



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: January 12, 2015  
Contact: Kent Munro  
Contact No.: 604.873.7135  
RTS No.: 10478  
VanRIMS No.: 08-2000-20  
Meeting Date: January 20, 2015

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning: 275 Kingsway (333 East 11th Avenue)

**RECOMMENDATION**

- A. THAT the application by Acton Ostry Architects Inc., on behalf of 333 East 11th Holdings Ltd., to rezone 275 Kingsway [*Lots 12 to 14, Block 117, District Lot 301, Plan 187; PIDs 015-607-623, 015-607-640 and 015-607-666 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 8.66 to permit the development of a 14-storey mixed-use commercial and residential building with 202 secured for-profit affordable rental housing units, be referred to a Public Hearing, together with:
- (i) plans prepared by Acton Ostry Architects Inc., received on January 15, 2014;
  - (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, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by this report.

- C. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule “B” to the Sign By-law [assigning Schedule “B” (C-3A)], 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 the enactment of the of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C.

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the 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 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 evaluates an application to rezone a site located at 275 Kingsway, from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to allow for a 14-storey building containing ground-floor commercial spaces and 202 secured for-profit affordable rental housing units. The application has been made under the Secured Market Rental Housing (Rental 100) Policy and, in accordance with that policy as it applies to rezoning applications, the application seeks increased density in return for all proposed housing units being secured as for-profit affordable rental housing for the longer of the life of the building and 60 years. The application also seeks incentives available for for-profit affordable rental housing, including a Development Cost Levy (DCL) waiver and a parking reduction.

Staff have assessed the application and conclude that it is consistent with the Rental 100 policy with regard to the proposed uses and form of development. The application is also consistent with the DCL By-law definition of “For-Profit Affordable Rental Housing” for which

DCLs may be waived, as well as with the Parking By-law definition of “Secured Market Rental Housing” for which a reduced parking requirement may be applied.

If approved, the application would contribute to the City’s affordable housing goals as identified in the Housing and Homelessness Strategy and the Mayor’s Task Force on Housing Affordability. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing, along with the conditions of approval outlined in Appendix B.

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

Relevant Council policies for this site include:

- *Rental 100: Secured Market Rental Housing Policy and Rental Incentive Guidelines (2012)*
- *Housing and Homelessness Strategy (2011)*
- *Vancouver Development Cost Levy By-law No.9755 (2008, last amended 2014)*
- *Mount Pleasant Community Plan (2010)*
- *Green Building Rezoning Policy (2010, last amended 2014)*
- *Vancouver Neighbourhood Energy Strategy (2012)*
- *High-Density Housing for Families with Children Guidelines (1992)*
- *Public Art Policy for Rezoned Developments (2014)*
- *Urban Agriculture for the Private Realm*
- *C-3A District Schedule and Main Street C-3A Guidelines.*

### ***REPORT***

#### ***Background/Context***

##### **1. Site and Context**

This 1,520.8 m<sup>2</sup> (16,370 sq. ft.) site is located at the northeast corner of Kingsway and East 11th Avenue (see Figure 1). The site has a frontage of 28.3 m (92.8 feet) on Kingsway and 44.9 m (147.3 feet) on 11th Avenue and is located centrally within the Mount Pleasant Community Plan area.

The site is currently zoned C-3A and is developed with a one-storey commercial building. Other properties along Kingsway are also zoned C-3A, some of which are developed with recent residential buildings. The site is well served by transit with bus routes on Kingsway and Main Street, and with frequent bus service along Broadway, including the B-Line, which is two blocks away. The 10th Avenue corridor is a major east-west bike route across the city.

The following are some of the notable recent developments in the vicinity (as identified in Figure 1).

- (a) 301 Kingsway (“Uno” building) — strata-titled development (11 storeys or 98 feet in height, approved in 2003).
- (b) 2770 Sophia Street (“Stella” building) — strata-titled development (13 storeys or 127 feet in height, approved in 2005).

- (c) 293 East 11th Avenue ("Sophia" building) – strata-titled development (8 storeys or 83 feet in height, approved in 2005).
- (d) 2635 Prince Edward Street ("Soma" building) – strata-titled development (7 storeys or 70 feet in height, approved in 1999).

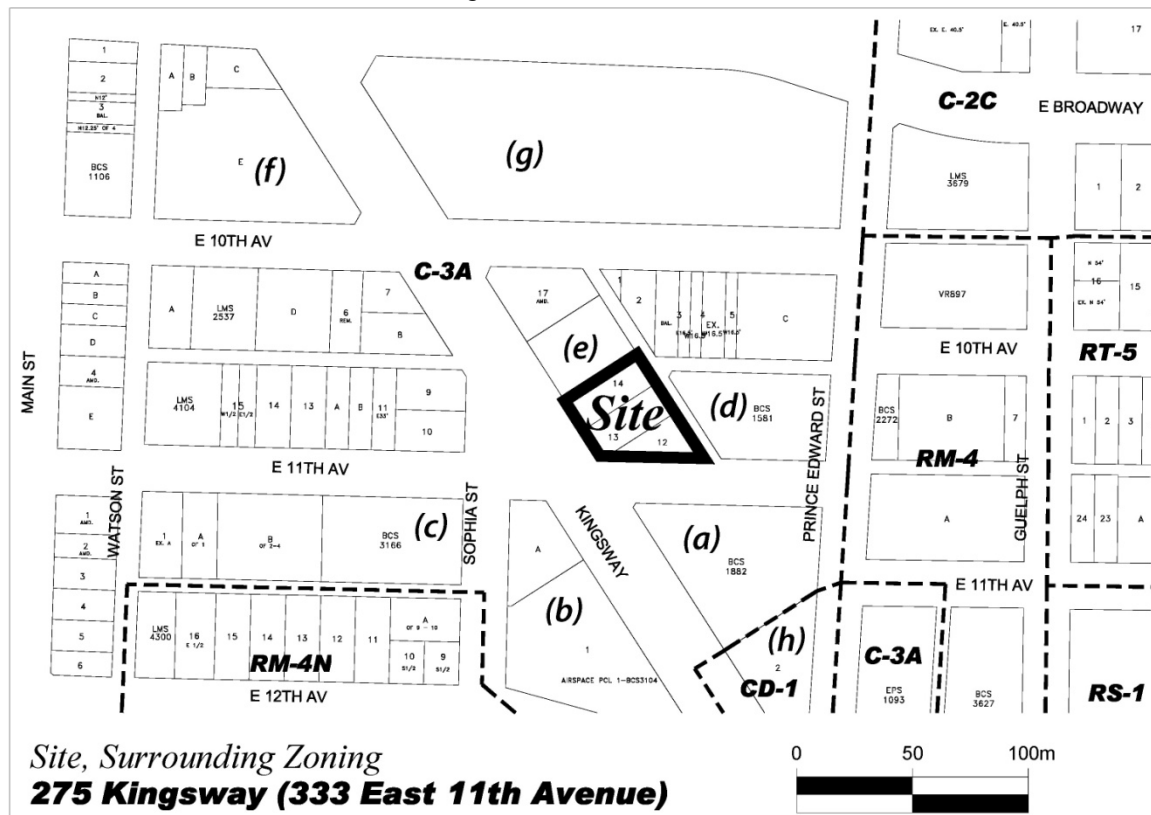
There is a current development permit application under review on the site at 235 Kingsway (identified as "e" in Figure 1), directly to the north of the subject site. That DE application is for a seven-storey mixed-use building with commercial at grade and market residential units above and it has been conditionally approved under that site's existing zoning.

Other notable adjacent sites include:

- (f) 285 East 10th Avenue – Mixed-use development that was approved in 2012, incorporating a tower with a height of 65.5 m (215 feet).
- (g) 370 E Broadway – Kingsgate Mall, an existing commercial development that is identified as a large redevelopment site under the Mount Pleasant Community Plan.
- (h) 395 Kingsway – Biltmore Hotel, currently used as temporary supportive housing.

The site has a cross slope from Kingsway to the lane of approximate 3.0 m (10.0 feet).

Figure 1 – Site and Context



## 2. Policy Context

**Secured Market Rental Housing Policy (Rental 100)** – On May 15, 2012 Council approved the Secured Market Rental Housing Policy, which provides incentives for new developments where 100% of the residential floor space provided is non-stratified for-profit affordable rental housing. The Final Report from the Mayor’s Task Force on Housing Affordability, adopted by Council in October 2012, further endorsed the importance of incentivizing market rental housing through a focus on strategies to repair, renew and expand market rental stock across all neighborhoods. Rezoning applications considered under this policy must meet a number of criteria regarding affordability, security of tenure, location and form of development.

**Housing and Homelessness Strategy** – On July 29, 2011 Council endorsed the Housing and Homelessness Strategy 2012-2021 which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighborhoods that enhances quality of life. The Three-Year Action Plan 2012-2014 identifies priority actions to achieve some of the strategy’s goals. The priority actions that are relevant to this application include refining and developing new zoning approaches, developing tools and rental incentives to continue the achievement of securing purpose-built rental housing, and using financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households.

**Mount Pleasant Community Plan** – In November 2010 Council approved the Mount Pleasant Community Plan to provide a policy framework to guide the future growth of this historic neighborhood. Key directions of the Mount Pleasant Community Plan that are relevant to the site include: provide additional housing opportunities with an emphasis on affordability, such as market rental housing; retain and enhance neighborhood character and heritage resources while allowing increased residential density near transit hubs, commercial centres and arterial streets; promote architectural innovation; and achieve a high quality public realm.

### *Strategic Analysis*

#### 1. Proposal

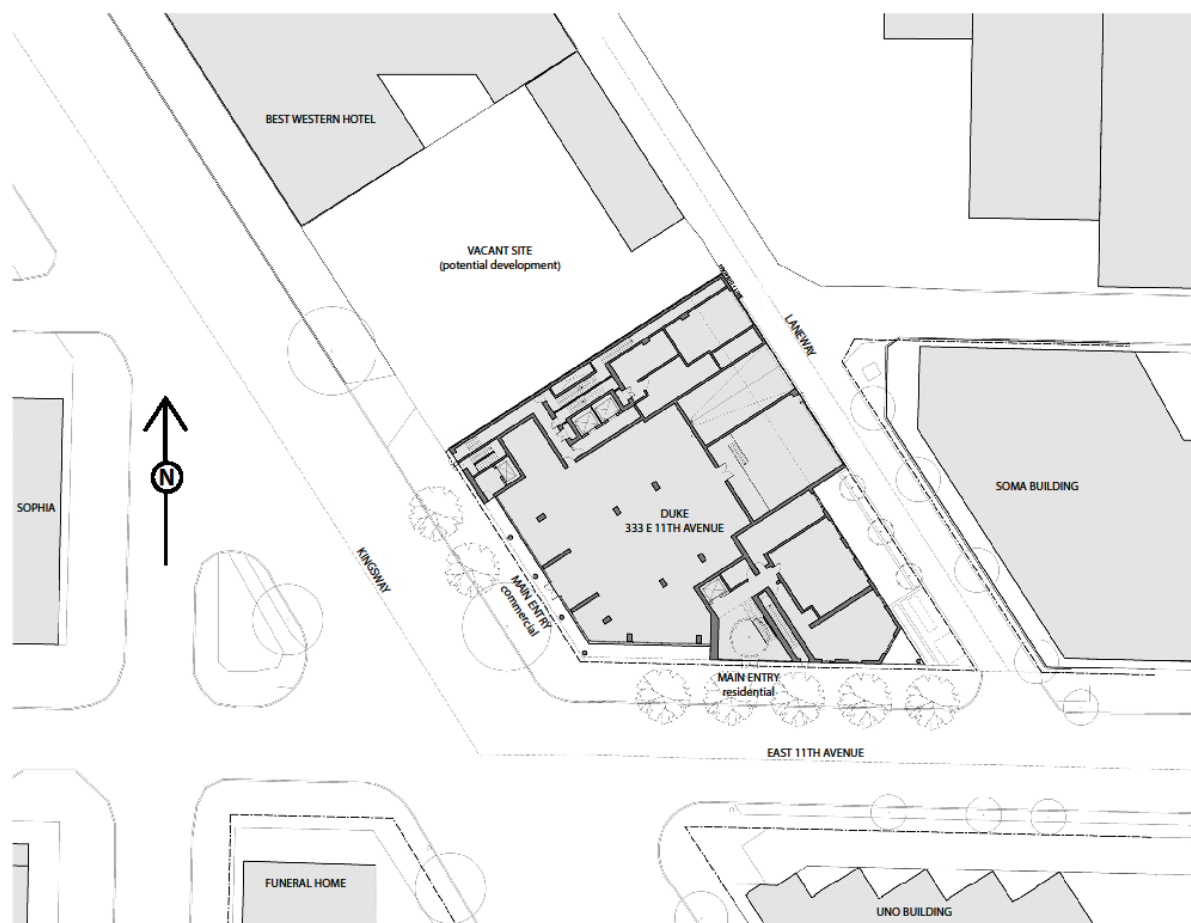
This concurrent rezoning and development permit application proposes a 14-storey mixed-use development with ground floor commercial spaces and a total of 202 secured for-profit affordable rental housing units, of which three units are located on the ground floor facing the rear lane. The 202 units proposed are comprised of 112 studios, 43 one-bedroom units and 47 two-bedroom units. An overall density of 8.66 FSR and a height of 42.4 m (139 feet) are proposed. The residential lobby entrance would be on 11th Avenue. Loading and parking access would be located off the lane, with three levels of underground parking for 106 vehicles for the commercial and residential uses.

