public Input:** Prior to submitting a rezoning application, the applicant undertook a public process that included public open houses and meetings with community groups to seek feedback on the proposal and advice on the public benefits. An open house on May 19, 2004 was attended by over 70 people. Attendees were asked to complete a survey about the proposal: 93 percent of the 71 respondents supported redevelopment and 96 percent supported the uses. With respect to building height, 75 percent supported the tower height, 12 percent were neutral and 13 percent did not support the height.

After the rezoning application was received, a notification letter was sent to over 743 nearby property owners on June 23, 2004 and two rezoning information signs were posted on the site on June 22, 2004. Four phone calls were received from local residents and businesses. Two e-mails were received of which one expressed concern about the density and height of

development being proposed. On June 12, 2004, the applicant also attended the Renfrew Collingwood City Plan Committee to present the project to community residents.

Overall the response has been positive because community members see the project as improving the site, contributing to the Kingsway commercial area, responding well to the Community Vision, and providing a child day care facility.

**Comments of the General Manager of Engineering Services:** The General Manager of Engineering Services has no objection to the proposed rezoning, provided that the applicant complies with conditions as shown in Appendix C.

**Public Benefit:** The proposal includes a 37-space child day care facility which would be leased to the City at a nominal rent. Start-up costs and an operating endowment are also offered.

**Urban Design Panel:** On September 15, 2004, the Urban Design Panel reviewed this proposal and supported the proposed use, density and form of development with the following comments:

“The Panel generally found this to be an ambitious and interesting scheme. The density was strongly supported, as was the proposed mix of uses.

The Panel had no concerns about the compatibility of the uses on the site and noted they are a reflection of what the community wants. The Panel strongly supported the daycare and grocery store uses and thought they were good contributors towards earning the increased density on this site. The compatibility of the daycare and the pub was not an issue, noting they do not share the same hours of activity. In terms of earning its density, however, there was a recommendation that for a development for this scale and size, sustainability measures should also be given serious consideration as a public benefit of the rezoning.

Most of the Panel’s concerns related to the circulation on the site and the activities in the lane. The Panel liked the use of the lane in this scheme. One Panel member suggested it should be less direct, possibly creating even greater confusion between cars and pedestrians (similar to Granville Island). The Panel cautioned that there is a danger of the engineering infrastructure (supermarket loading, fire access, etc.) overwhelming this project. In this respect, the applicant was strongly urged to undertake a comprehensive traffic study, particularly with respect to the servicing aspects of the supermarket including sizes of delivery vehicles, turning radii and delivery times. The importance of working with traffic engineers early in the scheme was strongly emphasized in order to be assured of creating a different experience in the lane.

The Panel had some concerns about the parking access and it was strongly suggested that a large supermarket needs something other than lane access. It may also be counter to what is trying to be achieved for this lane in terms of its pedestrian nature. Noting that Nanaimo is not a very pedestrian street, it was suggested there may be a way to provide a second access off Nanaimo, which would ease traffic in the lane and improve the likelihood of it becoming a successful shared vehicular/pedestrian zone. There was also a recommendation to consider different hierarchies for the north-south and east-west lanes. The Panel also stressed that

the quality of materials in this pedestrian realm should be at the highest level. The use of special paving in the lane was unanimously supported.

A Panel member questioned whether the wine bar should flow through to Nanaimo Street rather than being completely isolated on the lane; also, whether the towers should have more presence in the lane, possibly having a direct connection with a small lobby at the rear to provide more eyes on the lane.

The 12 ft. grade difference on the Kingsway frontage was recognized as being difficult to deal with, but the Panel thought it needed more than one retail unit to make it a vibrant street.

The Panel agreed that a two tower scheme makes sense on this site. It was, however, strongly suggested that the Kingsway tower could be taller in response to its location on a major arterial and relative isolation, and the Nanaimo tower could be lower in response to the neighbouring low density residential neighbourhood. A high level of architectural quality was recommended for the Kingsway tower in particular because of its prominence.

The inclusion of outdoor amenities on the lower roof levels of the towers was strongly recommended.

