



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: May 31, 2016
Contact: Kent Munro
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RTS No.: 11479
VanRIMS No.: 08-2000-20
Meeting Date: June 14, 2016

TO: Vancouver City Council
FROM: Acting General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning: 445 Kingsway and 2395 St. George Street

RECOMMENDATION

A. THAT the application by FNDA Architecture, on behalf of Razgul Holdings Ltd., to rezone 445 Kingsway [*PID: 011-726-598; Lot L, Block 132, District Lot 264A, Plan 21842; and PID: 009-994-131; Lot 2, Except Part in Explanatory Plan 6822, of Lot A, Block 132, District Lot 264A, Plan 7272*], and on behalf of Azizamalco Holdings Canada Ltd., to rezone 2395 St. George Street [*PID: 010-671-919; Lot 1 of Lot A, Block 132, District Lot 264A, Plan 7272*], all from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 2.50 to 3.60 and the maximum building height from 13.8 m (45.3 ft.) to 23.0 m (75.5 ft.) to permit a six-storey mixed-use building with 109 secured for-profit affordable rental housing units, and retail and service uses, be referred to a public hearing together with:

- (i) plans prepared by FNDA Architecture Inc., received September 3, 2015;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the Acting 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, after the Housing Agreement has been agreed to and signed by the

property owners and their mortgagees and 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 of the Sign-By-law [assigning Schedule B (C-2)], generally as set out in Appendix C, be referred to the same public hearing;

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

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

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

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

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

- F. THAT Recommendations A through E be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
- (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 one-acre site located at the intersection of Kingsway and St. George Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey building with retail use on the ground floor, and five storeys of market rental housing above. A vehicle dealer is the

proposed use on the ground floor, with a motor vehicle repair shop on the first level of underground parking. The application has been made under the Secured Market Rental Housing Policy (Rental 100). In accordance with that policy, the application seeks increased height and density in return for all proposed housing units being secured as for-profit affordable rental housing for the longer of the life of the building or 60 years. The rezoning, if approved as proposed, would result in 109 new rental units. In addition to the height and density increases that can be considered under the Rental 100 policy, the application seeks a Development Cost Levy (DCL) waiver. The project has not requested a parking reduction incentive.

Staff have assessed the application and conclude that it is consistent with the Secured Market Rental Housing Policy with regard to the proposed use 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.

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 Acting 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)
- Final Report from the Mayor’s Task Force on Housing Affordability (2012)
- Housing and Homelessness Strategy (2011)
- Vancouver Development Cost Levy By-law No. 9755
- Mount Pleasant Community Plan (2010)
- Mount Pleasant Community Plan Implementation Policy (2013)
- Green Buildings Policy for Rezoning (2010, amended 2014)
- High-Density Housing for Families with Children Guidelines (1992)
- C-2 District Schedule (revised 2009) and associated guidelines (2003).

