



## POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: February 26, 2013  
Contact: Kent Munro  
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RTS No.: 10000  
VanRIMS No.: 08-2000-20  
Meeting Date: March 12, 2013

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning: 2220 Kingsway

### *RECOMMENDATION*

- A. THAT the application by Henriquez Partners Architects, on the behalf of 2220 Kingsway Property Inc. (Westbank Projects Corp.), to rezone 2220 Kingsway (PID: 009-603-352, Lot B, Block 7, District Lot 393, Plan 9643) from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.5 to 3.8 to permit the development of a 14-storey mixed commercial-residential building with a maximum height of 45.1 m (148 ft.), be referred to a Public Hearing, together with:
- (i) plans received June 8, 2012;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C;

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

- C. THAT, if the application is referred to a public hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C, be referred to the same public hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C, for consideration at the public hearing.

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

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

- E. THAT Recommendations A through 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 any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; 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 assesses an application to rezone 2220 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit development of a mixed commercial-residential building comprised of a commercial podium with three 14-storey residential towers containing a total of 404 dwelling units. This application proposes a maximum floor space ratio (FSR) of 3.8 and a maximum building height of 45.1 m (148 ft.). The site is located within the Kingsway Rezoning Area of the Norquay Village Neighbourhood Centre Plan. Staff have assessed the application and find that it is supported by Council policy. Subject to a public hearing, and subject to the conditions of approval outlined in Appendix B, staff are recommending that the application be approved.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

Relevant Council policies for this site include:

- Norquay Village Neighbourhood Centre Plan (November 2010)
- Green Building Rezoning Policy (February 2010)

- Ecocity Policies for Rezoning of Sustainable Large Sites (December 2010)
- Greenest City Action Plan (2011)
- Public Art Policies and Guidelines (2008)
- Renfrew-Collingwood Community Vision (2004)
- Community Amenity Contributions - Through Rezoning (2011)
- High-Density Housing for Families with Children Guidelines (1992)

**CITY MANAGER'S/GENERAL MANAGER'S COMMENTS \***

The General Manager of Planning and Development Services RECOMMENDS approval of the recommendations of this report.

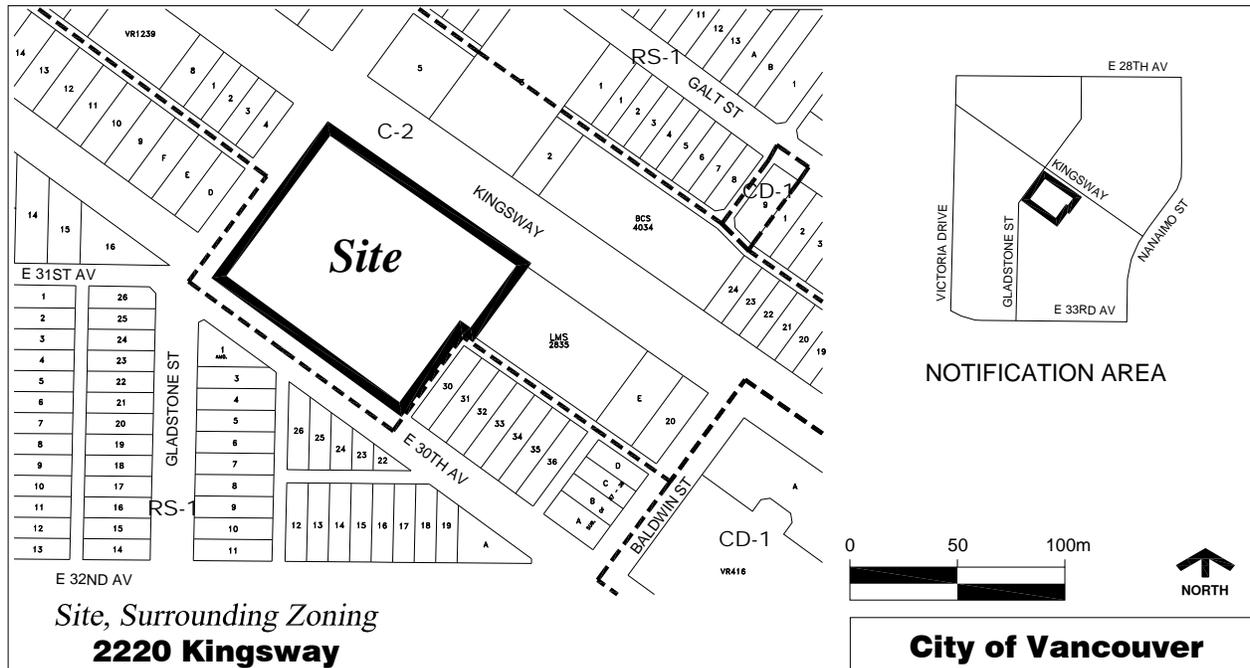
**REPORT**

**Background/Context**

**1. Site and Context**

This large 2.3 acre site is located on the south side of Kingsway with frontages on Gladstone Street and East 30<sup>th</sup> Avenue at the western end of the Norquay Village Neighbourhood Centre Plan (the “Plan”) area, and is the former site of a Canadian Tire store (see Figure 1). Gladstone Street is a bikeway and forms the western boundary of the Plan. Immediately south of the site, all properties are currently zoned RS-1, and are developed with detached houses. However, implementation of the Plan is underway, and Plan policies anticipate this adjacent area evolving over time to accommodate four-storey apartments and other forms of multiple-family dwellings (see Figure 2).

**Figure 1 – Site and Surrounding Zoning**

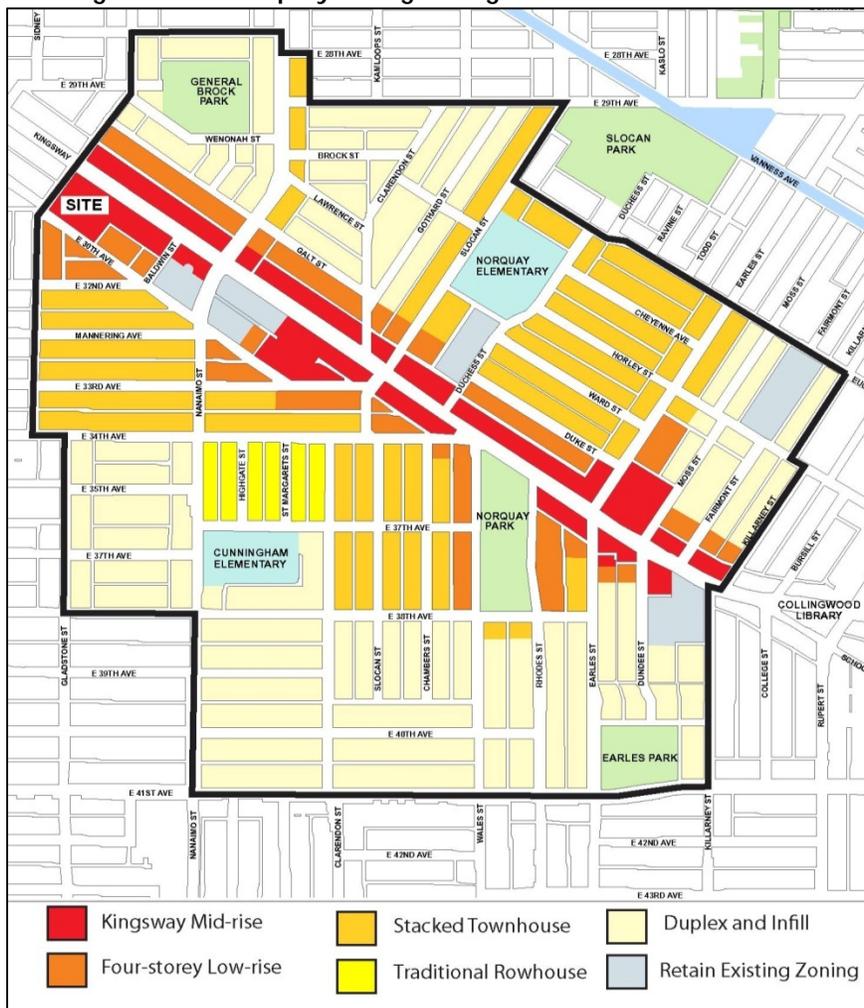


## 2. Policy Context

In July 1998, Council approved the Renfrew-Collingwood Community Vision which identified the section of Kingsway between Nanaimo and Earles Street as a key shopping area for the community. In April 2006, Council directed staff to develop a Neighbourhood Centre Plan for the Norquay Village area, to introduce new residential zones that will increase housing choice and set rezoning policies to encourage the revitalization of Kingsway properties over time. Streetscape and street network enhancements including improved Kingsway crossings, new street trees and furniture, and provision of new civic gathering spaces and community amenities were to be considered as new development opportunities arose.

**Norquay Village Neighbourhood Centre Plan:** Council adopted the Plan in November 2010. The Plan includes an area designated as the “Kingsway Mid-rise” area which supports mixed-use, mid-rise development at six- to eight-storeys in height, with specific allowances for buildings up to 14-storeys on key larger sites such as the subject site. The Plan notes that a density of up to 3.8 FSR will be considered throughout the Kingsway Mid-rise area.

Figure 2 – Norquay Village Neighbourhood Centre Plan



**Urban Design:** As a key larger site in the Plan, higher buildings of 14-storeys can be considered along Kingsway; the Plan anticipates that the larger sites will provide more expansive plaza space (6,000 to 8,000 sq.ft.) that prioritizes active pedestrian use. To further enhance the pedestrian environment, the Plan indicates that new development should be set back from the Kingsway property line to create a minimum sidewalk width of 24 feet.

**Sustainable Large Sites:** With a site area over two acres, Council's Rezoning Policy for Greener Larger Sites applies to this rezoning application. This policy aims to achieve higher sustainability outcomes on large-site developments by considering opportunities for low-carbon heat, sustainable site design, green mobility and clean vehicles, sustainable rainwater management, enhanced solid-waste diversion, and greater housing affordability and mix.