In general the Panel was very supportive of the proposal but suggested the applicant needed to push it a bit further to really demonstrate that all the uses can interact and work together successfully.”

**Environmental Implications:** Nearby access to transit and commercial services may reduce dependence on use of automobiles by a concentration of residents in this development located within an approved neighbourhood centre.

**Social Implications:** There is a major positive social implication to this proposal in the provision of additional day care spaces.

**Comments of the Applicant:** The applicant has been provided with a copy of this report and has provided the following comments:

“We made our initial rezoning inquiry in January, 2003.

During the past 2-1/2 years, the project density has been significantly reduced from what was originally proposed and construction costs have escalated at an unprecedented rate. Staff has also negotiated an extraordinary Community Benefit package.

These considerations, coupled with a number of unexpected off-site costs, make the project significantly less attractive than originally proposed. Fortunately we have been able to benefit from a robust housing market.

Though the owners of the project are willing to fulfill their commitments as laid out in the Staff report, we respectfully request that members of Council not propose any further reduction in density than that which is recommended by City staff.”

1645 West 5th Avenue  
Vancouver, B.C. V6J 1V5

Tel: 604-672-2585 Fax: 604-672-2526  
EMAIL: Office@AMArchitects.com

Project: No. 0312  
Kingsway & Nanaimo  
Vancouver, BC  
Drawing: Rooftop Site Plan

SUBMISSION:

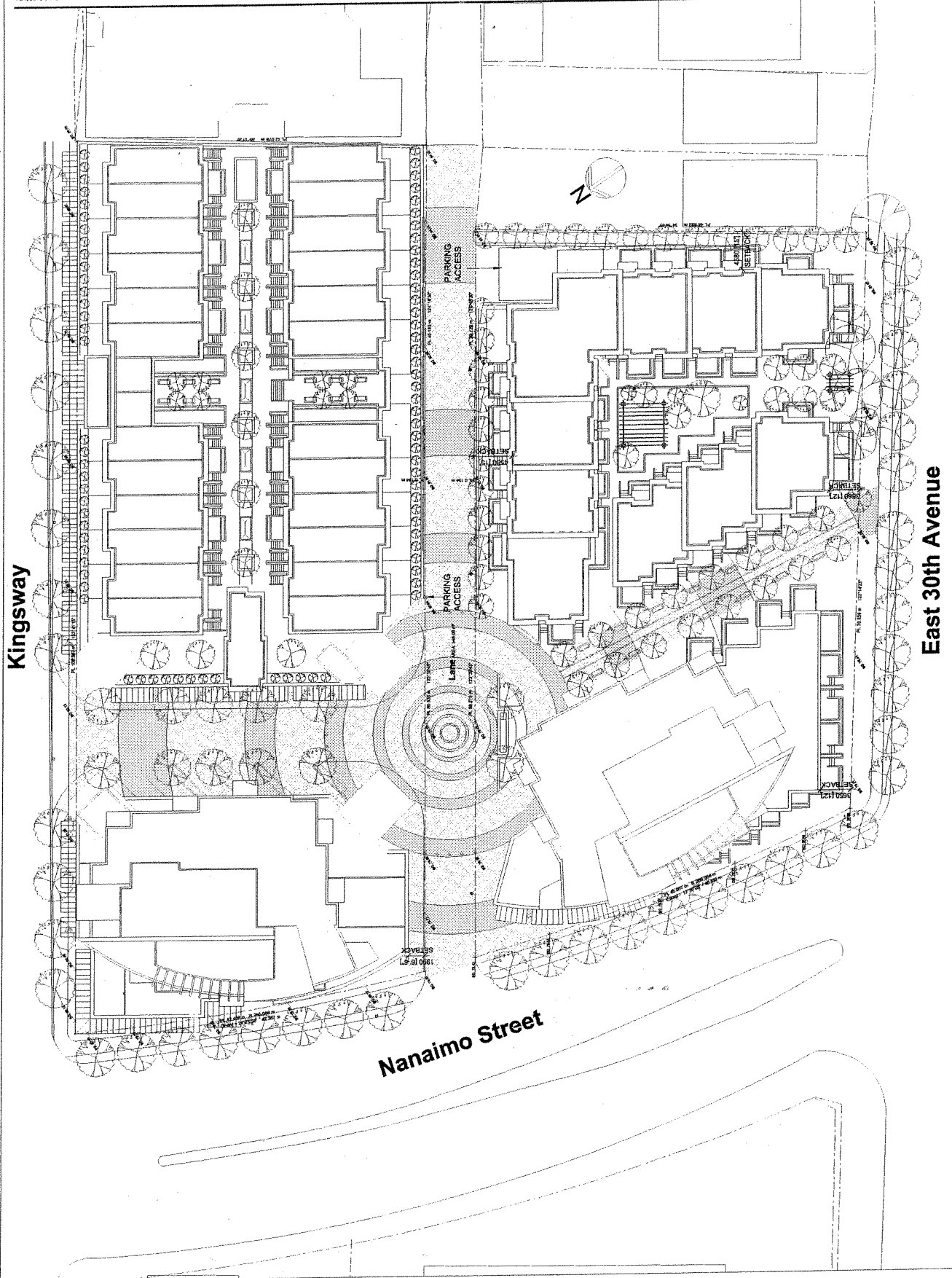
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| No. Date | Notes                            |
| 1        | 2004-08-01: Rezoning Application |
| 2        |                                  |
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REVISIONS:

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All Drawings in this set to be used in conjunction with the text. No work or alterations shall be permitted without the written consent of the Architect. The Architect is not responsible for the accuracy of the information provided by the Building Code Authority.

|        |          |
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| Scale: | Date:    |
| 1:200  | 2004-08  |
| Drawn: | Checked: |
| CL     |          |



1645 West 5th Avenue  
Vancouver, B.C. V6J 1N5

Tel. 604-672-2595 Fax: 604-672-2505  
BA(A)L Office@AMArchitects.com

Project:  
No. 0312  
Kingway & Nanaimo  
Vancouver, BC

Drawing:  
Kingway (North) Elevation

SUBMISSION

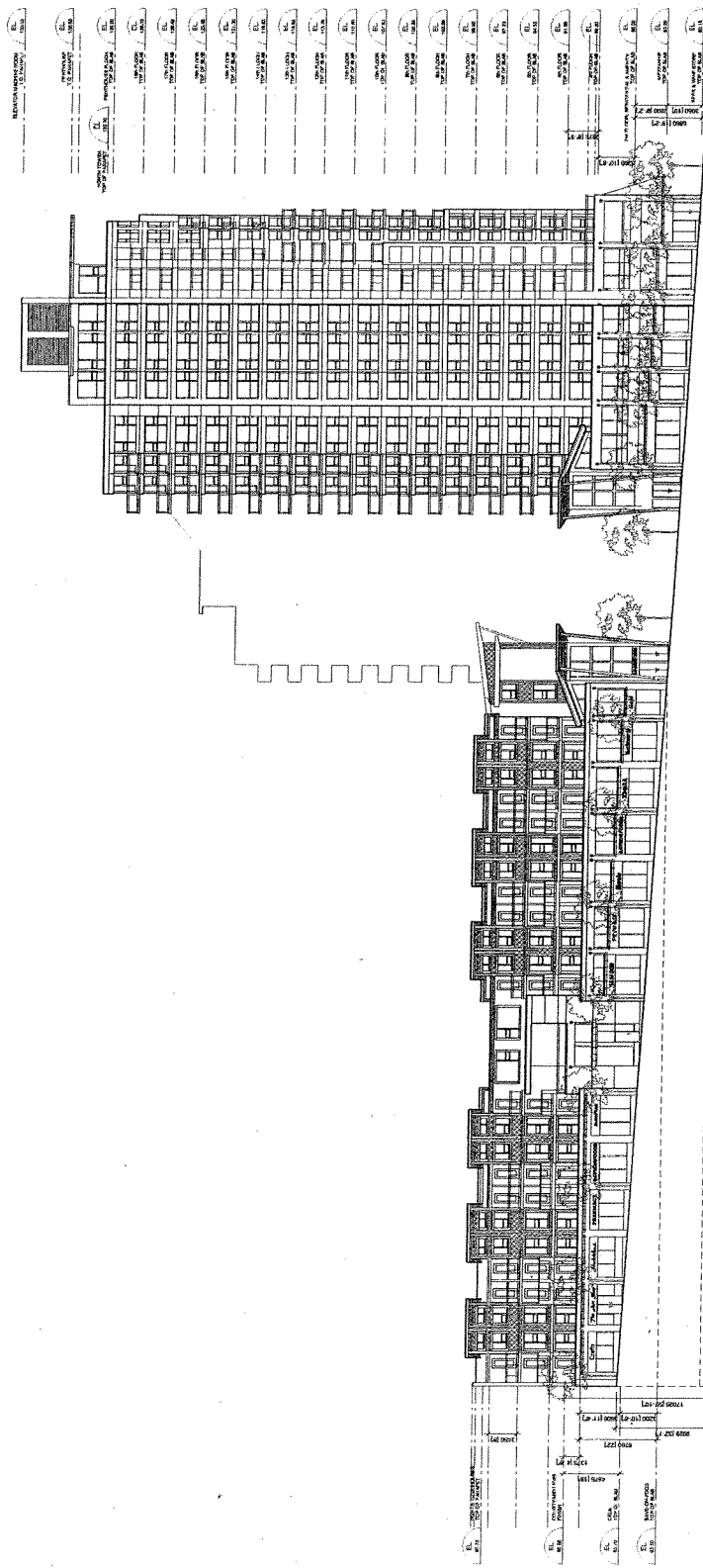
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| 1   | 2004-05-07 | Preaching Application |
| 2   |            |                       |
| 3   |            |                       |
| 4   |            |                       |
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| 6   |            |                       |