#### 2. Land Use

The proposed land uses are consistent with the Rental 100 policy and support land use objectives set out in the Mount Pleasant Community Plan. The site is located in the Uptown Shopping Area where the busy transit hub at Broadway and Kingsway forms the cultural and heritage “heart” of Mount Pleasant. The Plan encourages provision of a wide range of commercial and service uses in this sub-area, as well as a variety of housing types with an emphasis on affordability, such as rental housing.

This application will be required to meet the current target of housing for families under the Rental 100 policy where a minimum 25% of units would have two or more bedrooms and be designed to meet the City's guidelines for high-density housing for families with children. Given that this application proposes 47 two-bedroom units which is only 23% of all units, a condition of approval is that the development be revised to meet the minimum 25% family housing requirement; it is recognized that this condition may result in a reduction of the total number of dwelling units provided. While the largest units proposed in this application are two-bedroom, it should be noted that staff expect to report to Council in 2015 on family housing policy. This work is considering changes to relevant policies and guidelines and may include updated requirements for the provision of three-bedroom units in new developments. As this rezoning application has been in process for some time, it has been reviewed under the existing Rental 100 policy that requires that a minimum of 25% of the units have two or more bedrooms.

Figure 2 — Proposed Site Plan



The application proposes a variety of common amenity spaces for the residents:

- two indoor amenity rooms on levels 13 and 14, the amenity room on Level 14 being designed specifically as a children’s play room with direct access to the rooftop play area;
- three outdoor terraces located on levels 5, 8 and 11;
- a covered patio area with seating, a children’s play area and individual garden plots, all located at the roof level; and
- a courtyard at Level 3 with landscaping and seating.

This provision of a high level of amenities in the building enhances livability for the residents and is consistent with *High-Density Housing for Families with Children Guidelines*, which seeks to meet the indoor/outdoor open space needs for children and adults.

### 3. Housing

This application meets the requirement of the Rental 100 policy by proposing 100% of the residential floor area as for-profit affordable rental housing. All housing units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building and 60 years. Adding 202 new units to the city’s inventory of market rental housing contributes toward the near-term and long-term targets of the Housing and Homelessness Strategy (see Figure 3).

**Figure 3 – Progress Toward the Secured Market Rental Housing Targets as set in the City’s Housing and Homelessness Strategy (2011)\***

	TARGETS	CURRENT PROJECTS				GAP
	2021	Completed	Under Construction	Approved	Total	Above or Below 2021 Target
<b>Secured Market Rental Housing Units</b>	5,000	689	1,183	1,931	3,803	1197 Below Target

\*Unit numbers in Figure 3 exclude the units proposed at 275 Kingsway, pending Council approval of this rezoning application.

### 4. Density, Height and Form of Development (refer to drawings in Appendix G)

In accordance with the Rental 100 policy, this application seeks increased density beyond what could otherwise be permitted under the site’s existing zoning. In assessing the proposed increase in density, height and form of development, staff have taken the following policies and regulations into consideration:

- *Rental 100 policy and Rental Incentive Guidelines* – The guidelines provide general guidance in considering additional density beyond existing zoning: “For C-3A zoned commercial areas and arterials, consider additional density while adhering to existing height limits and generally to guidelines.”
- *C-3A District Schedule and Main Street C-3A Guidelines* – The Main Street C-3A Guidelines generally anticipate heights of 6 storeys and 21.4 m (70.2 feet). The Development Permit Board, however, may relax the height after considering the effect

of additional height on the surrounding buildings, the streets, existing views, and the context. In this case, the approved building heights for several buildings in the vicinity would serve as general comparable for the subject site. In this area, the highest building approved under C-3A is one block away and the approved height is 13 storeys.

- Mount Pleasant Community Plan – The plan generally supports increased residential density on sites near transit hubs, commercial centres, parks and along arterial streets (policy 4.1(i)). For this site which is located within the Uptown Shopping Area, the plan calls for increasing *“permitted residential (with some commercial space) in locations south of Broadway on Kingsway recognizing Broadway and Main is and will continue to be a busy transit interchange, and that Broadway and Main lie at the ‘summit’ of ‘hilltown’”* (policy 5.1).

The proposal offers a new model for rental housing buildings with the introduction of a central, open-air atrium that is anchored by courtyard amenity, with communal areas and landscape improvements. The provision of the central atrium with perimeter circulation to the dwelling units is a departure from the typical long, double-loaded corridors provided in apartment buildings. The atrium would also provide opportunities for residents to meet and gather which would encourage a sense of community for the building’s residents. The open-air atrium archetype seeks to demonstrate the kind of architectural innovation and creativity that the Mount Pleasant Community Plan encourages.

The proposed building height is 42.4 m (139.1 feet), measured to the top of the guardrail on the roof. This height excludes the height of rooftop appurtenances, such as mechanical penthouses and decorative roof canopies.

The 11th Avenue elevation has a substantial building break where the residential entry, elevator and stair to the courtyard are located. This vertical opening in the building allows sunlight penetration into the courtyard and the communal terraces that span over the opening at various levels (see Figure 4).



Figure 4 – Perspective rendering from 11th Avenue looking northwest



The building has a 12-storey streetwall along Kingsway and 11th Avenue. Above Level 12, a shoulder setback is introduced, setting back levels 13 and 14 to reduce visual scale of the building. The north side of the building will be partially hidden when a future development at 235 Kingsway occurs on the site to the north. Inset balconies are proposed on the upper portion of the north wall to articulate the facade occurring above 70-feet in height. The 11th Within the surrounding context, there are a number of buildings that were developed under the provisions of C-3A District Schedule and Main Street C-3A Guidelines (see Figure 5).

The heights of these buildings range from 21 m (70 feet) or 7 storeys to 38.7 m (127 feet) or 13 storeys. While the proposed building height of 42.4 m (139.1 feet) and 14 storeys is higher than most nearby buildings, the urban design analysis (refer to Appendix D) has shown the proposed increase in height does not have substantial impact on the surrounding sites in terms of shadowing and overlook. In summary, staff have concluded that the proposed height is an appropriate response to the existing and emerging context anticipated under the Mount Pleasant Community Plan and under the C-3A Main Street Guidelines.

**Figure 5 – Aerial Context Perspective**

The application and the proposed form of development were reviewed by the Urban Design Panel and received support (see Appendix E). Overall, improvements to the form of development and scale of the building were made in response to feedback received from the Panel, staff as well as the public. Staff recommend the design development conditions contained in Appendix B, which seek to ensure the overall quality and integrity of the project, as well as to improve the entry and interface at 11th Avenue. An urban design analysis is provided in Appendix D. The form of development drawings are included in Appendix G and the development statistics in Appendix J.

In summary, staff are supportive of the proposed density, height and overall form of development subject to further design development through the Development Permit process to fully demonstrate the proposal's intention of providing high quality materials and detailing for the building, and providing enhanced public realm and sidewalk treatments.

## **5. Transportation and Parking**

The application proposes three loading bays at grade facing the rear lane and three levels of underground parking providing 106 parking spaces, including four car-share spaces and nine handicapped spaces. This parking provision would meet the Parking By-law standards for a secured market rental development with 20% reduction because the site is in close proximity to major transit routes. In addition, 262 bicycle parking spaces are also proposed to meet the Parking By-law requirements. A portion of the retail frontage along 11th Avenue is identified as a future location for a bike-share station.

Engineering Services staff have reviewed the rezoning application and have no objections to the proposed rezoning, provided that the applicant satisfies the rezoning conditions included in Appendix B.

## 6. Environmental Sustainability

The Green Building Rezoning Policy (adopted by Council on July 22, 2010 and amended in 2014) 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.

In October 2012, Council adopted the *Vancouver Neighbourhood Energy Strategy* which identified the Broadway Corridor as a target area for Neighbourhood Energy System (NES) development. Conditions of rezoning have been incorporated herein for this site that provide for neighbourhood energy system compatibility and future connection. See Appendix B for further detail.

## PUBLIC INPUT

**Public Notification** — A rezoning and development permit information sign was installed on the site on June 11, 2013; a replacement sign was installed on site on September 9, 2013. This site sign was updated subsequently to reflect revisions to the application.

Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)). A link to the rezoning application is also provided on the City's Mount Pleasant Community Plan website. Two community open houses were held on June 25, 2013 and February 20, 2014. Notice of the application and an invitation to the community open houses were distributed within the neighboring area.

About 89 people attended the first open house and 86 people attended the second open house.

**Public Response and Comments** — The City received a total of 179 public responses to this application as follows:

- In response to the original application and the June 25, 2013 open house, a total of 89 responses were submitted from individuals, including comment sheets and online correspondence. Approximately 54% were in support, 39% were opposed and 7% unsure.
- In response to the revisions and the February 20, 2014 open house, a total of 95 responses were submitted from individuals, including comment sheets and online correspondence. Approximately 80% were in support, 16% were opposed and 4% unsure.

Overall, those in support of the application cited the need for market rental housing and the innovative architecture. The concerns expressed about the application include the following:

- *Proposed height and scale* – that the height is too tall and the scale of the building does not fit the neighborhood.
- *Proposed design and neighborly fit* – that the proposed design is too bulky and poses shadow, view and overlook impacts.
- *Proposed density* – that the proposed density is much higher than other developments in the neighborhood and there are not sufficient amenities and services in the area to support such density.

During the course of this application, revisions have occurred following input from the Urban Design Panel and the public. Improvements to the overall scale of the building were made through key design revisions as follows: provision of a 8.6 m (28.2 feet) wide opening at the 11th Avenue (south) elevation to articulate the building and allow sunlight penetration; provision of a notable shoulder setback above Level 12; and removal of the rooftop amenity room to further remove mass and bulk on the north side of the building.

Staff are supportive of the proposed height, density, and overall form of development in terms of its fit with its surrounding buildings and, in particular, its compatibility with the existing context along Kingsway. A more detailed analysis of the urban design performance can be found in Appendix D.

A detailed summary of public comments is provided in Appendix F.

### ***PUBLIC BENEFITS***

In response to City policies which address changes in land use, this application offers the following public benefits:

#### **Required Public Benefits**

**Development Cost Levies (DCLs)** – DCLs apply to new construction and help pay for facilities made necessary by growth including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure.

This site is located in the Citywide DCL area where the current rate for new residential or commercial floor space is \$138.53 per m<sup>2</sup> (\$12.87 per sq. ft.). Based on the proposed commercial floor area of 556 m<sup>2</sup> (5,985 sq. ft.), a DCL payment of approximately \$77,027 for such commercial area would be anticipated should this rezoning application be approved and the development proceed. DCLs are payable at building permit issuance and the rates are subject to Council approval of an inflationary adjustment which takes place each year on September 30.

This application qualifies for waiver of the DCL for the residential floor area in the development since 100% of the residential floor area is for-profit affordable rental housing and it meets the waiver criteria as set out in section 3.1A of the Vancouver Development Cost Levy By-law. The total floor area eligible for the waiver is 12,598 m<sup>2</sup> (135,608 sq. ft.). The

total DCL that would be waived is estimated to be approximately \$1,745,275. A review of how the application meets the waiver criteria is provided in Appendix H.

**Public Art Program** — The Public Art Policy for Rezoned Developments 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 to public art as a condition of rezoning. The current (2014) Public Art Rate is \$1.81 sq.ft./19.48 m<sup>2</sup>. On this basis, with approximately 13,153 m<sup>2</sup> (141,582 sq. ft.) of new development proposed in this application, a public art budget of approximately \$256,263 would be anticipated. The Public Art Rate is finalized at the development permit stage and is subject to an inflationary adjustment which takes place on September 30th of each year.

### Offered Public Benefits

**Rental Housing** — The applicant has proposed that all of the residential units be secured as for-profit affordable rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City's rental housing stock for the longer of the life of the building and 60 years.

This application includes studio, one-bedroom and two-bedroom apartments, which the applicant estimates will rent for an average of \$1,050 for a studio, \$1,200 for a one-bedroom unit and \$1,725 for a two-bedroom unit. Staff have compared the anticipated initial monthly rents in this proposal to the average monthly costs for newer rental units in East Vancouver, as well as to the estimated monthly costs to own similar units in East Vancouver, using 2013 BC Assessment data.