### *Strategic Analysis*

#### **3. Land Use and Density**

The proposal includes approximately 4,800m<sup>2</sup> (52,000 sq. ft.) of commercial uses at grade level including a large grocery store along with smaller retail units facing Kingsway and Gladstone Street. Residential units are located at grade facing East 30<sup>th</sup> Avenue and from the second to fourteenth floors in each of three towers above the commercial podium. The commercial uses at-grade and residential uses above are consistent with the Plan as well as the prevailing C-2 zoning. The 35,800m<sup>2</sup> (385,000 sq. ft.) of proposed total floor area is consistent with the density of 3.8 FSR envisioned in the Plan's Kingsway Mid-rise area, as noted above.

#### **4. Form of Development (Appendix E)**

The proposed form of development is consistent with the rezoning policy of the Norquay Neighbourhood Centre Plan which supports an increase in building height to 14-storeys. As noted above, the Norquay Plan anticipates an area where new four-storey apartments would be located south of this site which will provide a transition from the taller buildings on Kingsway to the outlying, ground-oriented housing areas.

Three 14-storey residential towers are proposed, each well-spaced from one another. At the ground level of the site, commercial retail uses and residential entries are proposed along Kingsway and Gladstone and one-storey townhouses are located along the East 30<sup>th</sup> Avenue frontage. The resulting form of tower elements on a low podium results in an overall form of development that would allow penetration of sunlight onto the Kingsway pedestrian environment.

The Urban Design Panel reviewed this application on September 26, 2012 and supported the proposed form of development. The Panel offered direction on improvements to activate the proposed open space located at the southwest corner using CPTED design principles (see discussion in Open Space and Public Realm section), to visually differentiate the three different towers in materiality and façade treatment, and to refine the treatment of the new service lane for pedestrian comfort (see Appendix D for a summary).

Staff support the proposed form of development with recommended design development conditions (Appendix B (b)1 to (b)3) to refine the design of the open space at the southwest corner to maximize public use, to visually differentiate and enrich the three tower elements,

and to refine the design of the new service lane in order to maximize pedestrian use and comfort.

## 5. Open Space and Public Realm

In response to the Norquay Neighbourhood Centre Plan's objectives to increase pedestrian activity, public street life and neighbourhood vibrancy, the application proposes a number of significant improvements to the public realm. Firstly, the proposal surpasses the Norquay Plan's requirement for a single 557-743 m<sup>2</sup> (6,000-8,000 sq.ft.) outdoor plaza by contributing two separate open spaces, with a combined area of 1,128 m<sup>2</sup> (12,141 sq.ft.) Proposed at the northwest corner of the site, a 433 m<sup>2</sup> (4,664 sq.ft.) paved plaza with both covered and uncovered public seating arrangements, will contribute to the streetlife of the Kingsway shopping area. A second open space at the southwest corner of the site is also proposed. While the northwest plaza is envisioned as a vibrant urban space, the southwest open space is envisioned as a more park-like setting, set apart from the Kingsway commercial uses with a higher concentration of unpaved grassy areas, soft vegetative landscaping, and some family-oriented features for public use. This 695 m<sup>2</sup> (7,477 sq.ft.) green space will help to address Council's Greenest City Action Plan goal to increase public parks and green spaces throughout the City.

The Norquay Plan also calls for the provision of exceptional sidewalk widths on Kingsway of 7.32 m (24 ft.) in order to create a safer and more enjoyable pedestrian environment in proximity to fast-moving traffic. The project includes a building setback from the Kingsway property line, producing an overall sidewalk width ranging from 7.6-8.8 m (25-29 ft.). These wider sidewalks can accommodate outdoor-seating, a second row of street trees, merchandise display, and opportunities for the ground-floor retail and service use patios. A statutory right-of-way would ensure public access over the portions of sidewalk located on private property (Appendix B, Condition (c)2).

A further substantial contribution to the public realm is the creation of a new mid-block service lane and pedestrian link running north-south along the eastern property line; it would offer a new pathway connection between the residential areas located south of this atypically long block to Kingsway. Further, this linkage aligns with a new mid-block pedestrian-actuated traffic signal across Kingsway; together, these improvements will offer convenience and choice of pathways for pedestrians and will result in the calming of vehicular traffic on Kingsway. In the interest of maximizing pedestrian comfort in the service lane, condition (b)3 in Appendix B seeks design development to this element with traffic-calming features, pedestrian lighting and an enriched treatment to the sidewalk.

## 6. Parking, Loading and Transportation

Access to underground parking, loading and refuse/recycling collection is all proposed from the lane east of the site. The lane will be completed to provide access to Kingsway for commercial and residential vehicles. Further, this redeveloped and extended lane includes additional width to support comfortable pedestrian movement from East 30<sup>th</sup> Avenue to Kingsway.

## 7. Environmental Sustainability

The Green Building Rezoning Policy (adopted by Council on July 22, 2010) requires that rezoning applications received after January 2011 achieve a minimum of LEED® Gold rating, including 63 LEED® points, with targeted points for energy performance, water efficiency and stormwater management; along with registration and application for certification of the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

Council's Rezoning Policy for Greener Larger Sites further requires plans or studies, each of which is discussed as follows:

**District Energy Screening and Feasibility:** A Study conducted by Hemmera, has been submitted by the applicant and has been reviewed by staff. Based on the findings of this screening analysis, a low carbon energy solution for this development which significantly reduces GHG emissions has not been identified at a cost competitive with a business as usual approach to heating and cooling. The study does suggest, however, that modest GHG emissions reductions (10-15%) can be achieved through the use of internal waste heat recovery within the proposed supermarket refrigeration systems. Conditions of rezoning are included in Appendix B that require the implementation of supermarket waste heat recovery. Additionally, the applicant has expressed interest in pursuing a broader low carbon energy supply approach for this site utilizing air source heat pump technology.

**Sustainable Site Design:** The proposed placement and orientation of the buildings takes advantage of the diagonal orientation of Kingsway, which runs northwest-southeast in comparison to the cardinal points. Solar gain from late-afternoon/early-evening sun during the late spring and summer seasons is minimized by the positioning of the western elevations towards the northwest rather than directly west. Further responses to reducing solar gain through appropriate façade treatments are also anticipated during the Development Permit phase. Unit layouts in the towers maximize the number of dwelling units with at least two exposures, thereby increasing the opportunities for natural ventilation and cooling. With respect to the public realm, a significant public green space has been positioned in relation to the buildings to maximize the amount of direct sunlight at the southwest corner.

**Green Mobility and Clean Vehicles:** A Green Mobility and Clean Vehicles Strategy will be provided prior to Development Permit issuance. It will include the following measures:

- Loading Management Plan detailing the frequency, routing, the size of trucks expected, and the hours of expected loading activity for both the commercial and residential loading spaces;
- One publicly accessible car share vehicle and vehicle space;
- A traffic diverter on Gladstone at East 30<sup>th</sup> Avenue;
- A separated bicycle facility on Gladstone between Kingsway and East 30<sup>th</sup> Avenue;
- Cycling amenities including bicycle racks, a drinking fountain and an air pump in the open space at the corner of Gladstone and East 30<sup>th</sup> Avenue.

**Rainwater Management:** The proposed sustainability strategy commits to stormwater management. A Rainwater Management Plan that utilizes sustainable strategies to allow for

infiltration, retention, treatment and utilization of rainwater will be required where applicable and appropriate on site.

**Solid Waste Diversion:** A Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex will be required.

**Sustainable Housing Affordability and Housing Mix:** The proposal includes 404 new dwelling units ranging from one- to three-bedrooms, many with direct access to grade or the landscaped podium. This provides new housing appropriate for families with children. The draft by-law includes a requirement that 25% of units have two or more bedrooms and comply with Council's "High Density Housing for Families with Children Guidelines".

### ***PUBLIC INPUT***

**Public Notification and Open House** – A notification postcard was mailed to 431 surrounding property owners on September 6, 2012. In addition, rezoning information signs were installed on the site and an open house was held on September 20, 2012, with staff and the applicant team available to answer questions from approximately 72 people who attended. Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage.

**Public Response Summary** – Approximately 72 people attended the September 2012 Open House. In response to the Open House, 30 comment sheets were submitted (15 opposed/11 in favour/4 unsure). In addition, the City received 15 e-mails, letters and online forms (12 opposed/2 in favour/1 unsure). Comments or concerns about the application included:

- Prefer one tower building instead of three, given that only one is shown in the Plan
- Too dense for residential area
- Where are the amenities?
- Increased traffic to existing nearby residential area
- Use mix of materials
- Site not permeable - proposal is a continuous podium.

Having the residential uses organized in three towers offers improved access to light and ventilation for residents and the surrounding community. The application proposes a density that is consistent with what is envisioned in the Plan, and the amenity to the area is provided through dramatically improved public realm, including two open spaces and commercial services. Traffic impacts on the surrounding community will be mitigated through provision of a traffic diverter on Gladstone Street to be installed by the applicant. Additionally, condition (c)4 provides for further traffic calming measures to be implemented in the surrounding area over a five-year period should they be deemed necessary. Further, the new lane on the east property line improves pedestrian connections through the block and across Kingsway.

Comments in support of the project included:

- City should allow similar development in other neighbourhoods
- Will create vibrancy that is presently missing along this portion of Kingsway
- Supportive of high number of two- and three-bedroom units proposed
- Follows existing community plans

- Feel community will benefit from amenities
- Enhances neighbourhood.

A more detailed summary of comments received is included in Appendix D.

### ***PUBLIC BENEFITS***

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

#### **Required Public Benefits**

**Development Cost Levies (DCLS):** DCLs apply to all new construction and help pay for facilities made necessary by growth, including parks, child care facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is located in the Citywide DCL area where the rate for new residential or commercial floor space is \$134.55 per m<sup>2</sup> (\$12.50 per sq. ft.). Based on the current rates, a total DCL payment of \$4,817,000 would be anticipated should this rezoning application be approved. DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment which takes place on September 30th of each year.

