

## SUMMARY AND RECOMMENDATION

**3. REZONING: 2667-2703 Kingsway**

**Summary:** To rezone from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a mixed-use commercial and residential project. The project would contain a 12-storey building on the west portion of the site and a four-storey building on the east portion of the site. Both buildings would have commercial uses at grade and residential units on the floors above. A total of 129 dwelling units are proposed. The proposed floor space ratio (FSR) is 3.80. Underground parking for 151 vehicles, accessed from the lane, is proposed. The rezoning application will be considered in the context of the Norquay Community Plan.

**Applicant:** Mr. Daljit Thind, Thind Holdings Ltd.

**Recommended Approval:** By the Director of Planning, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Thind Holdings Ltd. to rezone 2667-2703 Kingsway (Lot D [Ex. Plan 10195] of Lot A, Blocks 1-4, D.L. 37, Plan 2421 PID: 013-823-230; and Lots 35, 36, 37, 40, 41, 42 and 43, all except the north 10 ft. and Part in Ref. Plan 2407, Now Highways, all of Lot A, Blocks 1-4, D.L. 37, Plan 2402 PID: 013-822-659, PID: 013-822-802, PID: 013-822-811, PID: 013-822-845, PID: 013-822-861, PID: 013-822-888, PID: 013-823-043, respectively) from C-2 (Commercial) to CD-1 (Comprehensive Development), to permit development of this site with a 12- and 4-storey mixed commercial-residential project at a density of 3.80 FSR, generally as presented in Appendix A of the Policy Report dated May 31, 2011, entitled "CD-1 Rezoning: 2667-2703 Kingsway", be approved subject to the following conditions:

**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 W.T. Leung Architects Inc. and stamped "Received City Planning Department, November 18, 2010", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

**Design Development**

1. design development to the sustainability features in the project necessary to attain the equivalent of LEED® Gold and confirmation that the project has been registered with the CaGBC;

Note to Applicant: Further elaboration on these features should be provided particularly with respect to energy and water conservation measures. A minimum of 63 points must be attained. (See also Condition (b) 9)

2. provision of ground floor commercial floor area to a minimum 0.35 FSR of the total permissible 3.8 FSR;

Note to Applicant: In the interest of ensuring future flexibility for a variety of commercial retail uses, the minimum amount of ground floor space commercial space should be commensurate with the requirement in the existing C-2 zoning. Replacing a portion of the at-grade commercial parking with a commercial floor area is recommended.

3. design development to improve the visibility of the proposed mid-block plaza from the adjacent sidewalk, thereby creating a clear visual link between the plaza and the future location of the pedestrian-actuated signal crossing;

Note to Applicant: The applicant may meet this condition through a combination of design features including redefining the dimensions and shape of the plaza, hard and soft landscaping and discrete lighting features. (See also Condition (b) 10)

4. design development to fully animate the entire depth of the proposed mid-block plaza with active uses on the ground level of the proposed buildings;

Note to Applicant: The proposal shows active uses in the form of residential lobby and retail entries facing the south half of the plaza. The north half of the plaza should receive a similar treatment to help denote this space as the entrance to the future Ravine Way linear park system. Locating a glazed wall and entrance to a residential amenity area or a commercial retail unit is suggested.

5. design development to the façades to increase visual interest and variety within the regularity of the proposed brick framework;

Note to Applicant: While the regularity and simplicity of the grid pattern in brick provides a sense of solidity, a finer-grained attention to detailing is necessary to avoid an excess in visual repetition. This additional layer of interest can be provided while still respecting the basic geometric framework. Suggestions include varying the location of balconies into an irregular pattern, detailing a depth to the brick surround to produce shadows on the façade, adding solar shading devices to the southwest-facing façade and varying the colour treatment of the glass and spandrel panel systems within the grid framework.

6. design development to relocate all exhausts resulting from the commercial retail units;

Note to Applicant: The exhaust units should not be on the roof of the buildings.

7. design development to insulate the sound from any generators or electric transformers located at the rear of the buildings from the residents located across the lane;

Note to Applicant: See also Condition (b) 12.

8. design development to provide opaque doors and garage doors at the lane that will mitigate any noises or odours emitting from the proposed garbage and loading areas;

### Landscape Design

9. design development to provide an extensive green roof for Building B;

Note to Applicant: The green roof will enhance the sustainability of the project and provide a visual amenity for the occupants of the upper floors of Building A.

10. realignment of the concrete seating wall at the entrance of the central plaza;

Note to Applicant: The seating wall should be turned 90 degrees so as to allow easy access to the plaza.