REPORT

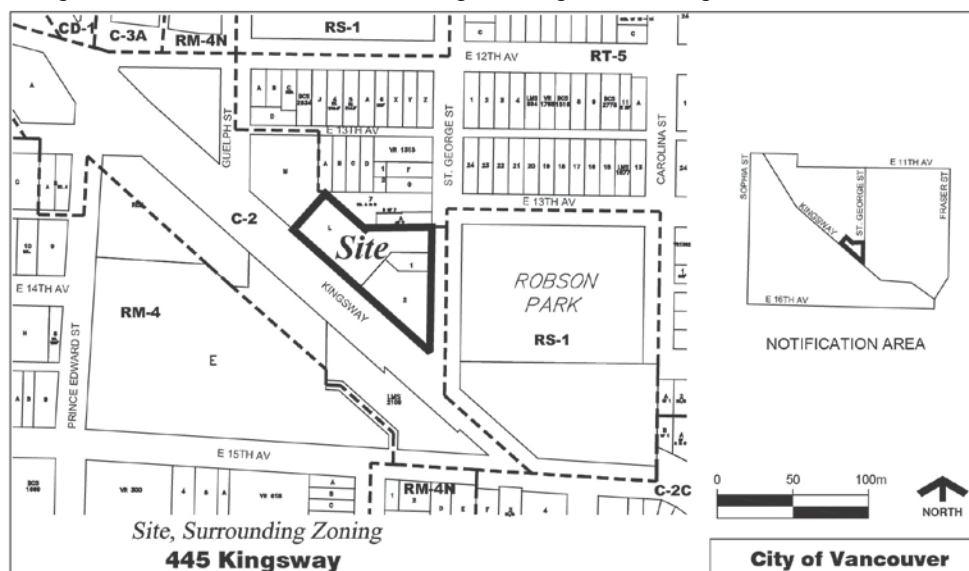
Background/Context

1. Site and Context

This 4,330 m² (46,609 sq. ft.) site is located on the north side of Kingsway, west of St. George Street (see Figure 1). It has a frontage of 121.9 m (400 ft.) along Kingsway and 79.2 m (260 ft.) along St. George Street. Currently, the site is developed with one-storey commercial buildings and a car lot. The adjacent property to the northwest on Kingsway is zoned C-2 with an existing one-storey commercial building. The properties to the north are zoned RT-5 and are developed with the Kivan Boys and Girls Club directly adjacent, and detached residential

uses. The site faces Robson Park, which is across St. George Street to the east, with the Mount Pleasant Family Centre located within the park. Mount St. Joseph Hospital campus is to the south across Kingsway. The subject site is well located close to a park, social services and the Mount Pleasant Community Centre, with bus service on Kingsway.

Figure 1 — Site and Surrounding Zoning (including notification area)



2. Policy Context

Secured Market Rental Housing Policy (Rental 100) — In May 2012, Council approved the Secured Market Rental Housing Policy, which provides incentives for new development 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 neighbourhoods. 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 — In July 2011, Council endorsed the Housing and Homelessness Strategy 2012-2021, which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life. Priority actions identified to achieve some of the strategy's goals relevant to this application include refining and developing new zoning approaches, development tools and rental incentives to continue the achievement of securing purpose-built rental housing and using financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households.

This application proposes 109 market rental units that would be secured through a Housing Agreement.

Mount Pleasant Community Plan — In November 2010, Council approved the Mount Pleasant Community Plan. The Plan includes policy to support the provision of more affordable rental housing, as well as to allow increased housing density near transit hubs, commercial centres, and along arterial streets.

The Mount Pleasant Community Plan Implementation Policy, approved by Council in October 2013, also applies to the subject site. The Public Realm Plan chapter of this policy reinforces St. George Street as a “Rainway/Artway” street connecting Great Northern Way to Kingsway, and encourages the St. George corridor to reflect and reinforce the creek environment, biodiversity, stormwater collection, and art and culture.