**Public Art Program:** The Public Art Program requires that rezonings involving a floor area of 9,290 m<sup>2</sup> (100,000 sq. ft.) or greater allocate a portion of their construction budgets (\$1.81/sq. ft.) to public art as a condition of rezoning. With the development of this site as proposed, a public art budget of approximately \$697,000 can be anticipated.

#### **Offered Public Benefits**

**Community Amenity Contribution (CAC) -** In the context of Financing Growth Policy, the City anticipates the offer of a community amenity contribution from the owner of a rezoning site to address the impacts of rezoning, through the provision of either on-site amenities or a cash contribution towards other public benefits in the neighbourhood. Contributions are negotiated and evaluated by staff in light of the increase in land value expected to result from rezoning approval. In this case, an opportunity to provide valuable open space at the southwest corner of the site was recognized given its significant contribution to the area's public realm. The applicant has offered to develop the open space, as well as to provide a traffic diverter on the adjacent Gladstone Street bikeway to reduce through traffic and improve cycling comfort.

The estimated value of the open space improvements is approximately \$811,720 and the value of the traffic diverter is approximately \$200,000. Based on the increased land value that would be created by permitting the development of additional residential floor area, the applicant is also offering a cash CAC of \$3.0 million. Upon reviewing the applicant's development proforma, Real Estate Services staff recommend that the offered public benefits, which are valued at \$4,011,720 in total, be accepted. Staff recommend that the \$3.0 million cash contribution be held in a Norquay Village Amenity Strategy Reserve and allocated to the future development of community amenities to be located on the 2400 Kingsway site.

See Appendix F for a summary of all the public benefits for this application.

### *Financial*

As noted in the section on Public Benefits, the applicant will contribute \$4.01 million as a Community Amenity Contribution (CAC):

- \$3.0 million cash CAC to the City, recommended to be allocated to public benefits that will be delivered at the City-owned 2400 Kingsway site when the site is redeveloped;
- two in-kind CACs valued at \$1.0 million being the development of open space at the corner of Gladstone Street and East 30th Avenue (estimated value \$811,720) and the construction of a traffic diverter at Gladstone Street and East 30th Avenue (estimated value \$200,000).

In addition, the applicant will contribute up to \$200,000 to the City for traffic calming to mitigate the impacts of vehicular traffic from the site within five years of final occupancy. This application will also result in a public art contribution estimated at \$697,000 toward new on- or off-site public art.

The site is subject to the City-wide DCL and it is anticipated that the applicant will pay approximately \$4,817,000 in DCLs.

The property owner will be responsible for the ongoing maintenance of assets located on private property, including:

- the open space located at the corner of Gladstone Street and Kingsway;
- the open space located at the corner of Gladstone Street and East 30th Avenue;
- portions of Kingsway sidewalk located on private property; and
- public art (if located on site).

### *CONCLUSION*

Staff have reviewed the application to rezone this site from C-2 to CD-1 to allow an increase in density and height, and conclude that it is consistent with the Norquay Village Neighbourhood Centre Plan. The General Manager of Planning and Development Services recommends that the application be referred to a public hearing, together with a draft by-law generally as shown in Appendix A. Further, it is recommended that, subject to the public hearing, the application be approved upon fulfillment of the conditions as listed in Appendix B and the form of development as shown in plans included as Appendix E be approved in principle.

\* \* \* \* \*

2220 Kingsway  
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Zoning District Plan Amendment**

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

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

**Uses**

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Arcade, Artist Studio, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Museum or Archives;
- (b) Dwelling Uses, limited to: Dwelling Units in conjunction with any of the uses listed in this By-law;
- (c) Institutional Uses, limited to Child Day Care Facility and Social Service Centre;
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing and Publishing;
- (e) Office Uses;
- (f) Retail Uses, limited to Adult Retail Store, Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy; Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Repair Shop - Class A, Repair Shop Class - B,

Restaurant - Class 1, Restaurant - Class 2, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;

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

### Conditions of Use

- 3. The design and lay-out of at least 25% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms; and
  - (c) comply with Council's "High Density Housing for Families with Children Guidelines".

### Floor Area

- 4.1 Floor area for all uses combined must not exceed 35 800 m<sup>2</sup>.
- 4.2 Computation of floor area must include all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floors and accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.
- 4.3 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 exclusions must not exceed 12% of the residential floor area, and
    - (ii) no enclosure of balconies is permissible for the life of the building;
  - (b) patios and roof gardens, provided that 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 which:
    - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length m, or

- (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 % of the total permitted floor area, provided that for child day care facilities the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood; and
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.4 The use of floor area excluded under section 4.3 must not include any purpose other than that which justified the exclusion.

### **Building Height**

5.1 Building height, measured from base surface, must not exceed 45.1 m.

5.2 Despite the provisions of section 5.1 the Director of Planning may permit an increase in permitted height to a maximum of 48.5 m for mechanical appurtenances such as elevator machine rooms, if the Director of Planning first considers:

- (a) location and size of such appurtenances in relation to their impact on views, overlook, shadowing and noise, and
- (b) all applicable Council policies and guidelines.

### **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 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 the unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

6.5 An obstruction referred to in section 6.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 ( ).

6.6 A habitable room referred to in section 6.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) 10% or less of the total floor area of the dwelling unit, or
  - (ii) 9.3 m<sup>2</sup>.

### Acoustics

7. A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below shall 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 (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

\* \* \* \* \*

2220 Kingsway  
PROPOSED CONDITIONS OF APPROVAL

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

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Henriquez Partners Architects and stamped "Received City Planning Department, June 8, 2012", subject to the following conditions, provided that the General Manager of Planning and Development Services 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 and Development Services, who shall have particular regard to the following:

**Design Development**

- 1. Design development to the southwest open space to achieve a safe, welcoming and useful place for the general public, by providing clear sight lines from adjacent residential and commercial uses and a variety of activities and reasons for people to visit;

Note to Applicant: In order to insure the success of this space, a multitude of possible activities and reasons to visit should be provided for the general public, the patrons of the commercial retail components and the residents of the project. Providing approximately 10 reasons for people to visit, will assure the success of this place. The following features are provided by staff as suggested design elements that may be explored during the Development Permit process for this project.

- i. Significant reduction to the amount of open space that is covered by a water feature in order to maximize the amount of useable space for the public;
- ii. Deletion of the proposed semi-opaque walls located on the south border in order to permit free and easy public access and to maximize sightlines from the public realm;
- iii. Connections between the open space and the adjacent residential and commercial uses at grade level that would permit visual and/or physical porosity for the conveyance of people, goods, food, restaurant patio life, etc.
- iv. Trees to provide shade for a portion of the open space during the summer months;

- v. Landscaping features and/or equipment which are conducive to the play and interactions of children;
  - vi. Primary outdoor seating in the form of park benches located in a variety of areas such as sunny spots, shady spots, or spots where the best people-watching is offered.
  - vii. A drinking fountain and other simple bicycle-servicing elements located near the adjacent Gladstone bike lane (see Engineering conditions (c) 23. h and i);
  - viii. Secondary seating that is incorporated with other functions such as sculptures, tree planters or other hard-landscaping elements;
  - ix. A point of interest which provides a space for public activity that is sheltered from the rain in the form of a small pavilion (this is currently shown in your proposal) and/or the proposed covered area (also shown);
2. Design development to visually differentiate the character of the three tower elements and to enrich the building facades with further building articulation;

Note to Applicant: Staff support this rezoning application with respect to the general parameters of use, height and density. It is, however, anticipated that during the subsequent Development Permit process, the applicant will further develop the design of the tower elements to achieve a separate and distinct character for each. This can be achieved by a multitude of possible strategies, including, but not limited to, distinct variations in cladding materials; balcony projections and insets; shading and screening devices; innovative construction techniques; or other decorative embellishments which contribute to a distinct building character through the rich interplay of light, shadow and colour.

3. Design development to the proposed service lane/pedestrian link located along the east property line to insure a comfortable and safe environment for pedestrians and the neighbouring residential properties.

Note to Applicant: As a means of encouraging pedestrian use of this lane, the provision of amenable landscaping elements is required. Urban design elements to consider include pedestrian lighting; soft landscaping elements; public art; opaque enclosures to visually and aurally separate the commercial loading bays from the public realm and; traffic-calming for the vehicular portion of the lane.

#### **Crime Prevention Through Environmental Design (CPTED)**

4. Design development to the southwest open space to discourage nefarious and undesirable activities;

Note to Applicant: The proposed pavilion should be deleted; or alternatively, may be re-designed to be an open structure landscape feature.

5. explore opportunities to mitigate blank walls;

Note to Applicant: in consideration of CPTED principles, exposed walls should be textured to discourage graffiti. In addition, "vine pockets" can be located to establish plants on walls.

### Landscape Design

6. Design development to ensure perimeter trees are located at grade;

Note to Applicant: Ensure that design is stylistically interpretive, avoiding imitative elements. Continuous soil in tree pits should be sunken below grade and slab altered accordingly, where necessary. Special attention should be paid to the "inside row" of the double row of trees proposed along Kingsway. Structural soils and root barriers will be required.

7. Further coordination with City of Vancouver Planning and Engineering staff to ensure that the public-private realm is high quality, seamless across property lines and safe for pedestrians;

Note to Applicant: while special paving is encouraged on private property, choice of materials and way finding techniques should respect principles of universal access.