When compared to average rents in newer buildings in East Vancouver, the proposed rents are lower. In terms of the comparison to home ownership costs, the proposed rents in this application will provide an affordable alternative to homeownership, particularly for the larger units. Figure 6 compares initial rents proposed for units in this application to average and estimated costs for similar units. The figure also illustrates that the average rents for the proposed development are below both the Citywide and Vancouver Eastside averages.

**Figure 6 — Comparable Average Market Rents and Homeownership Costs**

	275 Kingsway Proposed Rents	Average Market Rent in Newer Buildings - Eastside (CMHC) <sup>1</sup>	DCL By-law maximum Averages (CMHC 2014) <sup>2</sup>	Monthly Costs of Ownership for Median-Priced Unit - Eastside (BC Assessment 2013) <sup>3</sup>
Studio	\$1,050	\$1,100	\$1,242	\$1,639
1-Bed	\$1,200	\$1,454	\$1,561	\$1,955
2-Bed	\$1,725	\$1,854	\$1,972	\$2,449

1. Data is from the Fall 2013 CMHC Rental Market Survey of buildings in the Vancouver Eastside constructed in the year 2004 or later. 2014 data is being requested and will be available in the first quarter of 2015.
2. Under the DCL By-law, "rents shall be adjusted annually on January 1 to reflect the change in average rent for all residential units built *since the year 2000* in the City as set out by the Canada Mortgage and Housing Corporation in the Rental Market Report published in the previous calendar year." As of 2014, CMHC no longer reports average rents for year 2000 onwards, but is instead reporting on average rents for 2005 onwards. The table above presents average 2014 Citywide rents for residential units built since year 2005. A report is anticipated to come before Council in the first quarter of 2015 recommending an amendment to the by-law to capture this change in CMHC reporting.
3. Based on the following assumptions: median of all BC Assessment recent sales prices in the Vancouver Eastside in 2013 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150-250 monthly strata fees and monthly property taxes at \$3.68 per \$1,000 of assessed value. 2014 data is being requested and will be updated in the first quarter of 2015.

The dwelling units in this application would be secured as for-profit affordable rental through a Housing Agreement with the City for the longer of the life of the building and 60 years. Covenants would be registered on title to preclude the stratification and/or separate sale of individual units. Under the terms of the Housing Agreement, a complete rent roll that sets out the initial monthly rents for all units would ensure that those initial rents are below the maximum thresholds established in the Vancouver Development Cost Levy By-law (see Figure 6), with subsequent rent increases subject to the Residential Tenancy Act.

**Community Amenity Contributions (CACs)** – Within the context of the City's Financing Growth Policy and the Mount Pleasant Community Plan and Public Benefit Strategy, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include either the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services. As the public benefit achieved for this application is for-profit affordable rental housing, no additional cash CAC is offered in this instance. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the provision of for-profit affordable rental housing units for the longer of the life of the building and 60 years, no further contribution towards public benefits is appropriate in this instance.

### ***FINANCIAL IMPLICATIONS***

As noted in the Public Benefits section, there are no CACs associated with this rezoning.

If the rezoning application is approved, the applicant will be required to provide new public art on site, or make a cash contribution to the City for off-site public art, at estimated value of \$256,263.

The site is subject to the Citywide DCLs and it is anticipated that the commercial component of the project will generate approximately \$77,027 in DCLs. The residential floor area of the project qualifies for a DCL waiver under section 3.1A of the Vancouver DCL By-law and the value of the waiver is estimated to be approximately \$1,745,275.

The market rental housing will be privately owned and operated, and secured via a Housing Agreement for the longer of the life of the building and 60 years.

### ***CONCLUSION***

Staff have reviewed the application to rezone the site at 275 Kingsway from C-3A to CD-1 to increase the allowable density in order to permit development of a mixed-use building with for-profit affordable rental housing, and conclude that the application is consistent with the Secured Market Rental Housing Policy (Rental 100). Staff further conclude that the application qualifies for incentives provided for for-profit affordable rental housing, including a DCL waiver. If approved, this application would make a significant contribution to the achievement of key affordable housing goals of the City. The proposed form of development represents an acceptable urban design response to the site and context and is therefore supportable. The General Manager of Planning and Development Services recommends that

the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A, and that, subject to the Public Hearing, the application including the form of development, as shown in the plans in Appendix G, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*

275 Kingsway (333 East 11th Avenue)  
DRAFT CD-1 BY-LAW PROVISIONS

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

**Zoning District Plan Amendment**

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

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

**Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Club and Fitness Centre;
  - (b) Dwelling Uses, limited to Multiple Dwelling and Dwelling Units in conjunction with any of the uses listed in this By-law;
  - (c) Institutional Uses, limited to Child Day Care Facility;
  - (d) Office Uses, limited to Financial Institution, Health Care Office and Health Enhancement Centre;
  - (e) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store and Secondhand Store;
  - (f) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laboratory, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Production or Rehearsal



Studio, Repair Shop - Class A, Repair Shop Class - B, Restaurant - Class 1 and Restaurant - Class 2; and

- (g) 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 and Density

- 4.1 Computation of floor space ratio must assume that the site consists of 1,520.8 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law.
- 4.2 Floor space ratio for all uses must not exceed 8.66.
- 4.3 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.
- 4.4 Computation of floor area must exclude:
- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
  - (b) enclosed residential balconies, if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
    - (i) the total area of all open and enclosed balcony or sun deck exclusions must not exceed 8% of the residential floor area being provided; and
    - (ii) no more than 50% of the excluded balcony floor area may be enclosed;
  - (c) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
  - (d) 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 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;

- (e) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum of 10 % of the total permitted floor area; and
- (f) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

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

### **Building Height**

5.1 Building height, measured from base surface, must not exceed 42.4 m.

5.2 Despite the provisions of section 5.1 of this By-law and section 10.11 of the Zoning & Development By-law, the Director of Planning may permit portions of buildings to exceed the permitted maximum height, if:

- (a) the Director of Planning first considers:
  - (i) all applicable Council policies and guidelines; and
  - (ii) the location and sizing of such portions of buildings in relation to views, overlook, shadowing, and noise impacts; and
- (b) those portions of buildings which exceed the permitted maximum height are:
  - (i) mechanical appurtenances such as elevator machine rooms;
  - (ii) access and infrastructure required to maintain green roofs or urban agriculture, roof-mounted energy technologies including solar panels and wind turbines;
  - (iii) decorative roof and enclosure treatments provided that the roof and enclosure treatment enhances the overall appearance of the building and appropriately integrates mechanical appurtenances; or
  - (iv) any items that are, in the opinion of the Director of Planning, similar to the foregoing.

### **Horizontal Angle of Daylight**

6.1 Each habitable room must have at least one window on an exterior wall of a building.

6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of the unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any site adjoining CD-1 ( ).
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit, or
    - (ii) 9.3 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

\* \* \* \* \*

275 Kingsway (333 East 11th Avenue)  
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 Acton Ostry Architects Inc. and stamped "Received City Planning Department, January 15, 2014", 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:

**Urban Design**

- 1. Design development of the proposed setbacks of the face of building to property line shall remain as proposed within the drawing submission.  
  
Note to Applicant: proposed setbacks may be increased through the design development process however, they may not be reduced.
- 2. Design development to maintain and further refine the high quality materials indicated for the building and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design and expression with exceptional detailing
- 3. Design development to ensure that service equipment including window washing infrastructure, cell towers, and any other mechanical units do not appear or obstruct the integrity of the building design.
- 4. Design development to enhance and maintain the green roof treatments and their contemplated amenity function for the building.
- 5. Design development of the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages as well as the coordination in height and scale with adjacent future developments.

6. Design development to inset the metal entry gate by a minimum of 2.0m from the face of building. Provide for a design that provides and maintains a strong visual connection and transparency to this entry space.

### Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the *Green Buildings Policy for Rezoning*, including a minimum 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point, and one storm water point.

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 and application for certification of the project is also required under the policy.

### Crime Prevention Through Environmental Design (CPTED)

8. Design development to respond to CPTED principles, having particular regards for:
  - (i) theft in the underground parking;
  - (ii) residential break and enter;
  - (iii) mail theft; and
  - (iv) mischief in alcove and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

### Landscape Design

9. Provision of an enhanced quality public realm, with components in keeping with the Mount Pleasant Community Plan Implementation Plan, Section 4.4.
10. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade, oriented to the lane.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8" high curb.

11. Provision of enhanced Atrium landscape by a more diverse planting palette and addition of articulating elements.

Note to Applicant: In order to express the eclectic character of Mount Pleasant, plants should be of varying textures, heights and colours; paving should be more diverse and playful. Suggest this is a good opportunity to introduce a public art component.

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

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

13. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

14. Provision of a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention and reuse of rainwater.

Note to Applicant: Strategies could include high efficiency irrigation, permeable paving, drought tolerant plants and mulching.

## Engineering

15. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the parking and loading design supplement:

- (i) Provision of all Class A bicycle spaces on the P1 level.

Note to Applicant: Alternative locations may be considered with appropriate access to the satisfaction of the General Manager of Engineering Services. The applicant is proposing to split Class A spaces between P2 and P3 levels which is not acceptable without an elevator dedicated to bicycles with access from both sides that goes directly to grade.

- (ii) Provision of automatic door openers for all doors leading to and from the bicycle storage areas and the street.

- (iii) Provision of 6 Class B bicycle parking spaces at grade, outside of the area designated for PBS (Public Bike Share).

Note to Applicant: Ensure that the positioning of the bike rack allows access to both sides of the rack as the rack is designed to be double stacked. Re-location of the bike rack to comfortably accommodate 6 bicycles is required and such that when in use the bicycles do not obstruct City sidewalks.

- (iv) Provision of a section drawing showing elevations, vertical clearances, and security gates for the main ramp and through the loading bays. The minimum vertical clearance should be noted on plans.

Note to Applicant: 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

- (v) Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls.
- (vi) Switch the location of the stairs and the ramp for the residential loading space on drawing A1.13. this is to provide additional space between the truck and the loading ramp for moving goods.
- (vii) Re-align the stairs to an East-West orientation (rotate 90 degrees) for the commercial loading to improve truck access to the loading dock on drawing A1.20.
- (viii) Provision of wider carshare stall widths, 2.9m width is required as per the carsharing agreement.

- 16. The proposed approach to site heating and cooling, developed in collaboration with the City and the City's designated Neighbourhood Energy utility provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 17. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.
- 18. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with a City-designated Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements

related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

19. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (e.g. gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

### Housing

20. That the proposed unit mix, 75% 1-bedroom and studios, and 25% 2 bedroom units, be included in the Development Permit drawings. Design Development to ensure that a minimum of 25% of the proposed rental units be designed to be suitable for families with children.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

### 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 Social Development and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Consolidation of Lots 12, 13 & 14, Block 117, DL 301, Plan 187 to create a single parcel.
2. Release of Easement & Indemnity Agreement 152413M (commercial crossings) prior to building occupancy.

Note to Applicant: Provision of a letter of commitment to discharge at occupancy will satisfactorily address this condition.

3. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

Size: At minimum, the smallest sized station at 16 m x 4 m should be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m



maneuvering space may be shared with pedestrian space. Note the current location is not adequate in length.

Location: The station should be located on private property while still clearly visible to the public with 24/7 public access.

Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.

Note: a 5.0 m vertical clearance is required to accommodate the bike share infrastructure.

Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.

Power: An electrical service is required to the station and provision of electrical power.

4. Provision, operation, and maintenance of such number of shared vehicles and provision and maintenance of such number of parking spaces for use exclusively by such shared vehicles, as are required by the Parking By-law and subject to the conditions outlined below:
  - (i) Developer will be required to secure the provision of each required shared vehicle with delivery of a \$50,000.00 refundable security deposit per vehicle prior to issuance of the related development permit.
  - (ii) 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.
  - (iii) 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, which will provide 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 such other matters as the Director of Legal Services may require.

- (iv) 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.
- 5. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services is provided.
  - (i) Provide a minimum sidewalk width of 1.8 m for consistency with the sidewalk east of the north-south lane on 11th Avenue.
  - (ii) Replacement of the curb and gutter on Kingsway adjacent the site so that the developed building grades and sidewalk grades can be achieved.
  - (iii) Provision of a standard concrete lane crossing at the lane east of Kingsway on the north side of 11th Avenue.
  - (iv) Provision of a corner bulge at 11th Avenue and Kingsway to partially “normalize” intersection. Bulge installation to include relocation and/or adjustment of all utility works impacted by the bulge installation.
  - (v) Provision of street trees adjacent the site where space permits.
  - (vi) Provision of public realm improvements (on public property) to be consistent with the approved Mount Pleasant public realm plan. (Details to be indicated on the development permit drawings prior to development permit issuance).
  - (vii) 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 applicants’ 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.
- 6. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on

secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

7. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System, which may include but are not limited to agreements which:
  - (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System prior to occupancy, if connection is deemed available and appropriate at the time of development permit issuance, or post-occupancy through a deferred services agreement, or otherwise, at such time that a system becomes available;
  - (ii) grant the operator of the City-designated Neighbourhood Energy System access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the Applicant; and
  - (iii) provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the Owner will be prohibited from entering into any energy supply contract for thermal energy services, other than conventional electricity and natural gas services, unless otherwise approved by the General Manager of Engineering Services.