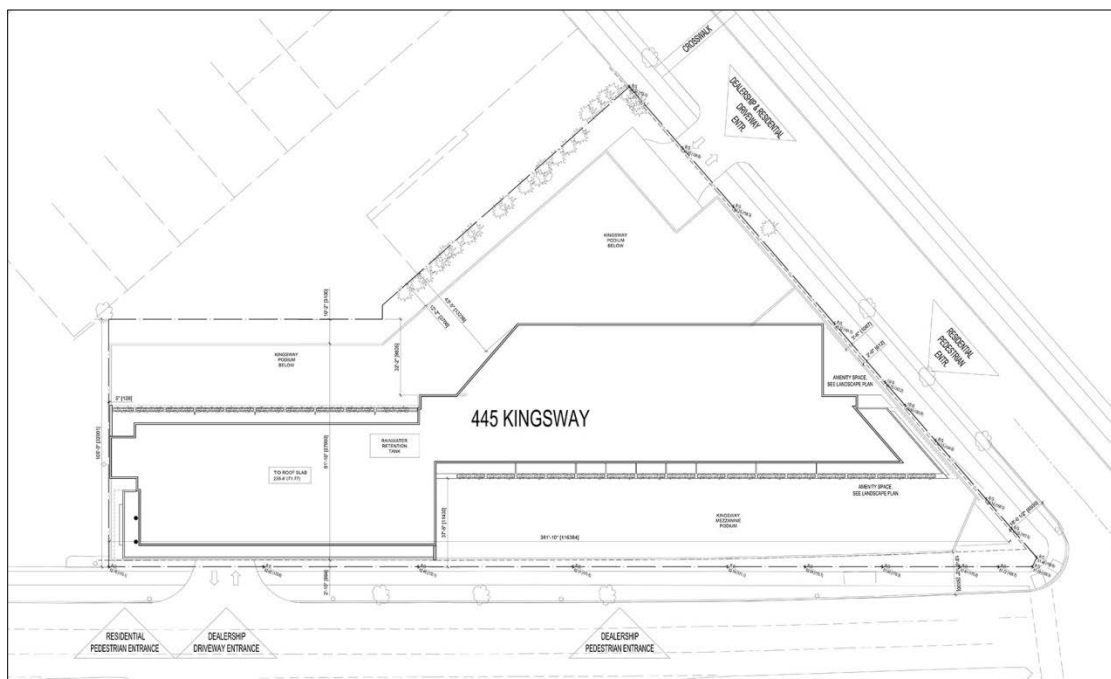
High-Density Housing for Families with Children Guidelines — The intent of the Guidelines is to address key issues of site, building and unit design to achieve livability objectives for families with children. The Guidelines provide direction on project planning, project design and unit design.

Strategic Analysis

1. Proposal

This application proposes to rezone the site located at 445 Kingsway and 2395 St. George Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit a six-storey building with retail use (vehicle dealer) on the ground floor, five storeys of market rental housing above, and service use (motor vehicle repair shop) on the first level of underground parking (see Figure 2).

Figure 2 — Site Plan



The application proposes 109 for-profit affordable rental housing units (29 studios, 53 one-bedroom, and 27 two-bedroom) with a total residential floor area of 7,891 m² (84,938 sq. ft.), and 7,680 m² (82,668 sq. ft.) of commercial floor area, which includes 3,625 m² (39,022 sq. ft.) of motor vehicle repair and car storage within the underground parkade, all over three levels of underground parking accessed from St. George Street and from Kingsway. Common amenity spaces are located at the roof of the commercial podium.

2. Housing

The Housing and Homelessness Strategy strives to enhance access to affordable housing and sets a number of short- and long-term rental housing targets. The Rental 100 program plays a critical role in the achievement of those targets by helping to realize secured rental housing. Rental housing provides a more affordable housing option for nearly half of Vancouver's population and contributes to a number of City initiatives intended to create diverse and sustainable communities. Rental 100 units are targeted to moderate-income households and the program extends throughout all parts of the city, thereby providing options that are more affordable than home ownership.

The Rental 100 program provides various incentives to be taken at the applicant's discretion to assist with a project's viability. These incentives, where the units qualify as for-profit affordable rental housing, include increased height and density, parking reductions and a Development Cost Levy (DCL) waiver. Housing staff have evaluated this application and have determined that it meets the objectives of the Rental 100 program.

This application meets the requirement of the Rental 100 program by proposing 100 per cent of the residential floor area as for-profit affordable rental housing. The proposal would deliver 109 secured market rental housing units in the form of studio, one-bedroom and two-bedroom units. The Rental 100 program requires that 25 per cent of all units have two bedrooms or more, and be suitable for families with children in accordance with the High Density Housing for Families with Children Guidelines. This application proposes 24.8 per cent family units, comprised of 27 two-bedroom units, which does not meet the 25 per cent minimum of units as two-bedrooms or more suitable for families with children. As a condition of approval, the applicant will be required to meet or exceed the 25 per cent minimum of units as two-bedrooms or more, suitable for families with children.