8. Design development to angle slabs down at perimeter edges and in common areas to increase soil depths for trees and landscaping, where applicable;
9. Site utilities/vents located onto private property and integrated discreetly into the building, avoiding landscaped and common areas;
10. At time of development permit application, the following:

- (a) provision of a detailed Landscape Plan illustrating soft and hard landscape treatment;

Note to Applicant: the Landscape plan should include a planting plan listing common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. Illustrate and clarify all outdoor surface/paving materials, site furniture, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, anti-skateboard guards (where applicable), parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

- (b) provision of a Tree Plan, including dimensioned tree protection barriers;

Note to Applicant: refer to *Protection of Trees Bylaw* (sec. 4.0, 4.3). There are a number of trees proposed to be removed that are located on City

property. Approval and coordination will be needed with the Park Board at the development permit stage.

(c) provision of large scale sections [typical] through the landscaped areas, including the townhouse interface, the slab-patio-planter relationship, the lane interface and common areas;

(d) illustration of spot elevations to all outdoor areas (including top/ bottom walls), including offsite context spot elevations in proximity (such as the public sidewalks, inner boulevards and lanes, for example);

11. New street trees to be provided adjacent to the development site, to be shown on the development permit plans and confirmed prior to the issuance of the building permit;

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan, "Final spacing; quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

12. Provision of an efficient irrigation system for all common outdoor planters and individual hose bibs to be provided for all patios of 100 sq.ft. or greater. Specification notes and irrigation symbols to should be added to the drawing;

13. provision of planting on city property along the streetscape edge, where space permits;

Note to Applicant: expand the planting plan to fill the inside boulevard. Substitute hardy, layered planting for lawn, wherever possible. Refer to City of Vancouver Guidelines for planting on City boulevards.

### Sustainability

14. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

Note to Applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description

should be incorporated into the drawing set. Registration of the project is also required under the policy.

15. Provision of a Sustainable Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.
16. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex.

Note to Applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

### Engineering

17. Provision of the following improvements to the parkade design consistent with the parking and loading design supplement:
  - (a) Provision of direct access to the North Tower residential lobby residential lobby from the loading area;
  - (b) Provision of residential loading access for the West Tower, from the freight elevator north of the West Tower lobby;  
Note to Applicant: Consider aligning the loading corridor for the West Tower with the freight elevator to improve access.
  - (c) Relocate 2 Class B spaces adjacent to the North Tower, in the current location of the Class A loading space in the loading bay;
  - (d) Distribute the 3 Class A loading spaces on P1 in close proximity to each of the three residential elevator cores;
  - (e) Clarify the parking supply rates and proposed spaces identified in Table 4.3 of Bunt & Assoc. report and Table 3.1 of Westbank report appear to be different;
  - (f) Provision of a Construction Management Plan to the satisfaction of the GMES to address neighborhood concerns regarding construction vehicle parking on local streets during the construction phase and any mitigation measures to reduce construction impacts to local streets;
  - (g) The Transportation Assessment Plan says that there will be "a raised sidewalk on the east side of this new public lane". This appears to be inconsistent with the architectural drawings (pages 35, 36, 39, 41, etc.. of the Rezoning Application Booklet) which show the sidewalk on the west side directly adjacent to the loading bays. Please update the plans to be consistent in this regard;

- (h) The location of the foundation wall at the lane on page A2.04 (section DD) appears to be misplotted (doesn't agree with the plan views), please review and correct if required;
18. Update the site and landscape plans to reflect the provisions of the Norquay PRTI Plan as follows:
- (a) Show a curb bulge on the east side of Gladstone Street at Kingsway;
  - (b) Show the following minimum dimensions for sidewalk/boulevard areas along Kingsway:
    - i. 2.8m sidewalk;
    - ii. 1.2m exposed aggregate utility strip (measured from back of curb)
    - iii. plus 3.65m (minimum) setback to accommodate additional sidewalk, trees and building strip;
  - (c) Show the following dimensions on the Side-Streets:
    - iv. 2.8m sidewalk;
    - v. 1.2m grassed utility strip (from back of curb);
19. The median on Kingsway should be deleted. The Norquay Public Realm and Transportation Improvement Plan (PRTI) does not call for installation of a median along this section of Kingsway adjacent the site;
20. Provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any legal agreements required by this Strategy on terms and conditions acceptable to the City.

For sites greater than 2 acres, per the requirements of EcoCity Action A-2 concerning Green Mobility and Clean Vehicles, a transportation demand management plan shall be submitted to the satisfaction of the General Manager of Engineering Services which promotes sustainable modes of travel while reducing reliance on the private auto. These measures should be above and beyond current City requirements. Note the TDM plan should include the following measures:

Provision of a Loading Management Plan (LMP) to the satisfaction of the GMES detailing the frequency, routing, the size of trucks expected, and the hours of expected loading activity for both the commercial and residential loading spaces. Include a diagram showing both the commercial and residential loading access for the west tower from the loading bay. Loading access to or from the site should not utilize the east-west lane south of the 2200 block of Kingsway. As the width of the proposed Lane is to be 6m, semi-trailer deliveries should be accommodated during off-peak hours to reduce conflicts with vehicles accessing the underground parking. The LMP should include information regarding shared loading access between the three residential towers and commercial uses

### Neighbourhood Energy Utility

21. The mechanical design of the supermarket portion of the development shall include provisions for waste heat recovery from the supermarket refrigeration systems as a means of reducing energy consumption and greenhouse gas emissions associated with heating of the supermarket and/or development as a whole;
22. Detailed mechanical and HVAC design must be to the satisfaction of the General Manager of Engineering Services;

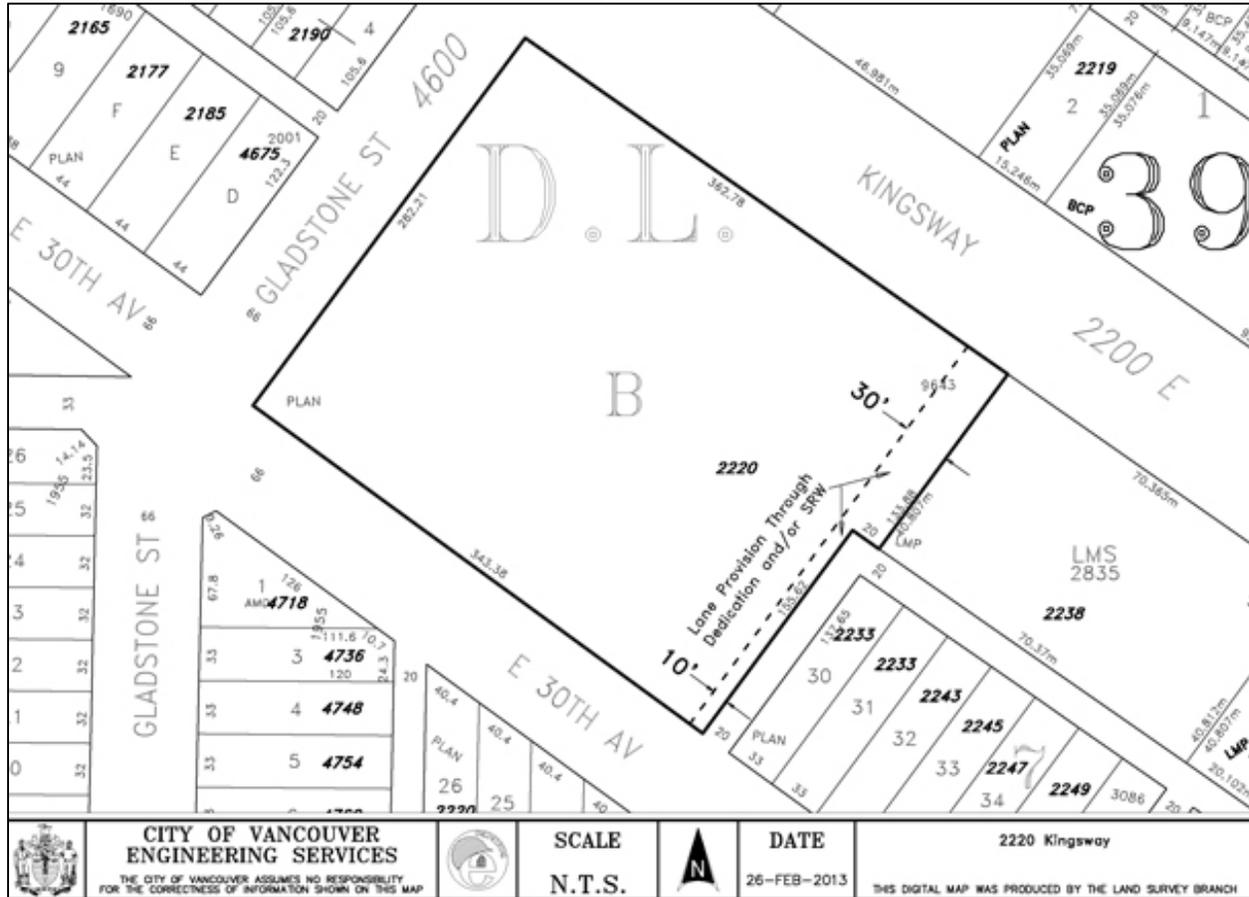
### CONDITIONS OF BY-LAW ENACTMENT

- (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 and Development Services, the General Manager of Engineering Services, 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. Creation of a 30foot wide lane along the eastern edge of the site for vehicular access and to provide a pedestrian corridor and connection from Kingsway to East 30th Avenue through provision of dedications or through other means acceptable to the General Manager of Engineering Services and the Director of Legal Services. See Diagram 1, below.

Diagram 1



2. Provision of one or more statutory rights of way to achieve the following:
  - (a) public pedestrian access along the Kingsway portion of the site to achieve a sidewalk measuring a minimum of 24 ft. in width from curb to building face. (SRW to be measured from the property line to the building face along the Kingsway frontage)
  - (b) public pedestrian access over the proposed plaza at the northwest corner of the site to the satisfaction of the General Manager of Planning and Development Services; and
  - (c) public pedestrian access over the proposed open space at the southwest corner of the site to the satisfaction of the General Manager of Planning and Development Services.