## Housing

8. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:
  - (i) No separate-sales covenant.
  - (ii) A non-stratification covenant.
  - (iii) None of such units will be rented for less than one month at a time.

- (iv) At least 25% of the units must have two or more bedrooms and be designed to meet the City's "High Density Housing for Families with Children Guidelines".
- (v) A rent roll indicating the proposed initial monthly rents for each rental unit.
- (vi) A covenant from the owner to, prior to issuance of an occupancy permit, submit a finalized rent roll to the satisfaction of the Managing Director of Social Development and the Director of Legal Services that reflects the initial monthly rents as of occupancy in accordance with the Housing Agreement on either a per unit or a per square foot basis.
- (vii) Such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

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

#### **Public Art**

- 9. Execute an agreement satisfactory to the Directors of Legal Services and 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 (a checklist will be provided).

Note to Applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

#### **Soils**

- 10. If applicable:
  - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of

Environmental Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

\* \* \* \* \*

275 Kingsway (333 East 11th Avenue)  
DRAFT CONSEQUENTIAL AMENDMENTS

**SIGN BY-LAW NO. 6510**

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"275 Kingsway [CD-1#] [By-law #] B (C-3A)"

**NOISE BY-LAW NO. 6555**

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

"[CD-1 #] [By-law #] 275 Kingsway"

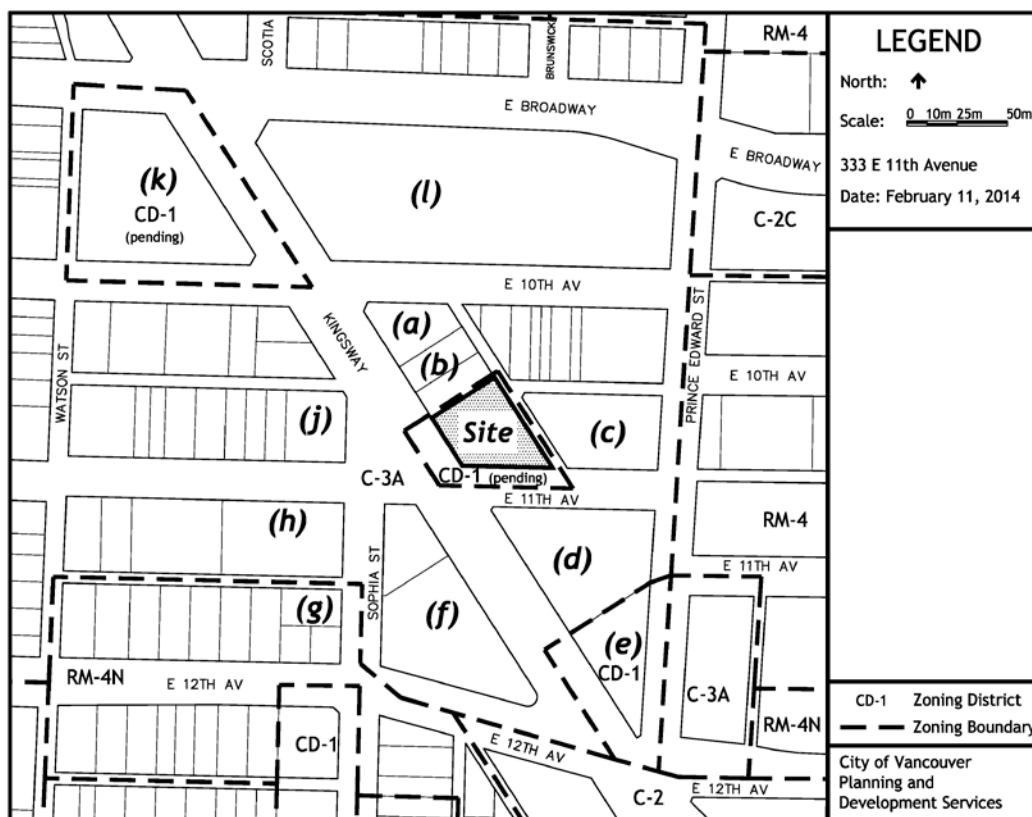
\* \* \* \*

## 275 Kingsway (333 East 11th Avenue) URBAN DESIGN ANALYSIS

### Context:

Buildings immediately adjacent to the site include the following: to the north of the site is a used car dealership, further north of the site at 205 Kingsway is the Best Western Hotel. Located across the lane at 2635 Prince Edward Avenue is SOMA, a seven-storey residential building, immediately south of the subject site across E 11<sup>th</sup> Avenue at 301 Kingsway is UNO, an 11-storey residential building. These and additional sites within the immediate context are illustrated in figure below.

Figure 1: Context Map for 275 Kingsway (333 E 11th Avenue)



- (a) BEST WESTERN HOTEL; (205 Kingsway); approx. 50'/4 storeys
- (b) Development Application for a 7 storey mixed use/residential building;
- (c) SOMA; (2635 Prince Edward Street); 70'/7 storeys
- (d) UNO; (301 Kingsway); 98'/11 storeys
- (e) BILTMORE HOTEL (398 Kingsway); 80' approx.
- (f) STELLA; (2770 Sophia Street); 127'/13 storeys
- (g) SALVATION ARMY; (261 E 12<sup>th</sup> Avenue); 2 stories
- (h) SOPHIA; (298 E 11<sup>th</sup> Avenue); 83'/8 storeys
- (j) Coast Foundation; (293 E 11<sup>th</sup> Avenue); office/social service centre; 1 storey
- (k) RIZE Alliance site; 215'; 22 storeys
- (l) Kingsgate Mall

**Site:**

The subject site consists of an assembly of three sites at the Northeast corner of Kingsway at E 11th Avenue served by a lane to the rear (east). The wedge shaped site has a small building which operated as a tire sales and service centre. The site dimensions are as follows: 142 feet of frontage along Kingsway; 147 feet along 11th Avenue; and 174 feet along the lane. The site depth is 122 feet. The site has an approximate slope along Kingsway of 1.28 m (4 feet) and a cross slope between southwest to northeast corners of 3.2 m (10.56 feet). The site area is 1518.7 m<sup>2</sup> (16,348.00 sq. ft.).

**Urban Design Assessment:**

When a proposal seeks an increase in density and height through a rezoning process, it is important to determine from an urban design perspective if the site, within its surrounding built context and zoning context, can accommodate additional density and height without placing undue burden, hardship, or impact on adjacent sites. An analysis of the proposed form of development was conducted, including comparative shadow diagram analysis and study of the view impacts. Further, a study of the approval context of recent projects within the C-3A zoning was carried out to assess the overall compatibility and fit with the neighbouring context.

**Density and Height:**

The C-3A District Schedule and related Main Street C-3A Guidelines generally anticipate a building height of 6 stories and 21.4m (70.2'). The Development Permit Board may relax this established guideline height in consideration of the effect of additional height upon surrounding buildings, streets, existing views, and context.

The Mount Pleasant Community Plan calls for increased residential density on sites near transit hubs, commercial centres, parks and along arterial streets (policy 4.1(i)). The site is located within the Uptown Shopping Area. The plan has the following policy regarding future development along Kingsway south of Broadway: *"Increase permitted residential (with some commercial space) in locations south of Broadway on Kingsway recognizing Broadway and Main is and will continue to be a busy transit interchange, and that Broadway and Main lie at the 'summit' of 'hilltown'"* (policy 5.1).

The Rental Incentive Guidelines of the Rental 100 program provide the following general guidance in considering additional density for this site: *"For C-3A zoned commercial areas and arterials, consider additional density while adhering to existing height limits and generally to guidelines."*

The proposed building height is 42.37 m (139 feet). Height is measured from the base surface which is essentially established by the building grades located at the four corners of the site. The site has a notable cross-slope of 3.2 m (10.56 feet) as noted above. The site slope affects the overall impression of the building height, making building appears taller on the lower end of the site.

In assessing an increase in height, a number of urban design relationships need to be considered such as shadow performance, view impact, privacy and overlook. The shadow analysis (measured on the equinox) confirms that the increase in height will not have substantial impact on neighboring sites across the lane to the east since the majority of the



shadow generated falls upon the lane. The shadow falling upon the SOMA development at 2635 Prince Edward Street is generated from the UNO development located at 301 Kingsway. The site immediately to the north at 225 Kingsway is an infill or interior site. Interior sites like this are precluded from providing windows or openings in order to meet fire separation criteria. As such, the site to the north of the subject site would not be expected to benefit from southern light.

In the assessment of view impacts there are no public views affected by this proposal. With respect to private views, while there is impact on the views from the units in the SOMA at 2635 Prince Edward, the additional height contemplated under this proposal does not place significant view impact beyond what would occur under the contemplated C-3A zoning height of 70 feet, noting that many recent approvals under C-3A in fact have surpassed 70 feet in height.

**Setbacks and Building Frontages:**

The base zoning of C-3A seeks setbacks as follows: none for the front yard; no sideyard; 7.6 m (25 feet) less one half the width of the lane or 4.55 m (14.93 feet). The proposal provides setbacks that meet those required under C-3A, however, in order to improve the street and public realm, some key setbacks have been exceeded. The Kingsway setback for example has been increased to distances ranging from 5.5 m (18 feet) to 7.35 m (24.1 feet) in order for an enhanced sidewalk and pedestrian realm. On 11th Avenue, an enhanced 2.0 m (6.56 feet) setback has been provided adjacent to the commercial tenant space in order to allow for vital commercial uses and/or to accommodate the possibility of a future public bike share facility.

**Internal Courtyard Typology:**

The generative idea of this proposal is to test the concept of providing a central circulation core or atrium that is open to the air, but covered by a translucent membrane canopy. The open air atrium has openings to the south to gather sun exposure. In addition, there are three amenity decks that are located at the south edge of this space to provide places for residents to collect and gather. In general, the idea of the internal courtyard and circulation scheme is to provide the residents with an enhanced sense of entry, amenity, and most of all, a sense of community within the development. This building type had not yet been proposed in the Mount Pleasant neighborhood. The central courtyard in this scheme is presented in contrast to typical double-loaded corridor buildings where hallways are often long and dim, with low ceiling heights; all of which do not provide a gracious, welcoming environment for residents and visitors.

**Conclusion:**

The proposal introduces an innovative and new housing type within the Mount Pleasant neighborhood. This architectural innovation is encouraged and supported in the Mount Pleasant Community Plan.

During the course of this application, design development has occurred following input from the Urban Design Panel and neighborhood feedback. Improvements to the overall scale of the building were made through substantial design revisions as follows: provision of a 8.6 m (28.2 feet) wide opening at the 11th Avenue (south) elevation to articulate the building and allow sunlight penetration; provision of a notable shoulder setback above the Level 12; and removal of the rooftop amenity room to further remove mass and bulk at the north side of the proposal.

In terms of contextual fit, there are a number of buildings in the immediate locale, ranging from 70 feet (7 storeys) to 127 feet (13 storeys) developed under the current provisions of the C-3A District Schedule (see Figure 1). Staff believe that the proposed height of 14 storeys, while slightly higher than surrounding buildings, is supportable given the existing and emerging context anticipated within the Mount Pleasant Plan.

275 Kingsway (333 East 11th Avenue)  
ADDITIONAL INFORMATION / COMMENTARY OF REVIEWING BODIES

URBAN DESIGN PANEL

The UDP reviewed this rezoning application on the following dates:

- On September 11, 2013, the original application was not supported (2-4).
- On October 9, 2013, a revised application was supported (6-1).

*UDP (September 11, 2013) – Evaluation: Non-Support (2-4)*

**Introduction:** Yan Zeng, Rezoning Planner, introduced the proposal for a site at the northeast corner of the Kingsway and East 11th Avenue in Mount Pleasant. Under the Mount Pleasant Community Plan, the site is within what is identified as the “Uptown Showing Area”. The policy direction for this area includes increasing the permitted residential in locations south of Broadway on Kingsway, recognizing Broadway and Main Street is and will continue to be a busy transit interchange. Ms. Zeng noted that the proposal was being considered under the Secured Market Rental Housing Program, also known as Rental 100. That means all of the residential units in the development must be market rental units in perpetuity. Under Rental 100 Guidelines, for C-3A zoned sites, additional density may be considered however, the development should adhere to existing height limits and generally to C-3A guidelines. Ms. Zeng added that the C-3A zoning allows residential uses along with commercial uses at grade. The rezoning proposal will include a 13-storey building with retail spaces at grade fronting Kingsway, a residential lobby entry off East 11th Avenue and 193 residential units.