All 109 units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building or 60 years. Adding 109 new secured market rental 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). Conditions related to securing the units are contained in Appendix B.

Vancouver has one of the lowest rental vacancy rates in Canada. In October 2015, the vacancy rate in the City was 0.6 per cent¹. That means only six out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3 per cent is considered to be a balanced rental market. The vacancy rate in the Mount Pleasant/Renfrew Heights area where 445 Kingsway is located was also very low at 0.4 per cent².

¹ CMHC Rental Market Report, October 2015

² CMHC Rental Market Report, October 2015

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
Secured Market Rental Housing Units	5,000	1,239	1,925	1,962	5,126	126 above target

*Unit numbers in Figure 3 exclude the units proposed at 445 Kingsway, pending Council approval of this rezoning application.

3. Density, Height and Form of Development (refer to drawings in Appendix F)

The Rental Incentive Guidelines provide general direction for the consideration of additional density to facilitate the provision of secured rental housing. Under the Rental Incentive Guidelines for C-2 sites through rezoning, additional density and height beyond the 2.50 FSR and four-storey limits of the C-2 zoning may be considered. Up to six storeys with commensurate achievable density may be considered.

The application proposes a six-storey, mixed-use building with retail use at the ground level and five storeys of residential units above, at an overall height of 23.0 m (75.5 ft.). The vehicle dealership is oriented to Kingsway with ample storefront glazing to provide a strong commercial base. The massing features an angled corner element at the intersection with St. George Street, which follows the site geometry and allows the commercial unit to “turn the corner”. The primary residential entry is located facing St. George Street, which is recognized as a quieter street. This location will provide a transitional buffer between commercial

Figure 4 - Proposed Development



activity on Kingsway and the single-family residential neighbourhood to the north. Furthermore, design development conditions seek a landscaped setback along St. George Street north of the commercial corner and in conjunction with the residential entry. The landscaped setback will include a large existing cedar tree in this location which is to be

retained. Three levels of underground parking are to be provided, which include required residential and commercial parking spaces, as well as a motor vehicle repair shop and car storage associated with the vehicle dealership. The entry to the underground parkade is located at St. George Street at the northeast corner of the site. Rezoning conditions seek physical alterations to St. George Street to prevent traffic spillover from this project into the residential neighbourhood to the north.

The overall building massing is responsive to adjacent conditions. The commercial podium is a high volume fronting on Kingsway suitable for retail use, with a small mezzanine for ancillary offices. As viewed from St. George Street, the podium height aligns with the height of the lower building at the Kivan Boys and Girls Club to the rear, with a 3.7 m (12 ft.) setback and a landscape buffer between the sites. The upper, five-storey massing for the residential use is contained within a narrow, horizontal form which runs parallel to Kingsway. A distinct step in the upper storey massing is provided approximately midway along the Kingsway frontage, with a 12.2 m (40 ft.) setback from the podium below. This assists in moderating the long frontage and providing visual interest with a more dynamic building form.

While the C-2 zoning specifies a minimum rear setback of 6.1 m (20 ft.) for residential units, this rezoning proposes a minimum rear yard setback to the residential units which ranges from 11.6 m (38 ft.) to 30.5 m (100 ft.). This increased setback will enhance livability for residents and assist in mitigating the impact of the additional height, consistent with the intent of the C-2 rear setbacks. The enhanced setbacks, at both the front and rear, also provide opportunities for common outdoor amenity spaces at the roof of the commercial podium. While amenity space is proposed at the front podium roof, design development conditions seek expansion of the common outdoor amenity space to the rear podium as well. A substantial landscaped border is intended to offset potential privacy concerns for neighbours to the north.

The proposed density is 3.60 FSR, noting that the commercial uses in the underground parkade are included in this total FSR. As a point of reference, the above-grade building massing (exclusive of underground commercial uses) is approximately 2.76 FSR. Staff conclude that the design responds well to the expected character of mixed-use development supplemented by the Rental 100 policy incentives. The Urban Design Panel reviewed and supported this application on January 27, 2016 (see Appendix D). Staff support this application, subject to the conditions outlined in Appendix B.