Note to applicant: Construction, installation, maintenance and lighting will be the owner's responsibility.

3. Discharge of Easement and Indemnity Agreement 303395M (crossing agreement). A letter of undertaking is acceptable for rezoning with full discharge prior to building occupancy.

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. The agreement shall include, but not be limited to, the following provisions to the satisfaction of the General Manager of Engineering Services:
- (a) Provision of up to \$200,000 for traffic calming to mitigate the impacts of vehicular traffic from the site within 5 years of final occupancy.
  - (b) Provision of corner bulges and traffic features such as raised crosswalks or speed humps where East 30th Avenue intersects the lane adjacent to the east boundary of the site in order to mitigate east bound traffic from the proposed laneway.
  - (c) Provision of traffic calming measures at the East 30th Avenue/East 31st Avenue/Gladstone Street intersection to address any vehicle, bicycle, pedestrian conflicts while ensuring vehicular circulation to the parkade entry is maintained.

Note to applicant: The calming feature proposed (traffic diverter) is to be reversed to allow for traffic to circulate around the site and provide access to the parkade.

- (d) Provision of a separated bicycle facility on Gladstone Street between Kingsway and East 30th Avenue and integration with the bicycle facilities north of Kingsway on Gladstone Street and south of East 30th Avenue on Gladstone Street.
- (e) Provision of a traffic signal and associated infrastructure at Kingsway and the proposed lane access point at the east property line of the site.
- (f) Provision of audible signals and countdown timers at the intersection of Gladstone Street and Kingsway.
- (g) Provision of signal modifications and upgrading for the signal at Kingsway and Gladstone Street to accommodate the proposed separated bicycle facility.
- (h) Provision of cycling amenities in the proposed open space at the corner of East 30th Avenue and Gladstone Street. Amenities to include bicycle racks and an air pump.
- (i) Provision of a drinking fountain to complement the proposed cycling facilities adjacent the open space at East 30th Avenue and Gladstone Street. (The fountain is to be located on public property and be connected to the City water system with a separate water service connection).

- (j) Provision of lighting in the open space at East 30th Avenue and Gladstone Street.
- (k) Provision of a minimum 20-ft. wide pavement width for the proposed lane and a 1.8 m wide concrete sidewalk, curbing, concrete lane crossing, lane lighting and street trees on the east side of the proposed lane.

Note to Applicant: the proposed sidewalk and curbs must integrate with the adjacent properties fencing and points of access, consultation with the effected property owners may be required.

- 5. Provision of all utility services to be underground for this development. All electrical services to the site must be primary with all electrical plant, which includes but is not limited to, junction boxes, switchgear, kiosks, other utility kiosks and pad mounted transformers, are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground. Please contact Utilities Services at 604.873.7373 for further information.
- 6. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
- 7. Provision, operation, and maintenance of one shared vehicle and the provision and maintenance of one parking space for use exclusively by such shared vehicle, with such parking space to be in addition to the minimum parking spaces required by the Parking By-law, and under the conditions outlined below:
  - (a) the developer will be required to fund \$25,000 for the purchase of each required shared vehicle and fund \$11,500 for operating costs for each required shared vehicle;

Note to Applicant: These dollar amounts are subject to inflationary increases and final amounts will be calculated prior to Occupancy.

- (b) management services to be provided by the professional shared vehicle organization subject to an agreement to be entered into with the developer on terms and conditions satisfactory to the City;
- (c) the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
- (d) the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces.

Note to Applicant: These dollar amounts are subject to inflationary increases and final amounts will be calculated prior to Occupancy.

- 8. Provision of a shared loading agreement to allow residential units use of the commercial loading bays to facilitate move ins and outs.

#### Soils

- 9. If applicable:
  - (a) Submit a site profile to the Environmental Protection Branch (EPB);
  - (b) 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;
  - (c) Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

### 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; and provide development details to the satisfaction of the Public Art Program Manager.

Note to Applicant: To discuss your public art application and fulfilment options please call Bryan Newson, Public Art Program Manager, at 604.871.6002.

### Community Amenity Contribution

11. The cash component of the Community Amenity Contribution of \$3,000,000 is to be paid to the City and such payment is to be made prior to enactment of the CD-1 by-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services to be allocated to future development of community amenities on the 2400 Kingsway site.

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.

\* \* \* \* \*



2220 Kingsway  
ADDITIONAL INFORMATION / COMMENTARY OF REVIEWING BODIES

**Comments - General Manager of Engineering Services:** The General Manager of Engineering Services has no objection to the proposed rezoning, provided that the arrangements and conditions as shown in Appendix B are satisfactorily concluded.

**URBAN DESIGN PANEL**

The Urban Design Panel reviewed this proposal on September 26, 2012 and unanimously supported the proposed use, density and form of development.

**Introduction:** Grant Miller, Rezoning Planner, introduced the proposal for an application to rezone a 2.3 acre site on Kingsway in the Norquay Neighbourhood Centre Plan area. The site is currently occupied by a Canadian Tire store fronting three streets and is zoned C-2. The proposal is to build a mixed-use development with three, 14-storey towers over a retail podium.

Mr. Miller provided the Policy Context noting that the site falls within Norquay Village Neighbourhood Centre Area. More specifically this site is a large gateway site at the western end of the area. The Plan supports a height of 14-storeys and a density of 3.8 FSR on the site. A traffic calming diverter is proposed at Gladstone and East 30<sup>th</sup> Avenue. This is a concept introduced by the Engineering department to improve the cycling environment on this north south bike route. The plan calls for trees to be planted in the median on Kingsway where possible but Mr. Miller explained that there isn't sufficient width to support trees in the median at this particular location.

Mr. Miller mentioned that the Green Building Policy is in effect for this application which was received in June of this year. At the date of application, the City's Green Building's policy required registration for LEED™ Gold with a minimum of 63 points including 6 energy points, 1 water efficiency point, 1 stormwater point, and proof of application for certification. Further, in response to the City's Green Building Policy for larger sites, the applicant has reviewed the feasibility of district energy systems and strategies to reduce Green House Gas emissions.

Paul Cheng, Development Planner, further described the Norquay Neighbourhood Centre Policy noting that the Kingsway portion was envisioned to be the central, local commercial street for everyday shopping, services and community life. This would mean a new variety of ground-oriented housing options off Kingsway and new mid-rise housing options on Kingsway. As well, pedestrian comfort on Kingsway will be achieved with wider sidewalks through building setbacks; traffic calming and increased pedestrian pathway network; added mid-block lighted pedestrian crossings and mid-block pedestrian connections for existing long blocks.

Mr. Cheng noted that the proposal is for 14-storey buildings and will be expressed with lower 4-6 storey elements and a taller element, a sawtooth expression, and an access onto Kingsway and the neighbourhood to the north. He added that the Norquay Plan calls for a well-articulated sense of place and identify. This is achievable through consistency in material treatment and as well a rich public realm.

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

- 1) *This site was identified in the Norquay Neighbourhood Centre Plan for a rezoning, with a potential to attain a maximum density and height of 3.8FSR and 14-storeys.*

Taking into account the future zoning adjacencies of the Norquay plan as well as the adjacent area to the west that is left unaffected, is the proposal's general form of development an acceptable response with respect to building mass, livability, neighbourliness, provision of open space and tower separations?

- 2) *This site was identified in the Norquay Plan as one of two large Kingsway sites to provide a significant public plaza comprising 8000 s.f. of private land. Before an application was made, it was decided to locate this public space away from Kingsway, on the southwest corner in order to maximize direct sun exposure and guarantee a high level of vitality. As such, this space is expected to be a treed, park-like setting with active edges and programmed elements offering a multitude of activities to attract members of the public.*

What design moves can be made to the public green space to ensure that it succeeds in attracting people and making this into a successful, well-used public place?

- 3) *With the goal of improving walkability in this neighbourhood centre, a new lane is being introduced along the eastern property line to improve pedestrian connections as well as to serve as the main vehicular access route from Kingsway. While this lane is meant to function only as an "amenable shortcut" for pedestrians, staff have concerns over the amount of space and overall design dedicated to the pedestrian experience.*

Does the current proposal for the lane successfully integrate the multiple uses, including loading/parking access and pedestrian/vehicular porosity? If not, please provide possible design improvements.

- 4) *In conversation with the community during the planning process, staff heard extensive commentary about the need for a distinctive architectural character for the Norquay portion of Kingsway. In particular, the use of brick was cited as a highly desirable element. At this time, three other development applications have been granted for Kingsway properties in Norquay, all of which propose brick as the major cladding material, thereby establishing a newly emerging architectural character for Kingsway.*

How well does this proposal respond to the community's desire for a distinctive architectural character on Kingsway? Are there any elements of the current proposal that concern the panel?

Mr. Miller and Mr. Cheng took questions from the Panel.

**Applicant's Introductory Comments:** Gregory Henriquez, Architect, further described the proposal and the process that they went through in designing the project. He said there will be retail uses along Kingsway and along East 30<sup>th</sup> Avenue with some townhouses to relate to the single family homes across the street. The buildings have been sculpted so that the primary views are not opposite one another. Some look out to the mountains or south to Mount Baker and the layout will increase the amount of light into the units. He said their vision for the park was for a contemplative spot, a respite in the middle of a busy area. They wanted the laneway to have some greenery and some texture and colour to the various surfaces. Mr. Henriquez described the architectural plans noting that they are looking at

different materials and colours to respond to the different orientations. They have a public art budget and they are planning an installation along Kingsway. The plaza on the north side of the site is covered with a recessed entrance into the food store. A lot of roof terraces have been created as well as a lot of roofscapes are useable with private decks and public spaces.

Kelty McKinnon, Landscape Architect, described the landscaping plans for the proposal. She noted that there is edible landscaping in the public amenity terrace with an orchard, herbs and berries. A children's play element will also be incorporated. They are also planning fruit trees in the unit patios.