Tim Potter, Development Planner, further described the proposal and mentioned that the Central Broadway C-3A Urban Design Guidelines establish a height of 70 feet in this area. As well there is a rear yard requirement of 7.6 m where adjacent buildings contain residential uses. Where the site abuts a lane, this requirement is reduced by half the width of the lane. The proposal is for a 13-storey mixed-use building with an internal corridor covered with a fabric roof. The existing site is currently a tire shop and to the north of the site is a car lot.

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

In addition to any comment on the overall form of development proposed for this rezoning application, the Panel’s advice was sought on the following questions:

1. Comments on the form and massing in view of the objectives and intents outlined in the C-3A Guidelines as they relate to streetwall composition.
2. Comments on the success of the internal corridor typology proposed in this context having regard for the following:
  - a. The scale of the internal space.
  - b. The ability of the internal courtyard to enhance the overall proposal.
  - c. The livability of the dwelling units.
3. Comments on the separation between adjacent residential developments, Soma in particular, in terms of privacy, overlook and adjacencies.
4. Is the expression and architectural character successful in terms of providing variety of articulation as well as having addressed solar exposure?

Ms. Zeng and Mr. Potter took questions from the Panel.

**Applicant's Introductory Comments:** Mark Ostry, Architect, further described the proposal and noted that the building form responds to the mid-rise buildings in the neighbourhood. The massing is a 13-storey block form with a penthouse roof. The lobby contributes to a strong streetwall edge along Kingsway and wraps around to East 11th Avenue. The project is consistent with the mid-rise heights that were done under the current zoning. There is pedestrian animation at street level with continuous commercial at grade along Kingsway and wraps around to East 11th Avenue and culminates at the residential entry. There is access to all the units through the atrium which is protected from the elements with a translucent canopy. Mr. Ostry noted that 25% of the units have multiple bedrooms for families and they are located at the corners of the project. The roof top amenity provides for social space and there are designated indoor and outdoor play areas. As well there is urban agriculture and green roofs. Mr. Ostry described the architecture noting that the building has two complementary expressions and as well he described the material palette. It will be a LEED™ Gold certified project. The building along East 11th Avenue is recessed at grade to provide designated bike share parking.

Jennifer Stamp, Landscape Architect, described the landscaping plans. Along Kingsway there is one existing tree that is being retained and more trees will be added along East 11th Avenue and Kingsway. Along East 11th Avenue there is a grass boulevard and after the entry portal there is foundation planting to the lane where raised planters will be added. The interior atrium has a planter with a vine maple tree and seating platforms. The roof top is zoned for different uses including outdoor kitchen with barbeque, outdoor fireplace, urban agriculture and children's play area. There is also a portion of green roof on top of the amenity building.

The applicant team took questions from the Panel.

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

- Design development to reduce the bulkiness of the building;
- Design development to improve the expression of the building;
- Design development to allow for visual access into the atrium space;
- Design development to improve the privacy issues with the Soma;
- Design development to improve the landscaping in the atrium;
- Consider improving the sustainability strategy.

**Related Commentary:** The Panel did not support the proposal although they liked the building topology.

The Panel liked the courtyard concept in the proposal but they thought the design made for a somewhat bulky building and thought more height would work with the surrounding context. One Panel member suggested pulling back the top floors to reduce the mass. Another Panel member thought the amount of window wall and the material choices was not helping the building's expression. A couple of Panel members noted that the building had an institutional feel.

A couple of Panel member thought there needed to be some visual access through the courtyard as a way for the public to understand more about the building. One Panel member thought there should be windows from the units into the courtyard space to add light and ventilation.

Some Panel members thought the proximity between buildings was not intrusive on the neighbours while others thought there were some privacy concerns with the separation from the Soma.

Most of the Panel thought the landscape treatment could be improved at the ground plane as they thought the scale seemed rather small. They wanted to see something simple and straight forward. They did however support the landscape plans for the roof and liked how it was programmed. Although the Panel liked the atrium concept it was noting that it would be challenging to grow bamboo in the space. As well they thought it should social role for the residents and as well they were concerned about how the space was accessed through a number of steps.

Regarding sustainability, it was noted that the treatment of the west façade was the same as the east and they needed to be acknowledged that they are different.

**Applicant's Response:** Mr. Ostry thanked the Panel for their comments and said they will work on the design development to address the issues.

#### *UDP (October 9, 2013) – Evaluation: Support (6-1)*

**Introduction:** Michael Naylor, Rezoning Planner, stated that the policy context was relayed at the previous presentation to the Panel, so it was not necessary to review it again. He offered to answer Panel member's questions, of which there were none.

Tim Potter, Development Planner, reminded the Panel that the proposal had recently been to the Panel where it received non-support. He described the context for the area noting the Best Western Hotel. He also noted that there has been a shoulder height reduction since the last review and a significant move with the opening up of the internal atrium.

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

Please comment on the revised proposal. Has the updated proposal successfully addressed panel comments which related the design development following aspects of the proposal:

- Building massing
- Architectural expression of the building
- Visual access of the internal corridor (open air atrium)
- Landscape of internal corridor (open air atrium)

Mr. Naylor and Mr. Potter took questions from the Panel.

**Applicant's Introductory Comments:** Mark Ostry, Architect, further described the proposal and explained that the previous massing had the appearance of being larger. The building height is still the same as at the previous review. He said there have been a couple of

changes. The first one was opening up the atrium to the street. This separates the building along East 11th Avenue into two parts with the aim at reducing the apparent massing of the building. There is now within that space a glass elevator, three amenity decks to encourage social interaction and at the top is a translucent canopy that is visible from the street. As well there is a place for a potential public art component on the wall facing both Kingsway and East 11th Avenue in the slot. Mr. Ostry explained that they have stepped back the two residential floors including the amenity penthouse. He described the proposed materials which include glass and spandrel treatment and cement paneling. At the base of the building there is now a continuous 2-storey masonry expression. The north wall has cement paneling to the ground. Since they are able to get more light into the atrium bamboo will be planted in the base of the atrium along with evergreen planters on the amenity decks. As well there is a feature tree proposed at the outdoor entry lobby.

The applicant team took questions from the Panel.

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

- Consider improving the access into the courtyard from the street;
- Design development to improve the lane façade;
- Consider reinstated the previous roof element.

**Related Commentary:** The Panel supported the proposal and thought there was a significant improvement since the last review.

Most of the Panel thought the massing had been improved with the stepped form that helped improve the vertical expression of the building. A couple of Panel members thought it had not gone far enough as the building was still too bulky for the site. They noted that the open slot into the atrium was a key animator for the building and making it semi-public was an improvement as it helps to better relate to the street. However, some Panel members thought the opening from the street was a little tight. They thought the area could help to create a visual sense of opportunity for the community but thought the atrium could be further enhanced.

A couple of Panel members thought the lane façade still needed some improvement with one Panel member suggesting it have more definition. As well it was noted by a couple of Panel members that the building is out of character with the context and the setback areas are internalized when they are not in the rest of the area. Other members liked the topology and thought extending the mass to the outside of the site was appropriate.

A couple of Panel members thought the atrium roof felt complicated and wanted to see the previous design reinstated. It was also suggested that the applicant consider adding solar panels for heating hot water. As well one Panel member suggested improving the access to the bike storage.

**Applicant's Response:** Mr. Ostry said he had nothing further to add and thanked the Panel for all of their comments.

275 Kingsway (333 East 11th Avenue)  
PUBLIC CONSULTATION SUMMARY

NOTE: Includes all comments received up until October 3, 2014

**Public Notification**

A rezoning and development permit information sign was installed on the site on June 11, 2013. After staff were informed that the sign was missing from the site, a second sign was installed on site on September 9, 2013. The site sign was revised subsequently to reflect the revised applications.

On or around June 11, 2013, approximately 5800 notifications of rezoning and development permit application, and invitation to the first community open house were distributed within the neighbouring area. 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 link to the rezoning application is also provided on the City's Mount Pleasant Community Plan website. Invitation of the open house was also emailed to the community contact list that City staff maintain for the implementation work of the Mount Pleasant Community Plan.

On or around February 6, 2014, approximately 5,600 notifications of rezoning/development permit application and invitation to a second community open house were distributed within the neighbouring area. The City's rezoning website was updated with information about the revised application. Additionally, a notice was sent to 54 individuals who had previously provided comments. A notification of this second open house was also posted on the City's Mount Pleasant Community Plan website.

**June 25, 2013 Community Open House**

A community open house was held from 4:30 - 7.30 pm on June 25, 2013, at the Native Education Centre, 285 East 5th Avenue. Staff, the applicant team, and a total of approximately 89 people attended the Open House.

**Public Response**

Public responses to the original application received by the City as of November 1, 2013 are as follows:

- In response to the June 2013 open house, a total of 43 comment sheets were submitted from individuals (approximately 60% in favour/30% opposed/9% unsure or unspecified).
- A total of 41 letters, e-mails, and online comment forms were submitted from individuals (approximately 46% in favour/49% opposed/6% unsure or unspecified).

Please note that the City does not typically differentiate comments received from local residents (including those within the notification area) from those received from other members of the public who reside in other parts of the city.

For this application, approximately 27% of the feedback received was from people living outside the Mount Pleasant neighbourhood boundary, with many correspondents self-identifying as non-residents. Based on available information provided by the correspondents, staff were able to identify the responses from residents of Mount Pleasant.

### Overall Feedback:

Support	45	54%
Opposed	33	39%
Unsure or Unspecified	6	7%
TOTAL	84	100%

### Feedback from Mount Pleasant Residents<sup>1</sup>:

Support	26	43%
Opposed	31	51%
Unsure or Unspecified	4	7%
TOTAL	61	100%

Comments **opposing** the application, grouped by theme and listed in order of frequency:

#### Proposed Height

Several stated that they were not in support of the proposed height, describing the proposal as being “too tall” for the neighbourhood, and out of scale with the surrounding buildings (Howard Johnson and Soma were noted as examples). A couple indicated that they would support the proposal if the height were reduced. Maximum heights of six and nine storeys were suggested as being more appropriate for that location.

#### Proposed Design and Neighbourly Fit

There is a concern about the building design, that it is bulky and monolithic, that instead of giving back to the neighbourhood, its central green space (the proposed atrium) is turning the building’s back onto neighbours. A few commented on the livability impact on the Soma building (across the lane), such as blocking of sunlight access and privacy concerns. A few commented that the proposal does not fit with the existing heritage character of the neighbourhood. One noted concerns that the existing C3-A Guidelines were not referenced in the design, and that a future building to the north would be up against a blank wall face. A few commented on the minimum unit sizes, describing them as “too small” or “substandard”.

#### Proposed Density

Several noted opposition to the proposed density, stating it is too high in comparison with other developments in the area. Related to the proposed density is the concern that there is already too much population density in Mount Pleasant without additional amenity and services. A few noted that the proposed number of units was “too high” and suggested that there might not be enough demand based on the existing residential real estate market.

<sup>1</sup> This includes includes online and open house comment forms from Mount Pleasant residents. The majority of commenters provided a residential address or identified themselves as a neighbor of 333 East 11<sup>th</sup> Avenue or resident of Mount Pleasant. Where no residential address or identifier was provided, comments have been included in the “Vancouver-area” feedback.



#### Proposed Rental Units

A few commented that they were not in support of adding more rental units at 333 East 11th Avenue, citing concerns that rental units would encourage a more “transient” population who might be less invested in the Mount Pleasant community. A couple noted support for market rental at that location, but noted their opposition to the proposed building form.

#### Parking and Transportation

A few commented that adding more residential units at East 11th Avenue and Kingsway would add to existing neighbourhood parking and transportation issues. Concerns included road access along the 10th Avenue bikeway, the safety of pedestrian crossings at Kingsway and 10<sup>th</sup> Avenue, crowded transit, and the availability of on-street parking. One noted support for the proposed reduction in vehicle parking space at 333 East 11th Avenue, provided there are car share and bike parking spaces.

#### Fit with Mount Pleasant Community Plan

A few commented that the proposal was not a good fit with the Mount Pleasant Community Plan, noting that 333 East 11th Avenue was not one of the three sites identified for additional density. Others noted concerns that the area would continue to see more rezoning applications, stating that property owners were purchasing homes based on “views they believed would be kept intact” based on the Mount Pleasant Community Plan.