REVISIONS:

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All Dimensions in this set to be used in accordance with the metric system. Any work or construction to be carried out must be in accordance with the metric system.

Scale:  
1:200  
Date:  
2004-05-07  
Drawn:  
CL  
Checked:  
CL







1645 West 5th Avenue  
Vancouver, B.C. V6U 1V6

Tel: 604-672-2595 Fax: 604-672-2505  
EMAIL: Office@AMArchitects.com

Project:  
No. 0372  
Kingway & Nanaimo  
Vancouver, BC  
Drawing:  
Nanaimo (West) Elevation

SUBMISSION:

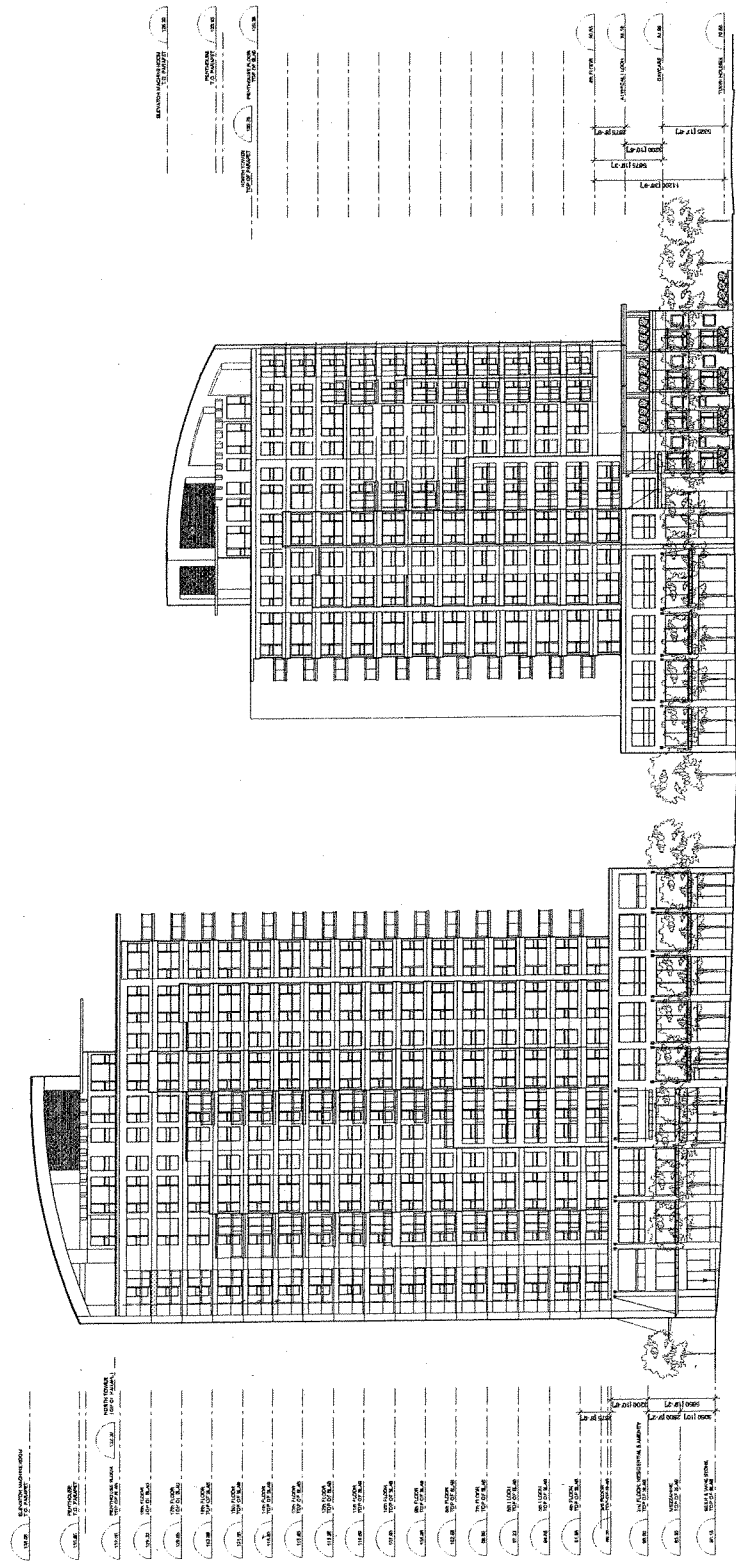
| No. | Date       | Note                  |
|-----|------------|-----------------------|
| 1   | 2004-05-01 | Examining Application |
| 2   |            |                       |
| 3   |            |                       |
| 4   |            |                       |
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REVISIONS:

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All drawings in this set to be read in conjunction with the accompanying specifications and conditions of contract. The Architect's responsibility is limited to the architectural work shown. Construction is responsible to ensure that work is executed in the requirements of the applicable building code. Architect: Ankenman Marchand

| Scale: | Date:      |
|--------|------------|
| 1:400  | 2004-05-01 |
| Drawn: | Checked:   |
| CL     |            |



1645 West 5th Avenue  
 Vancouver, B.C. V6J 1V6  
 Tel: 604-872-2885 Fax: 604-872-2905  
 E-MAIL: Office@AMJArchitects.com

Project:  
 No. 0312  
 Kingsway & Nansimo  
 Vancouver, BC

Drawing:  
 North Site Section Facing East  
 (West Foot Elevation)

| NO. | DATE       | NOTE                |
|-----|------------|---------------------|
| 1   | 2004.05.07 | Revised Application |
| 2   |            |                     |
| 3   |            |                     |
| 4   |            |                     |
| 5   |            |                     |
| 6   |            |                     |

SUBMISSION:

| NO. | DATE | NOTE |
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REVISIONS:

| NO. | DATE | NOTE |
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APPROVED BY:

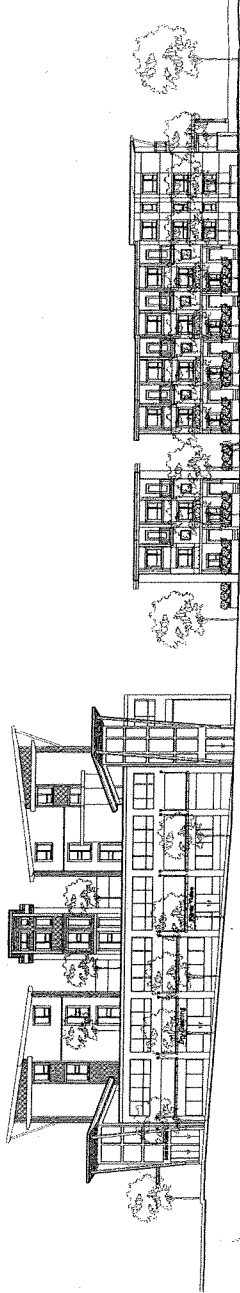
DATE:

BY:

DATE:

| Scale    | Date       |
|----------|------------|
| 1:200    | 2004.05    |
| Drawn by | Checked by |
| CL       |            |

All Drawings in this set to be read in conjunction with  
 each other. Any errors or omissions shall be the  
 responsibility of the architect. The architect shall be  
 responsible for the accuracy of the information shown  
 on these drawings. The architect shall not be  
 responsible for the accuracy of the information shown  
 on drawings prepared by others.



- 1. 2004.05.07 Revised Application
- 2. 2004.05.07 Revised Application
- 3. 2004.05.07 Revised Application
- 4. 2004.05.07 Revised Application
- 5. 2004.05.07 Revised Application
- 6. 2004.05.07 Revised Application

**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT AND PROPERTY INFORMATION**

|                   |   |
|-------------------|---|
| Street Address    | 2330-2372 Kingsway and 2310 East 30 <sup>th</sup> Avenue  |
| Legal Description | Lots A-E, Plan 9141, Lots 2-4 and 14-16, Plan 1283 and Lots 8 and 9, Plan 3512, all of Block 11, D.L. 393 |
| Applicant         | Tim Ankenman  |
| Architect         | Ankeman Marchand Architects   |
| Property Owner    | Eldorado Management Group Ltd.  |
| Developer         | Eldorado Management Group Ltd.  |

**SITE STATISTICS**

|                  | GROSS                                   | DEDICATIONS    | NET |
|------------------|---|----------------|-----|
| <b>SITE AREA</b> | 8 075 m <sup>2</sup> (86,918.6 sq. ft.) | Not applicable |     |

**DEVELOPMENT STATISTICS**

|                                    | DEVELOPMENT PERMITTED UNDER EXISTING ZONING   | PROPOSED DEVELOPMENT   | RECOMMENDED DEVELOPMENT (if different than proposed)            |
|------------------------------------|---|--|---|
| ZONING                             | C-2 & RS-1  | CD-1   |   |
| USES                               | RS-1 - Dwelling Uses;<br>C-2 - Dwelling Uses, Office, Retail, Service, Cultural & Recreational, Institutional | Dwelling Uses, Retail, Office, Service, Cultural & Recreational, Institutional |   |
| DWELLING UNITS                     | Not applicable  | 346  | 297   |
| MAX. FLOOR SPACE RATIO             | RS-1 - .60; C-2 - 2.5   | 3.87   | 3.6   |
| MAXIMUM HEIGHT                     | RS-1 - 10.7 m (35.1 ft.); C-2 - 13.8 m (45.3 ft.)   | North site - 55 m (180.4 ft.)<br>South site - 44 m (144.3 ft.)                 | North site - 63.8 m (209.3 ft.)<br>South site - 23 m (75.5 ft.) |
| MAX. NO. OF STOREYS                | RS-1 - 2 ½ storeys; C-2 - n/a   | North site - 19 storeys<br>South site - 15 storeys                             | North site - 22 storeys<br>South site - 7 storeys               |
| PARKING SPACES                     | Parking By-law  | 507  | approx. 473   |
| KINGSWAY SETBACK                   |   | varies   | 0.6 m (2 ft.) to 1.5 m (4.9 ft.)                                |
| NANAIMO ST, SETBACK                |   | varies   | 1.5 m (4.9 ft.) to 3.6 m (11.8 ft.)                             |
| EAST 30 <sup>TH</sup> AVE. SETBACK |   | 3.7 m (12 ft.)   | 6.1 m (20 ft.)  |