Ian Gillespie, Developer, said that one of the reasons he bought the property was that he wanted to try to turn Kingsway into a great street. He said that public art would be a great opportunity within the median. He added that it was an opportunity to do something special on Kingsway. They are planning to have a restaurant that looks out onto the park and is accessible through the grocery store.

The applicant team took questions from the Panel.

#### **Panel's Consensus on Key Aspects Needing Improvement:**

- Consider changing the colours and textures on each of the three towers of distinguish them from each other;
- Consider engaging the community in the creating of the public art;
- Consider CPTED issues in the garden areas;
- Design development to allow for the pool to be used all year around;
- Design development to allow the building to open up more to the park.

**Related Commentary:** The Panel supported the proposal and thought it was a supportable strategy for the site.

The Panel supported the general approach including the massing, density and height and liked that the two public spaces had two different characters. They also thought the location for the public space was in the right place, although one Panel member thought some drama could be added at the overhang. Another Panel member thought it needed to be simplified and that there needed to be a CPTED angle to the design so that sleeping areas were not provided. The Panel did not have any concerns with the tower separation.

The Panel wondered if the architectural expression was creating a distinctive character on Kingsway. In general they were supportive of the contemporary expression of the building. As well, some Panel members thought the materials were too uniform and that perhaps the materials could be expressed differently on each of the three towers.

Some Panel members thought the lane needed traffic calming so that pedestrians feel safe in the area. It was suggested that trees or bollards could be added. Several Panel members thought the pool could be designed so that it is used all year around with one Panel member suggested that the pool could be heated through a heat exchange system from the supermarket. One Panel member thought it could be flipped to the southwest corner to all for more sun. Another Panel member noted that the tower on East 30<sup>th</sup> Avenue has a southwest

orientation and blocks the sun into the courtyard and suggested flipping that tower to Kingsway.

Some Panel members thought the park, although it was in the right place, seemed a bit small. One Panel member thought the building frontage along Gladstone Street was pushing the site lines and access away from the park and suggested taking that curve and opening it up to the park. Another member thought the current design would not attract people and would not be useable for the community.

Most of the Panel supported the idea of introducing public art in the middle of Kingsway while other wanted to see it at ground level on the site. They also thought the project was going to be important to set the tone for future projects with respect to public spaces and public art. One Panel member suggested using at risk youth programs to produce a three-dimensional art piece for the site.

Regarding sustainability, one Panel member would like to see more details concerning the ratio of glass to solid walls as well as the orientation when the proposal comes back at the development permit stage. Also, they would like consideration for solar panels on the building especially for hot water. Another Panel suggested using a heat exchange system.

**Applicant's Response:** Mr. Henriquez thanked the Panel for their thoughtful comments and said they will strive to make a better project.

## **PUBLIC CONSULTATION SUMMARY**

**Public Notification:** A rezoning information sign was installed on the site on September 4, 2012. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)). A Community Open House was held on September 20, 2012 at the Vancouver Alpen Club. A notification postcard, dated September 6, 2012, was mailed to 431 surrounding property owners.

**Public Responses and Comments:** Staff, the applicant team, and a total of approximately 72 people attended the September 2012 Open House. In response to the open house, 30 comment sheets were submitted (15 opposed/11 in favour/4 unsure). In addition, the City received 15 e-mails, letters, and online forms (12 opposed/2 in favour/1 unsure).

Comments from those opposing this application cited the following concerns:

### Height and Density

- Prefer one building instead of 3
- Too crowded with 3 high towers - only one in plan
- Should be no more than 8 storeys - house will be dwarfed without sunlight
- Too tall - blocks views
- Too dense for residential area
- Too busy for the area
- Does not fit in with existing residential and commercial use buildings - high rises have no place in the area

- Wants low rise moved to Gladstone - will invade privacy
- Smaller towers/townhouse on Gladstone (west tower) - looking into room
- Area cluttered - density = worse
- Blocks views from ground level
- Height should be 8-10 storeys
- Density = increased garbage, parking issues, and traffic
- Should be 6-8 storeys max on street and 4-6 storeys on remainder

#### Public Amenities

- Does not contribute to neighbourhood
- Public amenities are lacking in current proposal - thinks cinema should be integrated (can also be used as a meeting space)
- More green space should be allocated to the public
- Want public basketball court
- Where are the amenities? Why can't CACs be used to build a pool in the community
- There's no public pool
- Current proposal is just private facilities
- No adequate public plaza
- Does not contribute to community life in any meaningful way - central courtyard - separates residents from community

#### Lack of Parking

- Not enough parking - stores need parking too
- Against row houses on 33<sup>rd</sup> - no parking now

#### Traffic

- Increased traffic to existing nearby residential area
- No need for diverter as there is no bicycle traffic along Gladstone
- Traffic capacity will be exceeded (development and grocery store) - traffic is an existing problem

#### Norquay Plan

- Fails to respect plan in details and intention, CityPlan adopted for area
- Plan shows 1 tower not 3
- Original showed 12 storeys
- Does not feel fulfills purported intention of Norquay Plan

#### Built Form

- Injection of a walled compound into open neighbourhood = socially unacceptable
- Too massive (wall compound) - not human scaled - not gateway
- Site not permeable - proposal is almost continuous podium
- Does not flow through to integrate density into community
- Poor urban design - 14 storey on south end across single family
- 14 storey street wall on single family residential street - slap in face to residents
- use mix of materials
- mix up shape and composition of buildings instead of 3 uniform towers
- make neighbourhood with character (village)

- built form is the issue
- towers have uniform height and uniform glass/concrete finish
- need for articulation in west tower or introduction of townhouses (transition)

#### Noise

- Park will be too noisy for single family area
- Construction is noisy and obstructs traffic

#### Additional comments

- Pedestrian lighting on East 30<sup>th</sup> is missing
- Design approval will set poor precedent for other parts of the city
- If no significant design changes made = failure of consultation process
- Public comments should be front of staff report not appendix
- Independent assessments of impacts needs to be done - staff should not be only reviewer
- Building style is ecological nightmare of heating/cooling fins made of most carbon intensive building material
- No regard for energy use, longevity, or privacy
- Affordability?
- Other places like West Van to build high rises
- No development should be approved until implementation documents are approved

#### Comments from those supporting this application:

- Good development
- City should allow similar development in other neighbourhoods
- Looks terrific
- Adds missing vibrancy to this portion of Kingsway
- Supportive of high number of 2 and 3 bedroom proposed
- Hope it injects energy into the community so other properties upgrade
- Hope it will increase quality of local retail in area
- Excited about redevelopment of neighbourhood and continued development of the Kingsway corridor
- Follows existing community plans
- Hopefully bring in grocery megastore for locals to walk to
- Need grocery store in walking distance
- Hopes density brings more businesses and amenities
- Capped at 12 to 14 storeys - smart to avoid mass injection of people
- Feel community will benefit from amenities
- Will fit well with density proposed along Kingsway
- Kingsway corridor needs improvement
- Area in need of alternate housing options - can't afford million dollar homes - look forward to options in strata developments
- Kingsway is critical artery - urge to plan for traffic
- Not too high
- 4 towers but feels airy
- extra big setbacks

- Like idea of supermarket like T&T
- Like crosswalk addition near Kingsway
- Like density and foot traffic it will bring
- Like retail it will provide and the increase condos 14 storeys
- Enhances neighbourhood

Comments from those unsure about the development:

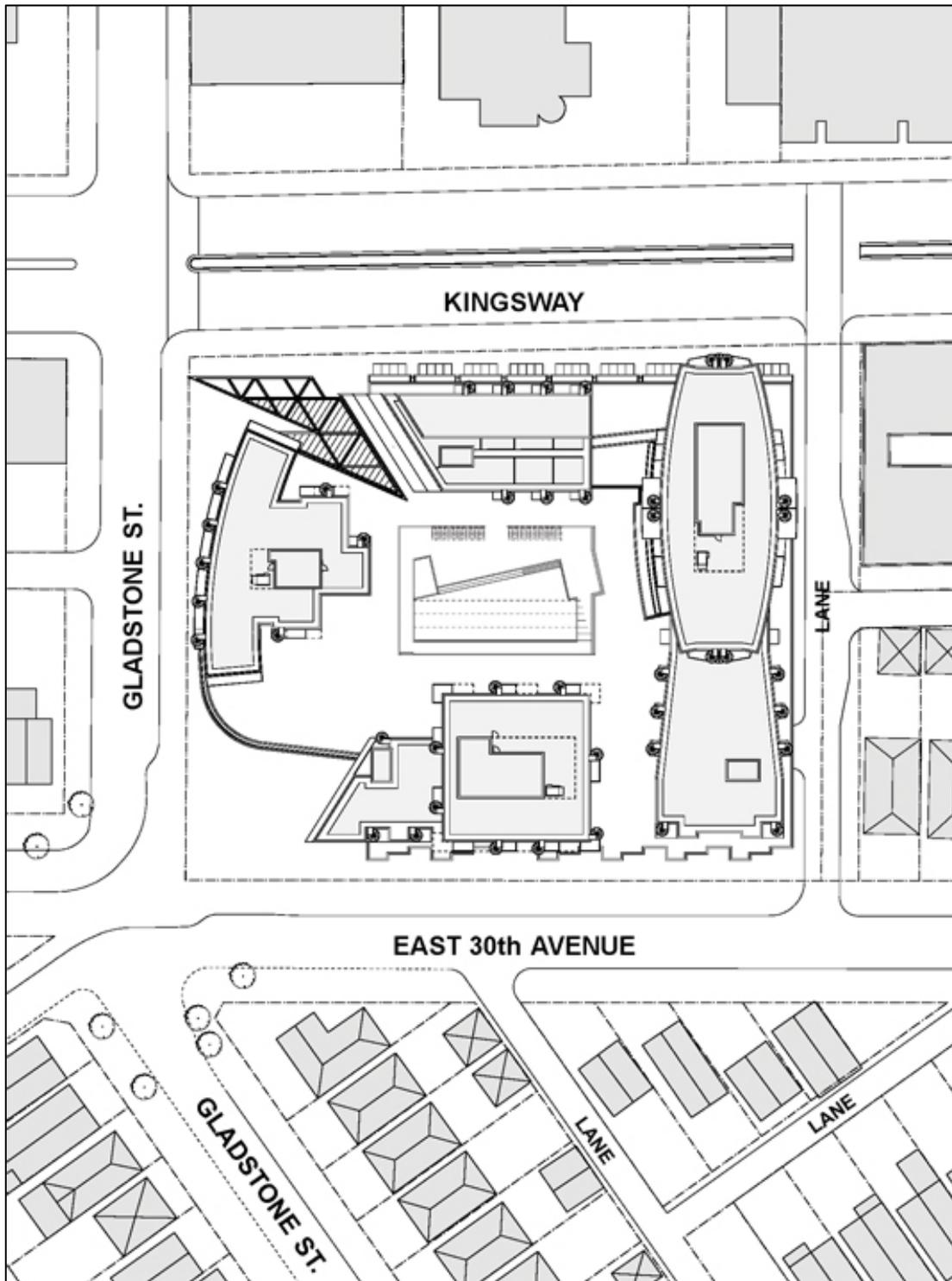
- Time to redevelop Kingsway - to add more housing and amenities
- Support density but unsure about height, scale and built form - should be 6-8 storeys like other arterials
- Concerned about likelihood of commercial as promised given poor performance of development at Kingsway and Knight
- Too blocky - resembles mega resort
- Central pool - better to make communal
- Concerned about traffic increase
- Good design but too tall - support 10 storeys or staggered heights