#### Rental 100 Policy

A few noted concerns regarding Rental 100 policy, stating that Rental 100 “should not rule” over neighbourhood plans, and noting that it might conflict with other laws. One expressed concern that Rental 100 does not include a maximum allowable density or height, and another stated that more information was required on “livability” criteria. Another commented that Rental 100 was not a “sustainable” policy, given existing land values in Vancouver.

#### Impact on Views and Property Values

A few commented that the proposed development, if approved, would negatively impact the north and west views from neighbouring buildings, and would result in decreased property values.

Comments from **supporting** the application, grouped by theme and listed in order of frequency:

#### Proposed Rental Units

Many commented on the need for more rental units in the Mount Pleasant area, and throughout Vancouver, noting their support for adding new units at 333 East 11th Avenue. One stated that they would prefer to see more 2 bedroom units rather than more studios. Another noted support for smaller (and therefore more affordable) units to provide housing for artists, young people and young families in Mount Pleasant. Another noted that they would prefer to see a mix of rental and condo units as part of the proposed development.

#### Neighbourhood Fit

Several stated that the proposed development would improve or positively influence the immediate neighbourhood, noting that the proposed building would potentially replace a building that provides “limited” community value. Others noted support for the addition of more residential density in the Mount Pleasant area. A few stated that the proposed development could “provide a boost” or increase opportunities for existing local businesses.

#### Design and Height of the Proposed Building

Several commented in support of the proposed design and height. A couple noted their support for the proposed atrium, calling it a “unique” or “interesting” feature of the proposed building. One noted support for the application, but expressed concerns about the massing and the proposed façade, suggesting that a green wall or other feature could enhance that aspect of the design. Another commented in support of the density but felt that the massing and building façade could be handled “more delicately”.

#### **February 20, 2014 Community Open House**

The application went through two rounds of revisions in response to comments received from the public since the first open house as well as commentary from the Urban Design Panel. Specifically, the following key design revisions were incorporated:

- provision of a vertical opening along the south façade to enable views into and out of the atrium;
- provision of a setback from the edge of the building for the uppermost two residential levels;
- provision of three south-facing outdoor amenity decks in the vertical opening and removal of roof top amenity and family play area and relocation of these spaces to other parts of the building;
- an increase in the number of storeys (from 13 to 14), however, overall height of the building remained the same as initial submission, with reduced floor to ceiling height on each level.

In order to update the public on the proposed key changes, a second community open house was held from 5:00 – 8:00 pm on February 20, 2014, at the Native Education Centre, 285 East 5th Avenue. Staff, the applicant team, and a total of approximately 86 people attended the Open House.

#### **Public Response**

Public responses received by the City as of October 3, 2014 are as follows:

- In response to the February 20, 2014, open house, a total of 70 comment sheets were submitted from individuals (approximately 83% in favour/14% opposed/3% unsure or unspecified).
- A total of 30 letters, e-mails, and online comment forms were submitted from individuals (approximately 60% in favour/33% opposed/7% unsure or unspecified).

Among the written responses received, 52% were from people living outside the Mount Pleasant neighborhood boundary. Though overall non-resident comments reflected a stronger

level of support compared with resident comments, both groups have more than 50% of the correspondence in support of the revised application.

#### Overall Feedback:

Support	76	76%
Opposed	20	20%
Unsure or Unspecified	4	4%
TOTAL	100	100%

#### Feedback from Mount Pleasant Residents<sup>2</sup>:

Support	28	58%
Opposed	16	33%
Unsure or Unspecified	4	8%
TOTAL	48	100%

Comments **supporting** the application, grouped by theme and listed in order of frequency:

#### Rental Housing

The rental units were seen to be a positive thing for the area and for local businesses, and the programs supporting more rental housing were praised. There was concern about 3-bedroom units being absent from the proposal.

#### Design

The design was praised for the courtyard and rooftop garden, as well as for the general context, layout, and form.

#### Height and Density

The project's density was viewed as fair for the location and appropriate for an area near a future rapid transit node. The height was not seen as an issue.

#### Accessibility

Creating units available and accessible to people with disabilities was seen as a positive development and something to be encouraged in this project and more broadly in the city.

#### Location

The location was noted as appropriate for this sort of building type. Additionally the land use was noted as an improvement over the current situation and that mixed-use with commercial at grade was a good element.

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<sup>2</sup> This includes includes online and open house comment forms from Mount Pleasant residents. The majority of commenters provided a residential address or identified themselves as a neighbor of 333 East 11<sup>th</sup> Avenue or resident of Mount Pleasant. Where no residential address or identifier was provided, comments have been included in the "Vancouver-area" feedback.

#### Traffic and Parking

Inclusion of car share and bike share spaces were appreciated. Some comments felt that less parking should be required of rental developments.

Comments **opposing** the application, grouped by theme and listed in order of frequency:

#### Height and Density

Comments included concern that the building is too tall for the area and that six storeys would be more appropriate. It was also noted that the density proposed is much greater than the 3.0 it is currently zoned for and thus too bulky and dense.

#### Policy Issues

Some comments stated that the proposal was in conflict with the Mount Pleasant Community Plan and that there exists no provision to allow the heights and densities proposed. It was felt at the time that the lawsuit underway regarding the Rental 100 policy should require this development to wait until the resolution of the lawsuit.

#### Affordability

Skepticism about the affordability of the units was raised, and some felt that the project seems to merely be a money grab by the developers.

#### Traffic and Parking

There was fear of both increased traffic and concern that the traffic studies undertaken are not adequate.

#### Green Space

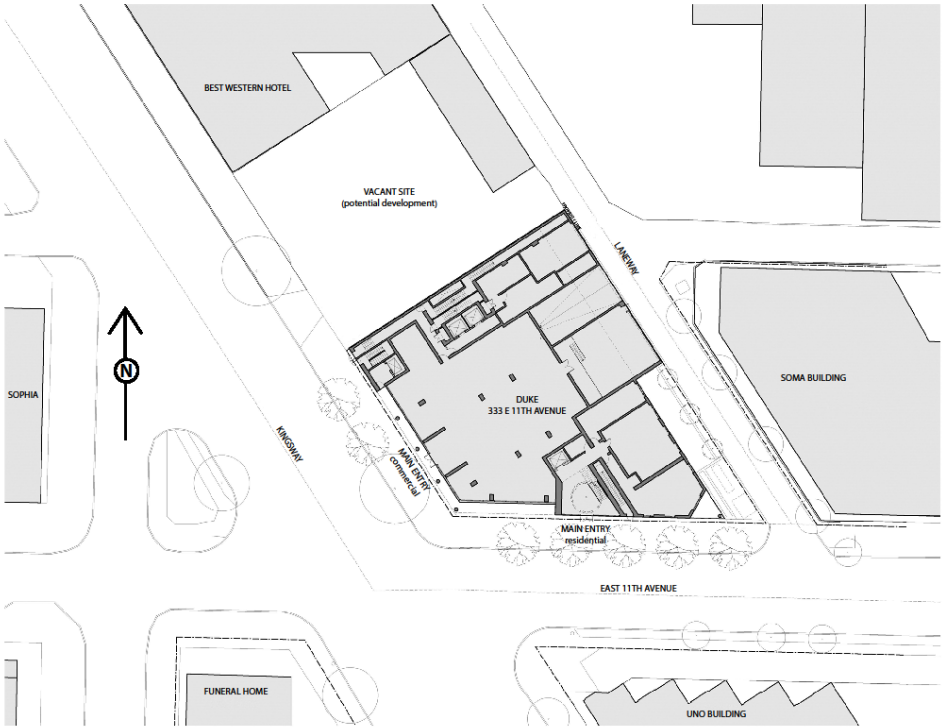
Concern was voiced about the lack of public green space in this area.

#### Design

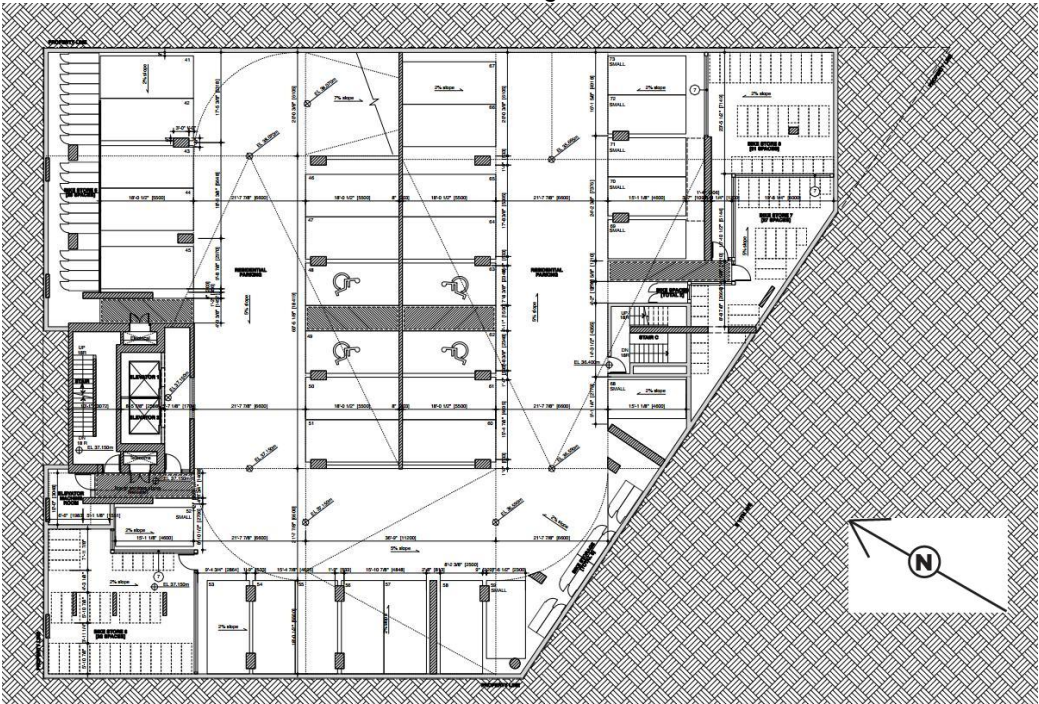
The building design was critiqued as too boxy and lacking in character, and the unit sizes were disparaged as being smaller than jail cells.