4. Transportation and Parking

The application proposes three levels of underground parking accessed from St. George Street and from Kingsway. A total of 218 parking spaces are provided — 73 parking spaces for the residential component and 145 parking spaces for the commercial component. The project has not requested a parking reduction incentive, available under the Rental 100 program. Also proposed are 139 Class A and 12 Class B bicycle parking spaces for the residential component, meeting the Parking By-law requirements.

With regard to loading, the Parking By-law requires one Class B space for the residential component, which is provided. For the commercial component, four Class B spaces and one Class C space are required. The application proposes a relaxation for commercial loading to three Class B spaces only. Staff support relaxation of the Class C space as the applicant has indicated that auto trailers will not be used to deliver vehicles, and that rather, vehicles will

be driven individually from an off-site storage lot. In lieu of provision of four Class B spaces, staff propose that three Class B spaces and 2 Class A spaces be provided. An amendment to the Parking By-law to this effect is proposed in Appendix C.

5. Environmental Sustainability

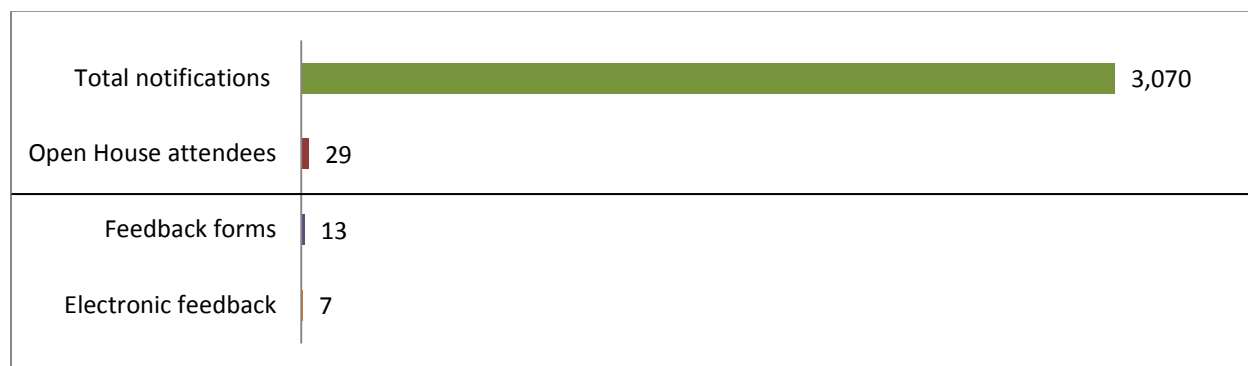
The Green Buildings Policy for Rezonings (amended by Council in June 2014) requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency, stormwater management and a 22 per cent reduction in energy cost as compared with ASHRAE 90.1 2010, along with 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 energy efficiency, and therefore would be eligible for a LEED® Gold rating.

PUBLIC INPUT

Public Notification — A rezoning information sign was installed on the site on October 15, 2015. Approximately 3,070 notifications were distributed within the neighbouring area on or about November 24, 2015 (see Figure 5). In addition, notification, application information, and an online comment form were provided on the City's Rezoning Applications webpage (vancouver.ca/rezapps). An open house was held on December 10, 2015. Staff, the applicant team and a total of approximately 29 people attended the open house.

Public Response and Comments — A total of 13 comment sheets was submitted from individuals at the open house. In addition, 7 letters, emails or online comment forms were received for this application.

Figure 5 — Notification and Public Response



Support for the proposal cited the following:

- Increase in rental housing for the neighbourhood, particularly for seniors and families;
- Architecture and building materials.

Concerns expressed about the proposal included:

- Height of the building and shadow impacts relative to the neighbouring properties;
- Location of parking entrance on St. George Street in proximity to the Kivan Boys and Girls Club;
- Inadequate parking provided for the number of units;
- Increased volume of vehicle traffic and effects on park programming and events (safety concerns).