11. design development to provide safe access for planter maintenance and greater amenity to the second floor patios;

Note to Applicant: This can be achieved by raising the planters currently located mid-way up the north façade (see Sections B-B and C-C on drawing A-4.1) to the level of the 2nd floor patios. These planters should include some trailing plants capable of draping over the planter edge and down the exposed face of the building.

12. design development to integrate and fully screen any lane-edge utilities, such as hydro transformers and gas meters, in a manner which minimizes their impact on the at-grade planters at the lane edge;

Note to Applicant: Lane edge utilities should be illustrated on the Landscape Plan.

13. provision of a complete Landscape Plan;

Note to Applicant: The Landscape Plan must illustrate the proposed plant materials (common and botanical names), sizes and quantities;

notation of existing trees (to be removed and retained), paving, walls, fences, light fixtures and other landscape elements. The Plan should be at 1:100 or 1/8" scale.

14. provision of large scale sections illustrating the planters at the lane edge, on the amenity deck and on all private patios.

Note to Applicant: The sections should be at 1:50 or 1/4" scale.

## Engineering

### General:

15. provision of a plan showing the design elevations on both sides of the parking ramps at all breakpoints and within the parking areas and loading bays;

Note to Applicant: The plan is required to be able to calculate slopes and crossfalls. Also provide elevations on the sectional drawings.

16. provision of a minimum vertical clearance of 7 ft. 6.5 in. from the lane to all required manoeuvring aisles and access to all disability parking spaces in Building A and Building B;

Note to Applicant: The vertical clearance at gridline E on Section A-A for Building A (drawing A-4.1) measures 7 ft.

17. provision of bicycle parking, in accordance with Section 6 of the Parking By-law;

Note to Applicant: Six [6] Class B bicycle spaces are required for each building. Also the Class A - Bicycle spaces are to have a minimum of 20 percent [8] in horizontal lockers and a maximum of 30 percent [12] in vertical bike spaces. Label spaces on plans.

### Building A:

18. provision of one residential Class B loading space (105 units);

19. provision of one Class B loading space for the 502 m<sup>2</sup> of commercial space;

Note to Applicant: Engineering Services supports this reduced Class B loading provision.

20. redesign the Class B loading bay shown on drawing A-2.5 to include the following:

- (i) remove the corner protruding out into the main ramp by angling the westerly wall to align with gridline 2; and

- (ii) relocate the loading doors to provide a minimum of 28 ft. depth when the doors are closed;
- 21. provision of five disability spaces (4 residential and 1 commercial);  
Note to Applicant: See also Condition (b) 25 for Building B
- 22. provision of a 9 ft. by 9 ft. corner-cut to improve the two-way flow and visibility on the main ramp at gridline E/2 on drawing A-2.4;
- 23. relocate parking spaces 6, 7, 13 and 14 on level P1; spaces 1 and 2 on levels P2 - P5; and spaces 16 and 17 on levels P2 - P4, by 6 in. to the north to eliminate the column encroachment into the stalls;
- 24. provide bicycle wheel ramps for the stairs located at gridline C1/8 on drawing A-2.3;

**Building B:**

- 25. provide three disability spaces (2 residential and 1 commercial);  
Note to Applicant: See also Condition (b) 25 for Building A. This will result in a total of eight disability spaces being provided in the project. Space 3 on drawing A-2.15 can be designated as a disability space with the additional width shown.
- 26. provision of one shared Class B loading space for 292 m<sup>2</sup> of commercial space and 24 residential units;  
Note to Applicant: See also Condition (c) 5.
- 27. provide 9 ft. stall widths for parking spaces 3, 4 and 5 on levels P1 and P2;  
Note to Applicant: Additional stall width is required for a reduced manoeuvring aisle width.
- 28. provide bicycle wheel ramps for stairs located at gridline C2/12 and B2/15a;
- 29. provision of measures to improve visibility of oncoming traffic on the curved portion of the ramp and in the corners;  
Note to Applicant: Parabolic mirrors are recommended.
- 30. provision of a view portal in the bicycle room along gridline 13 to see oncoming traffic in the drive aisle on drawing A-2.14;
- 31. label all commercial parking spaces and indicate on the plans the overhead gate separating the residential and commercial parking;

32. provide a cross-section drawing for the main ramp along gridline 14 to show the required 2.3 m clearance;
33. Clarify garbage pick-up operations;

Note to Applicant: Provide written confirmation that a waste hauler can access and pick-up from the location shown. Note: Pick-up operations should not rely on bins being stored on the street or lane for pick-up. bins are to be returned to storage areas immediately after emptying.

34. Add the following note to the landscape plan:

"This plan is *Not for Construction* of any public property facilities. Prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services and be issues as "*for Construction*"; 8 weeks notice is requested. No work on public property may begin until plans receive "for construction" approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details."