275 Kingsway (333 East 11th Avenue)  
FORM OF DEVELOPMENT

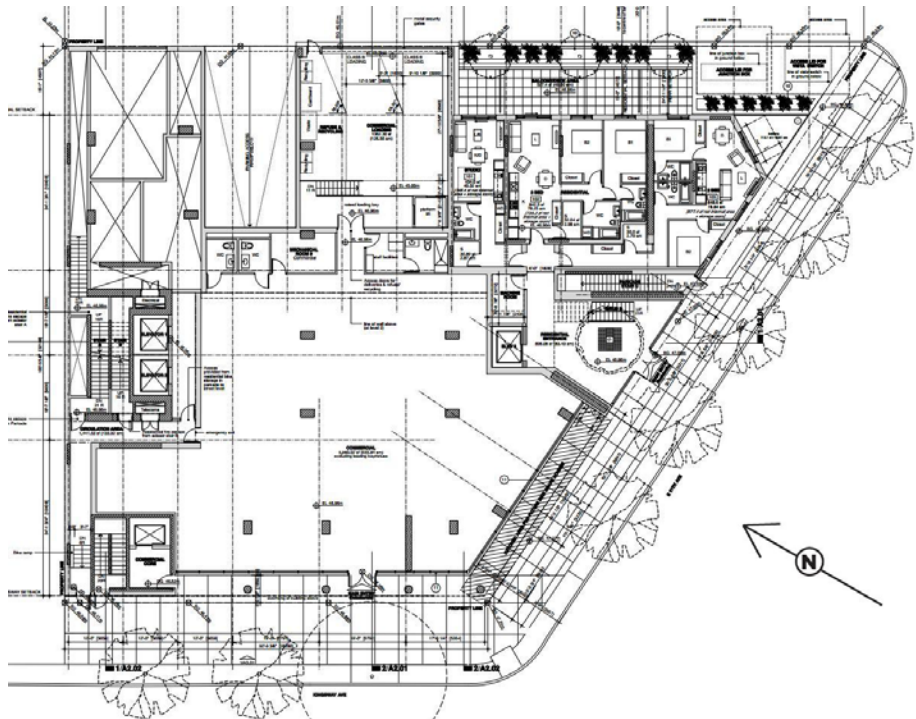
Site Plan



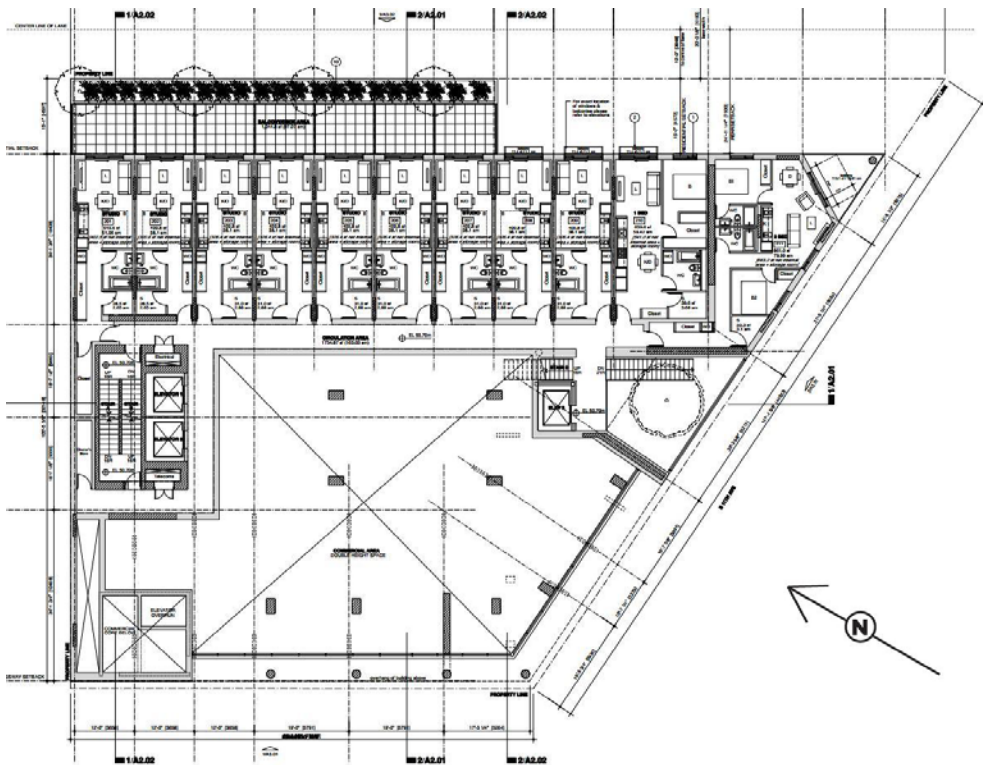
P3 Parking Plan



Ground Level Floor Plan

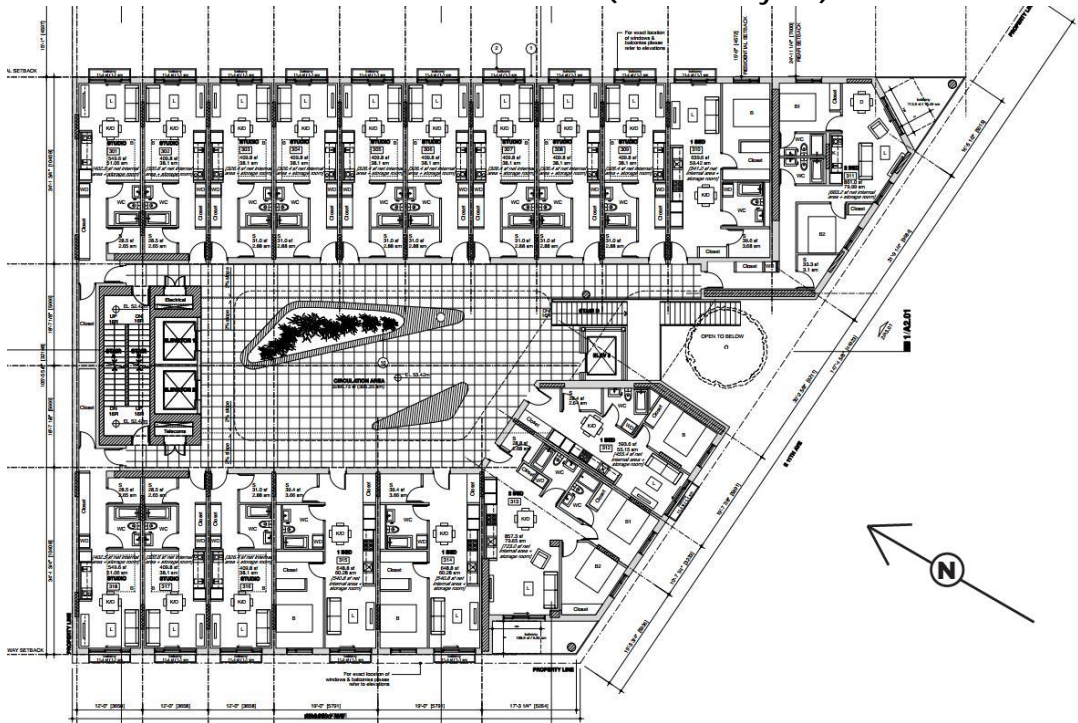


2nd Level Floor Plan

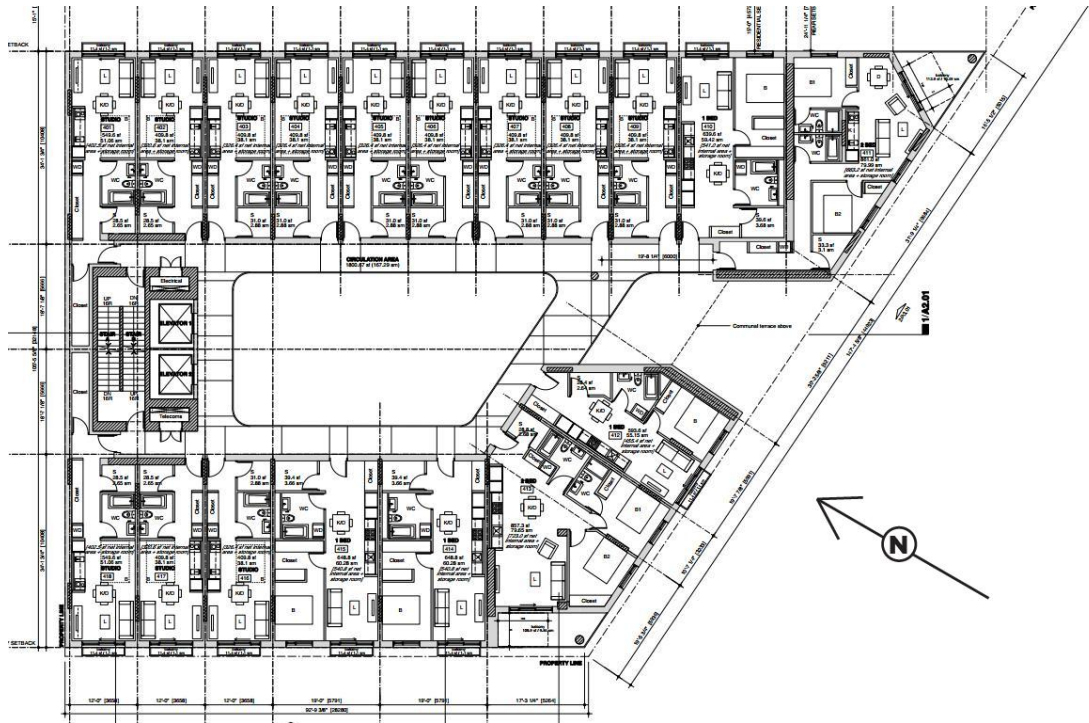




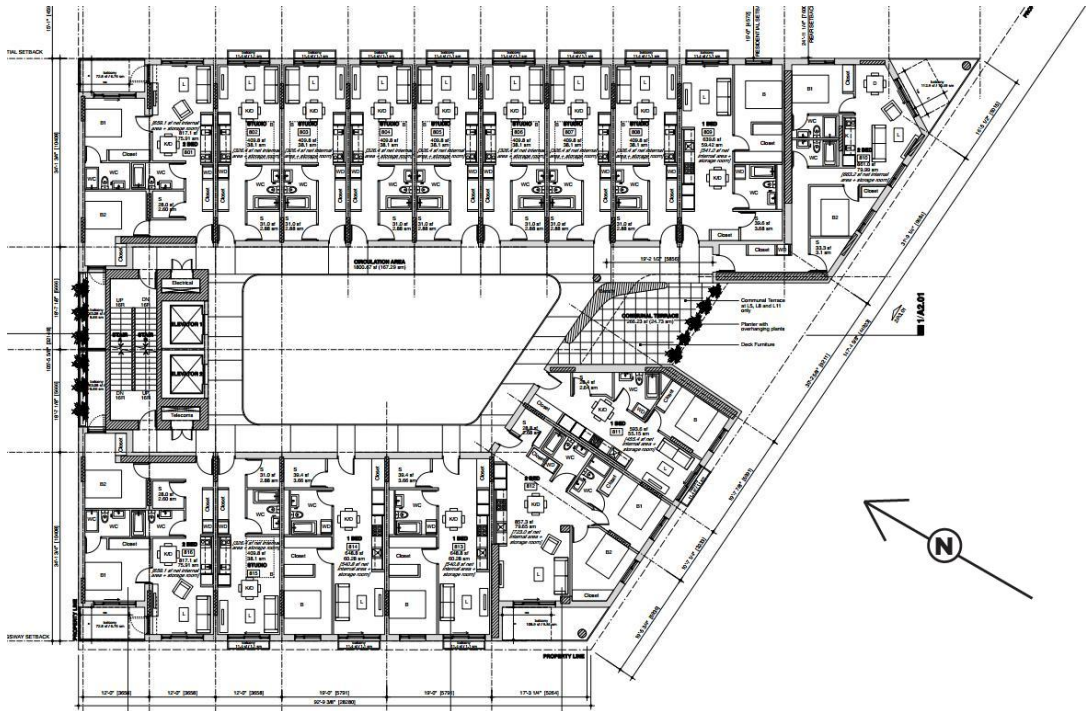
3rd Level Floor Plan (with courtyard)