A more detailed summary of public comments on this application is provided in Appendix E.

The proposed development is consistent with the Rental Incentive Guidelines, which allow consideration of additional density in the C-2 District, and a form of development with height of up to six storeys. It is noted that the proposed six-storey massing is located along Kingsway with large rear setbacks to mitigate impact on lower density sites to the north. Improvements to the St. George Street frontage are also sought in Conditions (b)1 (Urban Design) and (b)8 (Landscape Design) to provide a landscaped setback to ease the transition to the lower density residential neighborhood to the north, as well as to retain a significant tree as a neighbourhood amenity.

To address safety concerns from the parkade entrance on St. George Street, staff are seeking geometric changes to St. George Street north of the proposed driveway crossing, which include a raised crosswalk on the north leg of St. George Street and 13th Avenue adjacent the Kivan Boys and Girls Club site to facilitate crossing to Robson Park, as well as closure of St. George Street at 13th Avenue with provision of a cul-de-sac.

With respect to concerns that this proposal would increase the demand for on-street parking, parking, loading and bicycle space requirements are provided on-site within the proposed underground parkade at standards that are generally consistent with the requirements of the Parking By-law. Closure of St. George Street will assist in limiting additional commercial and residential traffic spillover into the single-family residential neighborhood.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows:

Public Benefits – Required by By-law or Policy

Development Cost Levies (DCLs) — Development Cost Levies (DCLs) collected from development 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 subject to the Citywide DCL rate, which is currently \$143.27 per m² (\$13.31 per sq. ft.) for new residential (other than qualifying for-profit affordable rental housing) or commercial floor space. On this basis, a DCL of approximately \$1,100,311 is anticipated, which is attributed to the commercial floor area (7,680 m² or 82,668 sq. ft.) of the project.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the rezoning approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increase for a period of 12 months from the date of DCL By-law rate adjustment. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

The applicant has requested a waiver of the DCL attributed to the for-profit affordable rental housing, in accordance with Section 3.1A of the Vancouver Development Cost Levy By-law. The total floor area eligible for the waiver is 7,890 m² (84,938 sq. ft.). The total DCL that would be waived is estimated to be approximately \$1,130,525. A review of how the application meets the waiver criteria is provided in Appendix G.

Public Art Program — The Public Art Policy for Rezoned Developments requires rezonings having a floor area of 9,290 m² (100,000 sq. ft.) or greater to contribute public art or provide 80 per cent cash in lieu as a condition of rezoning. Public art budgets are based on a formula (2015) of \$19.48 per m² (\$1.81 per sq. ft.) for all areas contributing to the total FSR calculation. With a floor area of 15,571 m² (167,606 sq. ft.), this application, if approved, will contribute a public art budget of approximately \$303,367. The Public Art rate is finalized at the development permit stage and is subject to periodic adjustments to address inflation.

Public Benefits — Offered by the Applicant

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 or 60 years.

This application includes studio, one- and two-bedroom apartments. The applicant estimates that the studios would rent for \$1,242/month, one-bedroom units would rent for \$1,561/month, and the two-bedroom units would rent for \$1,972/month. Staff have compared the anticipated initial monthly rents in this proposal to the average monthly costs for newer rental units in the east area of Vancouver, as well as to the estimated monthly costs to own similar units in the east area of Vancouver, using 2015 BC Assessment sales data.

When compared to average rents in newer buildings in the east area of Vancouver, the proposed rents are slightly higher. When compared to average rents in newer buildings city-wide (the basis for the DCL waiver), 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 home ownership, particularly for the larger units.

Figure 6 compares the 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 between the citywide and east area averages.