#### Comments of the Applicant

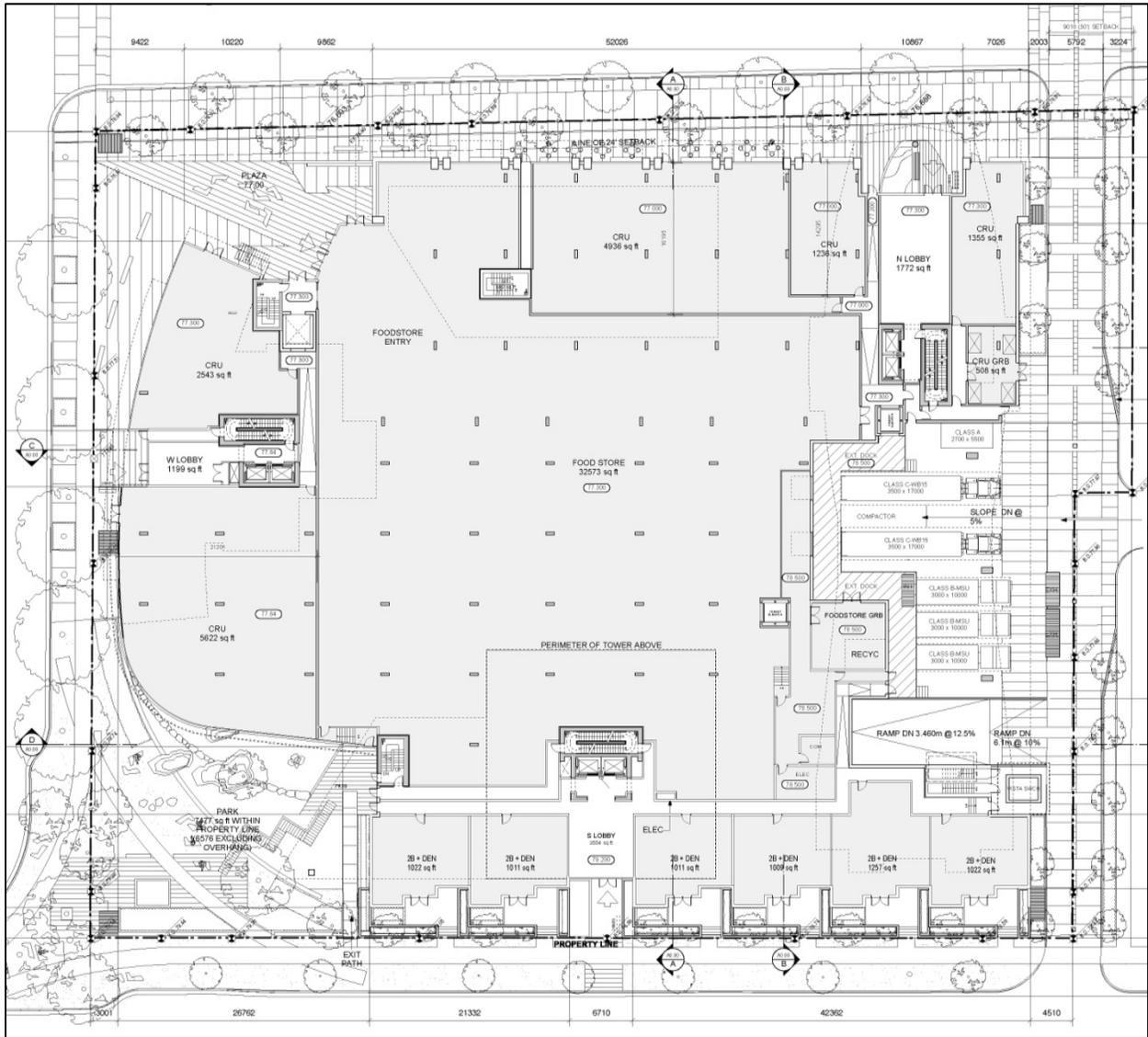
The applicant has been provided with a copy of this report and has provided the following comments:

"We have reviewed the report and understand the recommendations and conditions."