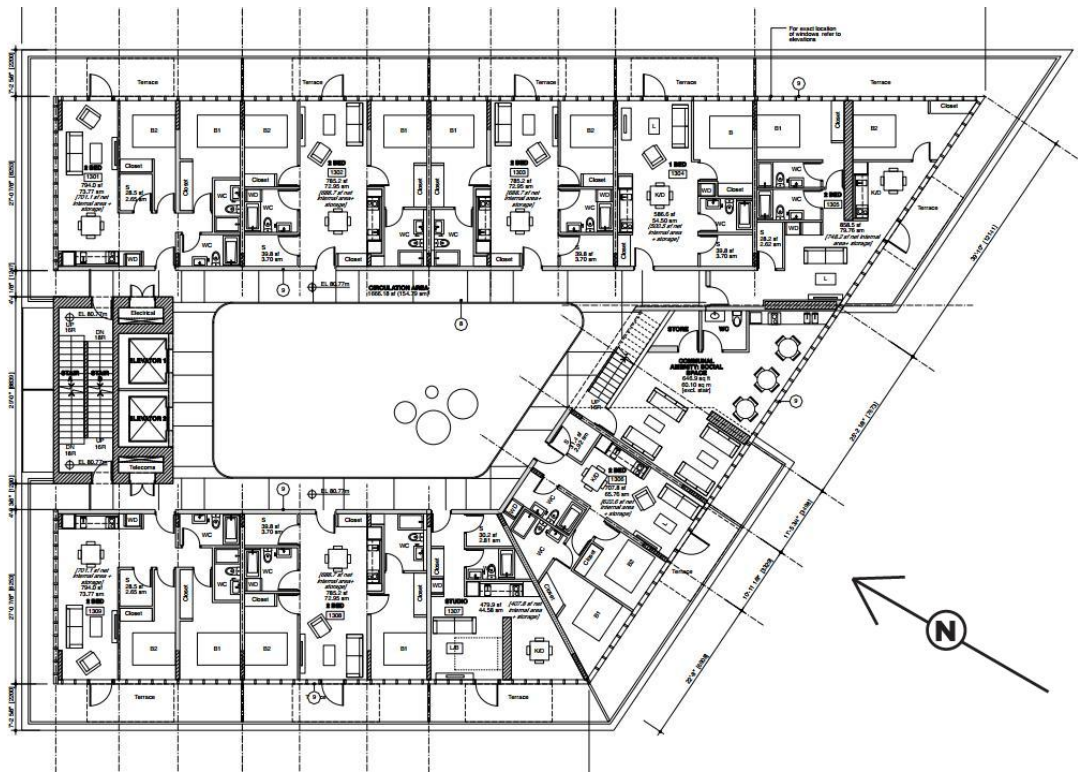
4th-7th Level Floor Plans



8th-12th Level Floor Plans

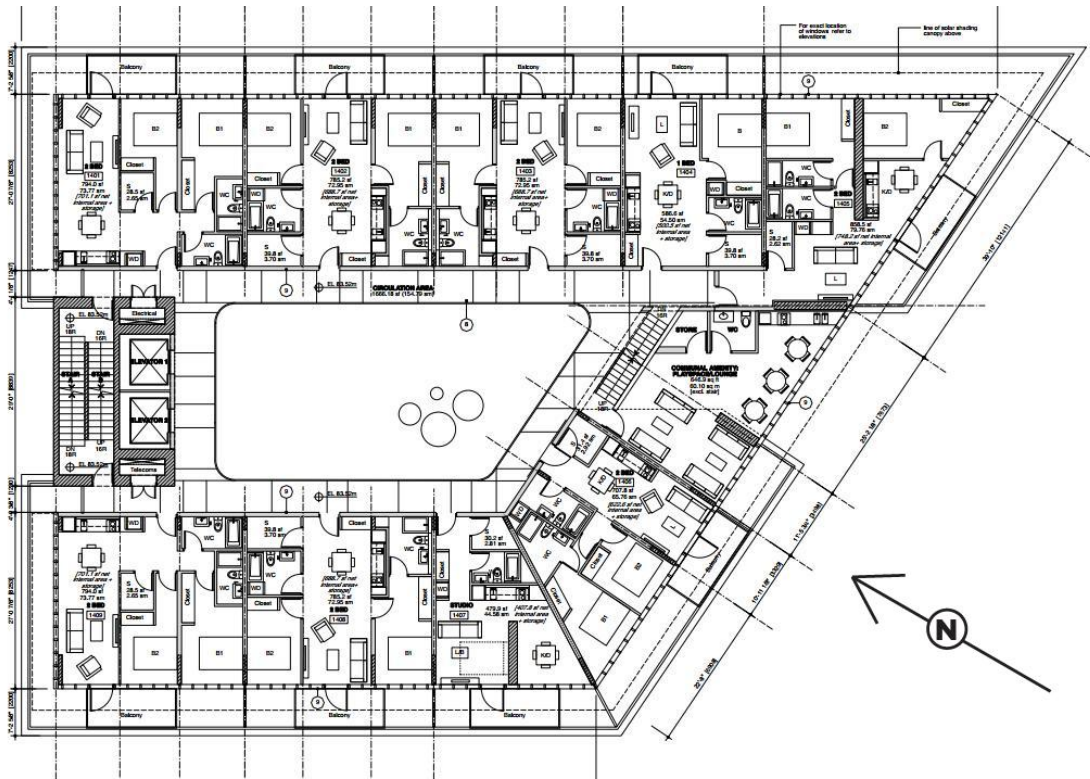


13th Level Floor Plan

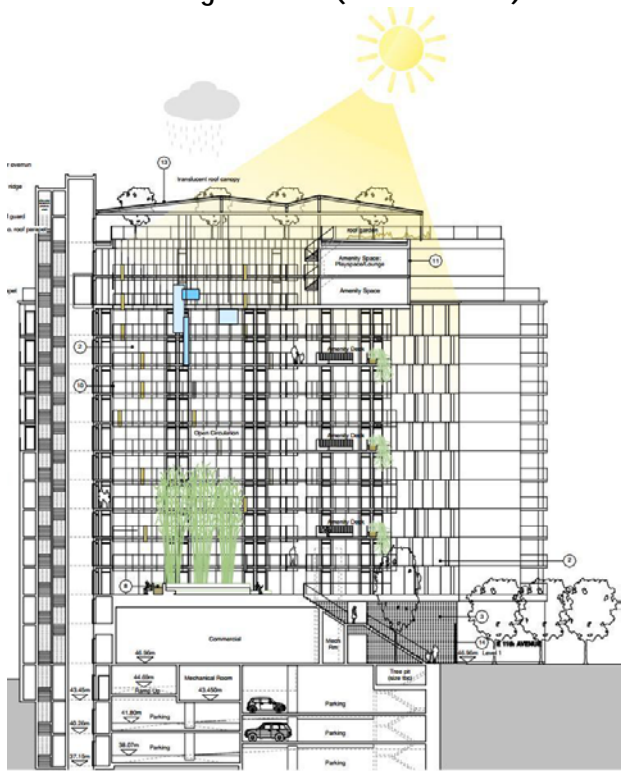




14th Level Floor Plan



Building Section (North-South)



Building Section (East-West)



### Building Elevation (Kingsway)



### Building Elevation (11th Avenue)

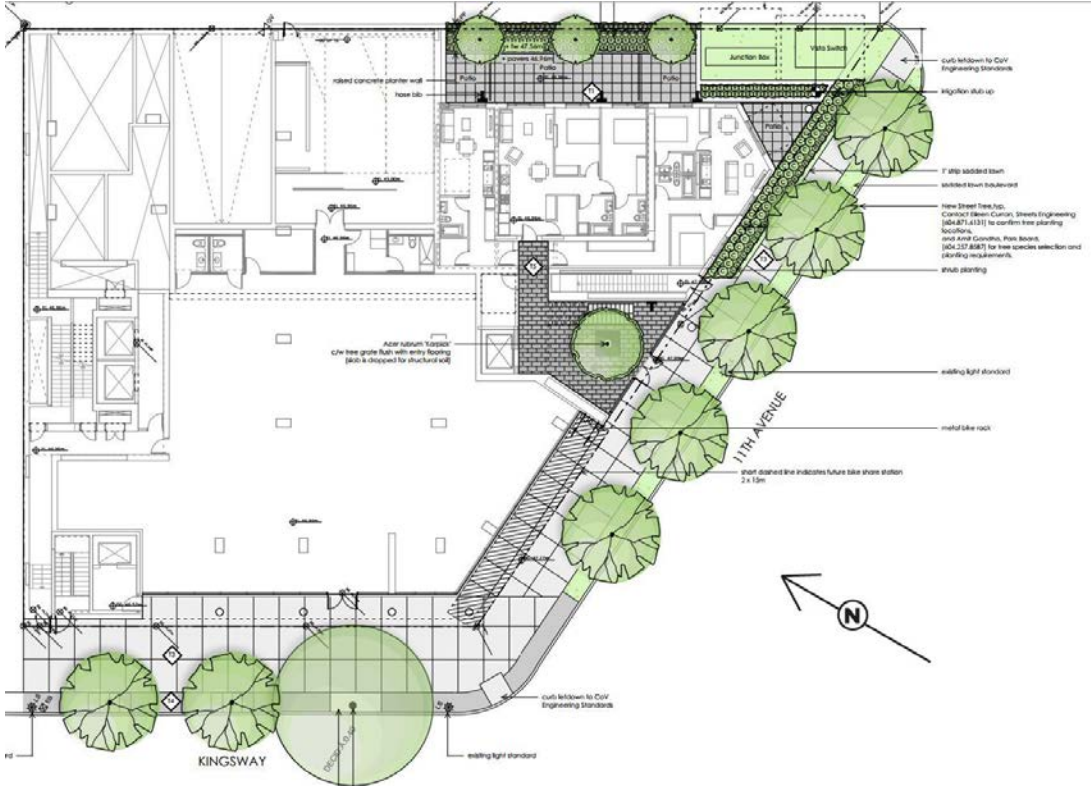


Shadow Studies (March 21/September 21)

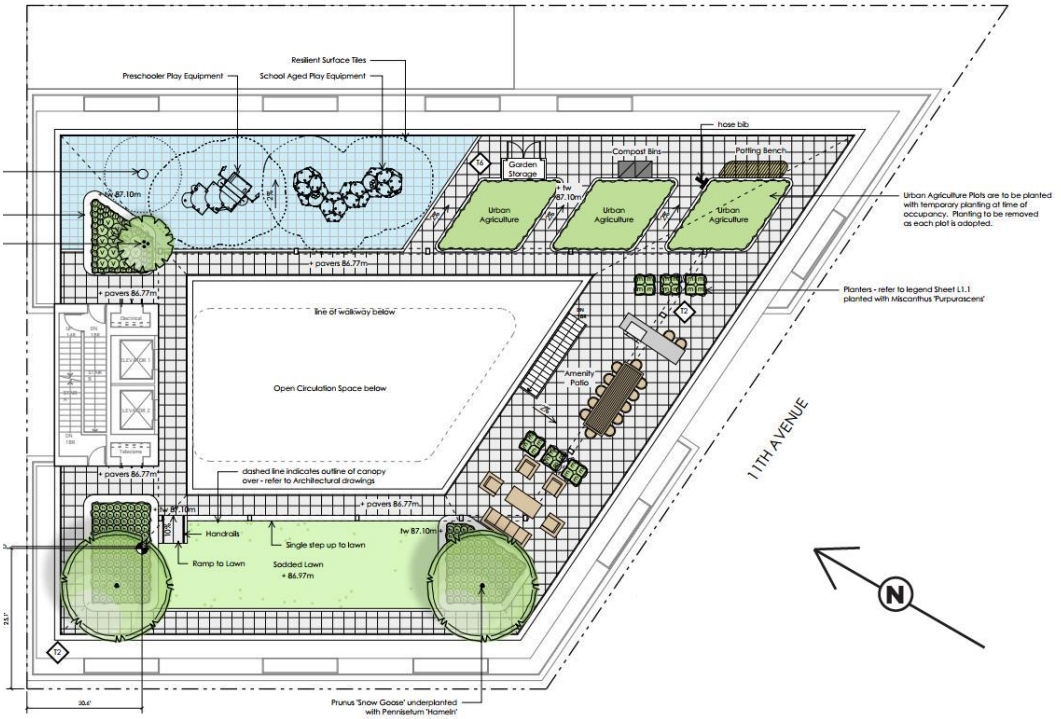




Ground Level Landscape Plan



Rooftop Amenity Plan



### 3-D Context Perspective



275 Kingsway (333 East 11th Avenue)  
DEVELOPMENT COST LEVY WAIVER ANALYSIS

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

- (a) All dwelling units proposed in the building will be secured as rental through the housing agreement called for under rezoning condition (c) 7 in Appendix B.
- (b) None of the proposed dwelling units will be strata units, as required through the Housing Agreement.
- (c) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.

Unit Type	No. units proposed	DCL By-law maximum average unit size	Proposed average unit size
Studio	112	42 m <sup>2</sup> (452 sq. ft.)	34 m <sup>2</sup> (365 sq. ft.)
1-bedroom	43	56 m <sup>2</sup> (603 sq. ft.)	52 m <sup>2</sup> (556 sq. ft.)
2-bedroom	47	77 m <sup>2</sup> (829 sq. ft.)	67 m <sup>2</sup> (717 sq. ft.)

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

Unit Type	No. units proposed	DCL By-law maximum average unit rent*	Proposed average unit rent*
Studio	112	\$1,242	\$1,050
1-bedroom	43	\$1,561	\$1,200
2-bedroom	47	\$1,972	\$1,725

\* Both the maximum and proposed rents are subject to annual adjustment as per the DCL By-law.

- (e) The proposed construction cost for the residential floor area does not exceed the maximum specified in the DCL By-law.

DCL By-law maximum construction cost	Proposed construction cost
\$2,475 per m <sup>2</sup> (\$230 per sq. ft.)	\$2,013 per m <sup>2</sup> (\$187 per sq. ft.)

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

275 Kingsway (333 East 11th Avenue)  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

14 storeys mixed-use development with at-grade commercial and 202 for-profit affordable rental units.

**Public Benefit Summary:**

202 for-profit affordable rental housing units secured for the longer of the life of building and 60 years.

	Current Zoning	Proposed Zoning
Zoning District	C-3A	CD-1
FSR (site area = 16,370 sq. ft. / 1,520.8 m <sup>2</sup> )	3.00	8.66
Buildable Floor Space (sq. ft.)	49,110	141,582
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)	\$632,046	\$77,027
	DCL (Area Specific)		
	Public Art		\$256,263
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		
	Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$632,046	\$333,290

**Other Benefits**

202 for-profit affordable rental housing units secured for the longer of the life of the building and 60 years.

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



275 Kingsway (333 East 11th Avenue)  
APPLICANT AND PROPERTY INFORMATION

Street Address	275 Kingsway (333 East 11th Avenue)
Legal Description	Lots 12 to 14, Block 117, District Lot 301, Plan 187; PIDs 015-607-623, 015-607-640 and 015-607-666 respectively
Applicant/Architect	Acton Ostry Architects Inc.
Property Owner	333 East 11th Holdings Ltd.
Developer	Edgar Development Corp.

SITE STATISTICS

SITE AREA	1,520.8 m <sup>2</sup> (16,370 sq. ft.)
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DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT
ZONING	C-3A (Commercial)	CD-1
MAX. FLOOR SPACE RATIO	3.00 FSR	8.66 FSR
MAXIMUM HEIGHT	9.2 m	42.4 m (139 ft.)
FLOOR AREA	4,562 m <sup>2</sup> (49,110 sq. ft.)	13,153 m <sup>2</sup> (141,582 sq. ft.)
PARKING, LOADING AND BICYCLE SPACES	as per Parking By-law	as per Parking By-law