#### 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 and to the Director of Planning, the General Manager of Engineering Services, the Managing Director of Social Development, the Managing Director of Cultural Services and the Approving Officer as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

##### Engineering

1. consolidation of the lots that comprise the site into a single parcel;
2. provision of written confirmation from Metro Vancouver that there are is support for the use of the right-of-way area as indicated on the landscape plans;

Note to Applicant: Support for the placement of planters, pavers, seating, etc. within the right-of-way should be confirmed, or for such alternate plans to the satisfaction of the Director of Planning and the General Manager of Engineering Services. Metro Vancouver will require an updated statutory right-of-way agreement to replace their existing GVS&DD right-of-way agreement (127448M). The new agreement will reflect agreed upon uses within the right-of-way.

3. make arrangements for the public use of the Metro Vancouver right-of-way;

Note to Applicant: Public access is in support of the development of a linear park system envisioned for this right-of-way and surrounding areas. Satisfaction of this condition may involve legal arrangements to the satisfaction of Metro Vancouver authorities in addition to City of Vancouver authorities.

4. enter into a Servicing Agreement to secure the following:
  - (i) Release of the four Easement and Indemnity Agreements on title, prior to issuance of an Occupancy Permit for any new development;  
  
Note to Applicant: 195106M & 547743M are both Bulkhead Agreements and 182126M & 138171M are both Commercial Crossing Agreements.
  - (ii) Provision of a pedestrian-actuated signal at the intersection of Kingsway and Rhodes Street with the developer paying 100% of the cost, to a maximum of \$300,000 (2011 dollars);
  - (iii) Provision of lane paving for the lane north of Kingsway, adjacent to the site, with the developer paying 100% of the cost;  
  
Note to Applicant: The lane paving will include a pavement design to highlight the proposed future crossing point for the envisioned linear park system. The estimate for the lane paving is \$30,000 (2011 dollars).
  - (iv) Provision of Norquay Village sidewalk treatments and public realm features adjacent to the site, with the developer paying 100% of the cost; and  
  
Note to Applicant: This will include a new sidewalk, street trees where space permits and improved street lighting, including Norquay Village decorative lamps. The estimate for this work ranges from \$50,000 to \$90,000 (2011 dollars) and will be dependent on further review of lighting levels.
  - (v) Provision of a standard concrete lane crossing at the lane north of Kingsway and at the Duchess Street lane entry to the block, with the developer paying 100% of the cost;  
  
Note to Applicant: The cost of the lane crossing is estimated at \$5,000 (2011 dollars).
5. provision of a shared-use loading agreement for the proposed loading bays which are proposed to be shared among the users;
6. provision of adequate water service to meet the fire flow demands of the project;

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

7. undergrounding of all new utility services from the closest existing suitable service point;

Note to Applicant: All electrical services to the site must be primary with all electrical plant, which include but are not limited to junction boxes, switch gear, pad-mounted transformers and kiosks are to be located on private property. There will be no reliance on secondary voltage from the exiting overhead electrical network on the street right-of-way. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground. Early contact with the Branch is encouraged.

### **Planning**

8. provision of a surface right-of-way over the south portion of the site between the building face and the property line (widened sidewalk), for pedestrian purposes;

### **Community Amenity Contribution**

9. pay to the City, prior to enactment of the rezoning by-law, the agreed upon Community Amenity Contribution of \$105,846 to be allocated to ensuring that the childcare facility at 2708 Duke Street meets the City's Childcare Design Guidelines with respect to shadowing on the outdoor play areas.

### **Public Art**

10. execute an agreement, satisfactory to the Director of Legal Services and the Managing Director of Cultural Services, for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials;

Note to Applicant: Development details should be provided to the Public Art Program Manager. Please contact Mr. Bryan Newson at



604.871.6002. A checklist will be provided. The Public Art budget for this project is \$186,669.

## Soils

11. The property owner shall, as required by the Manager of Environmental Protection 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 including without limitation a section 219 covenant, that there be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance issued by the Ministry of Environment, which is satisfactory to the City, has been provided to the City with respect to the remediation of the site and all contaminants that have migrated therefrom onto any road or other City property.

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

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

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

- B. THAT the application to amend Schedule C of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" (C-2), generally as presented in Appendix C of the Policy Report dated May 31, 2011, entitled "CD-1 Rezoning: 2667-2703 Kingsway", be approved.
- C. THAT, following the approval and enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for enactment the amendment to the Noise Control By-law to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated May 31, 2011, entitled "CD-1 Rezoning: 2667-2703 Kingsway".

(RZ - 2667-2703 Kingsway)