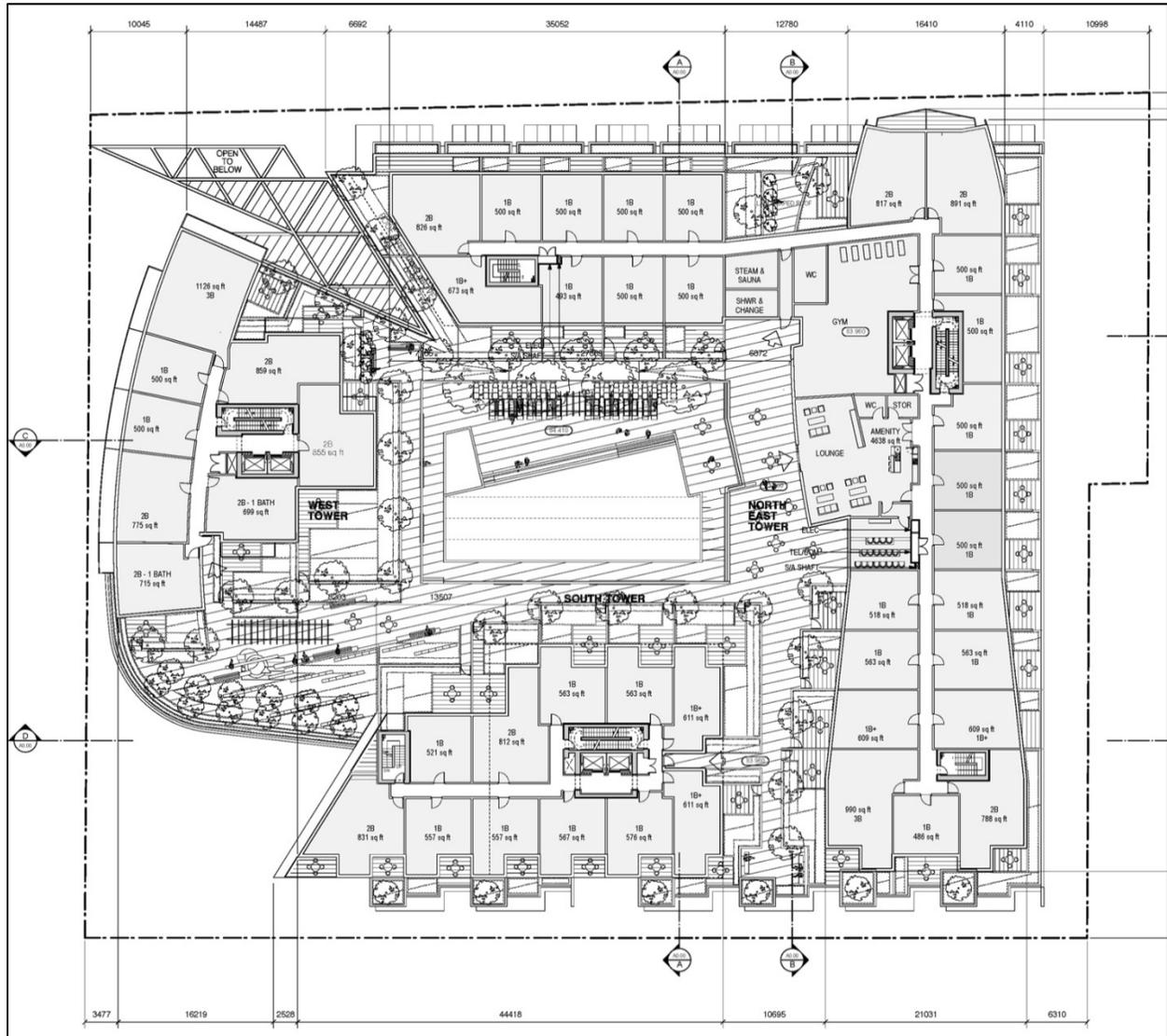
2220 Kingsway  
FORM OF DEVELOPMENT



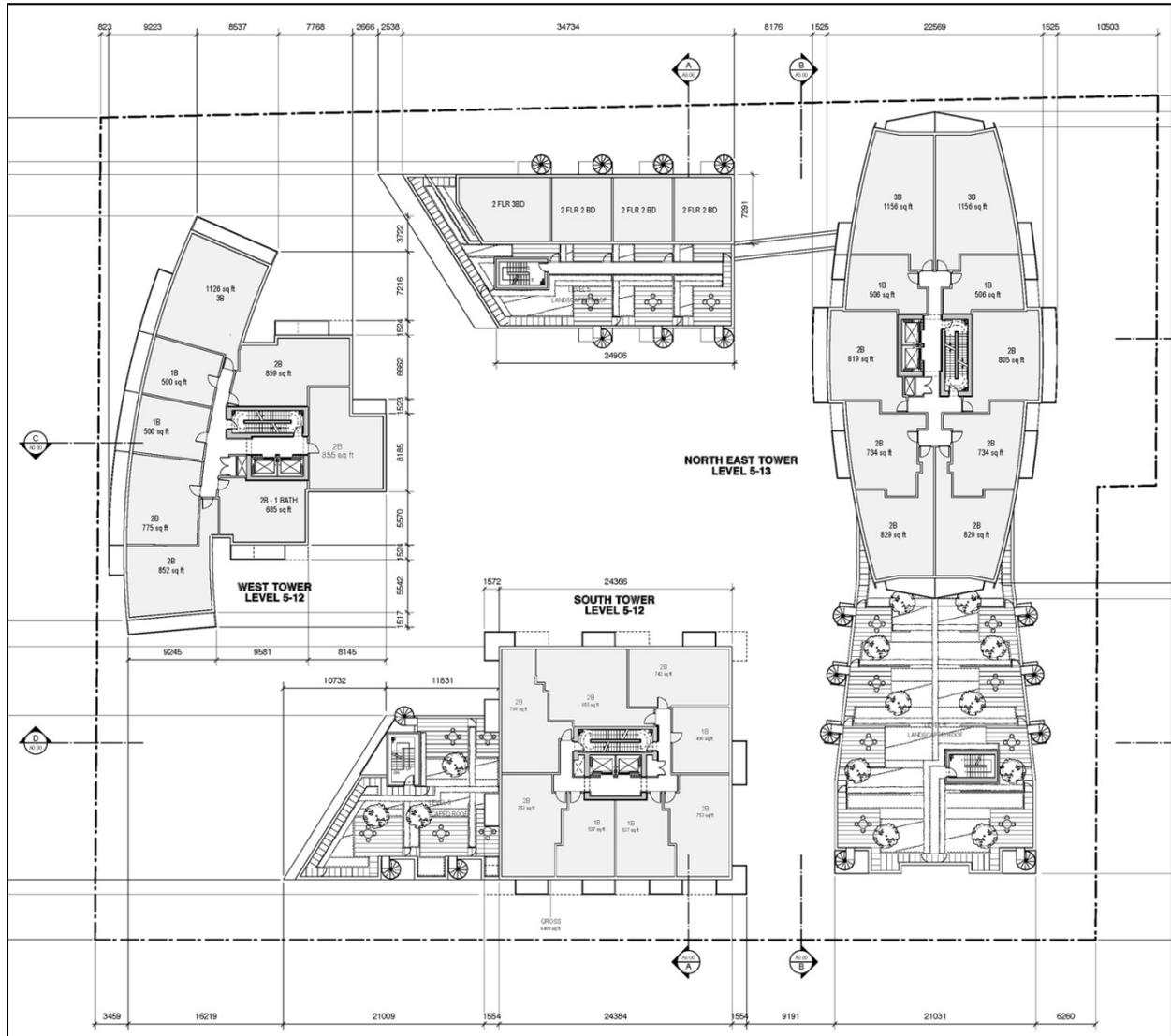
Context Plan



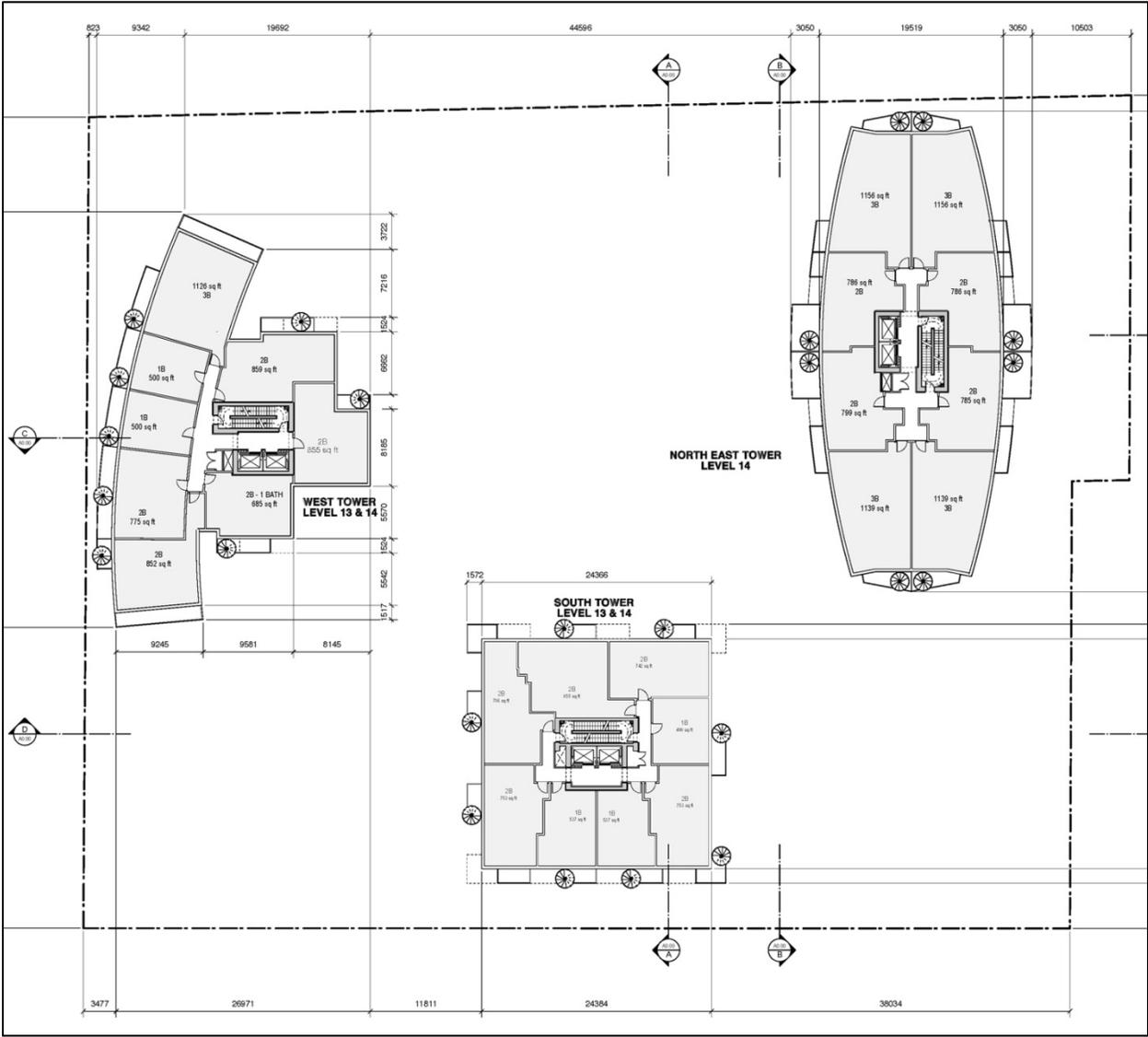
Main Floor Plan



Second Floor Plan



Fifth to Thirteenth Floor Plans



Thirteenth to Fourteenth Floor Plans



View from Northeast



View from Northwest



View from Southwest



View from Southeast

2220 Kingsway Shadow Studies



Summer Solstice (06/21) 10:00 am



Summer Solstice (06/21) 2:00 pm



Vernal Equinox (03/21) 10:00 am



Vernal Equinox (03/21) 2:00 pm

2220 Kingsway  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Mixed-use development with at-grade commercial and three residential towers of 14-storeys

**Public Benefit Summary:**

A cash contribution will be allocated for future development of a community facilities and/or affordable housing in Norquay. Open space and traffic calming measures would be developed

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 100,736 sq. ft.)	2.5	3.8
Buildable Floor Space (sq. ft.)	251,840 sq. ft.	385,348 sq. ft.
Land Use	Commercial/Residential	Commercial/Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$12.50/sq. ft.)	\$3,148,000	\$4,817,000
	DCL (Area Specific)	0	0
	Public Art (\$1.81/sq. ft.)	0	\$697,000
	20% Social Housing	0	0
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		\$200,000
	Heritage (transfer of density receiver site)		
	Housing (Affordable Housing Reserve)		
	Parks and Public Spaces		\$811,720
	Social/Community Facilities		
	Unallocated		\$3,000,000
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$3,148,000</b>	<b>\$9,525,720</b>

Other Benefits (non-market and/or STIR components):

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ for each of the Area Specific DCL Districts.

2220 Kingsway  
APPLICANT AND PROPERTY INFORMATION

Street Address	2220 Kingsway
Legal Description	PID: 009-603-352, Lot B, Block 7, District Lot 393, Plan 9643
Applicant/Architect	Henriquez Partners Architects
Property Owner	2220 Kingsway Property Inc. (Westbank Projects Corp.)
Developer	Westbank

SITE STATISTICS

SITE AREA	9 358.7 m <sup>2</sup> (100,736 sq. ft.)
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DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT	RECOMMENDED (if different the proposed)
ZONING	C-2 (Commercial)	CD-1	
MAX. FLOOR SPACE RATIO	2.5 FSR	3.8 FSR	
MAXIMUM HEIGHT	13.8m	45.1m	
COMMERCIAL FLOOR AREA		4 853 m <sup>2</sup>	
RESIDENTIAL FLOOR AREA		30 866 m <sup>2</sup>	