Figure 6 – Comparable Average Market Rents and Home-Ownership Costs

	445 Kingsway Average Proposed Rents	Average Market Rent in Newer Buildings (CMHC, 2015) ¹	DCL By-law Maximum Averages (CMHC 2015) ²	Monthly Costs of Ownership for Median- Priced Unit - Eastside (BC Assessment 2015) ³
Studio	\$1,242	\$1,184	\$1,260	\$1,438
1-bed	\$1,561	\$1,486	\$1,675	\$2,148
2-bed	\$1,972	\$1,882	\$2,084	\$2,936

1. Data from the October 2015 CMHC Rental Market Survey for buildings completed in the year 2005 or later on the Eastside of Vancouver.
2. For studio, 1- and 2-bedroom units, the maximum DCL waiver rents for the Eastside of Vancouver are the average rents for all residential units built since the year 2005 city-wide as published by CMHC in the Fall 2015 Rental Market Report.
3. Based on the following assumptions in 2015: median of all BC Assessment recent sales prices in the Vancouver Eastside in 2015 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150-250 monthly strata fees and monthly property taxes at \$3.54 per \$1,000 of assessed value.

The dwelling units in this application would be secured as for-profit affordable rental through a Housing Agreement with the City for the longer of the life of the building or 60 years. Covenants will be registered on title to preclude the stratification and/or separate sale of individual units. The proposed average starting rents, as set out in Figure 6, will be secured through the Housing Agreement. The DCL By-law allows for rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum allowable increases under the Province's Residential Tenancy Act. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the occupancy permit in order to ensure compliance with the maximum increases authorized by the DCL By-law. After occupancy, rent increases are regulated by the Residential Tenancy Act.

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

Community Amenity Contributions (CACs) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include either the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

The public benefit achieved for this application is secured for-profit affordable rental housing. 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 or 60 years, no further contribution towards public benefits is anticipated in this instance.

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

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, there is no CAC associated with this rezoning.

The site is subject to a City-wide DCL and it is anticipated that the commercial component of the project will generate approximately \$1,100,311 in DCLs. The for-profit affordable rental housing component of the project qualifies for a DCL waiver under Section 3.1A of the Vancouver DCL By-law and the value of the waiver is estimated to be approximately \$1,130,525.

The for-profit affordable rental housing, secured by a Housing Agreement for the longer of the life of the building or 60 years, will be privately owned and operated.

If the rezoning application is approved, the applicant would be required to provide new public art on-site, or make a cash contribution to the City for off-site public art, at an estimated value of \$303,367.

CONCLUSION

Staff have reviewed the application to rezone the site at 445 Kingsway and 2395 St. George Street from C-2 to CD-1 to increase the allowable density and height, 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. Staff further conclude that the application qualifies for incentives provided for for-profit affordable rental housing, including additional height and density, and a DCL waiver. If approved, this application would make a significant contribution to the achievement of key affordable housing goals of the City.

The Acting 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 Appendix F, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

445 Kingsway and 2395 St. George Street
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

- 1.1 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, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Museum or Archives;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
 - (c) Institutional Uses, limited to Social Service Centre;
 - (d) Manufacturing Uses, limited to Jewelry Manufacturing and Printing or Publishing;
 - (e) Office Uses;
 - (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Vehicle Dealer;
 - (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry

Cleaning Establishment, Motor Vehicle Repair Shop, Motor Vehicle Wash, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class A, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;

- (h) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (i) Accessory Uses customarily ancillary to the uses listed in this Section 2.2.

Conditions of Use

- 3.1 No portion of the first storey of a building, within a depth of 10.7 m of the front wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 3.2 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for:
 - (a) Farmers' Market;
 - (b) Neighbourhood Public House;
 - (c) Public Bike Share;
 - (d) Restaurant; and
 - (e) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 3.3 The design and 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 4,330 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses must not exceed 3.60.

- 4.3 Computation of floor area must include all floors of all buildings, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
 - (i) the total area of all such exclusions must not exceed 12 per cent of the residential floor area; and
 - (ii) the balconies must not be enclosed for the life of the building.
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
 - (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
 - (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 4.5 The use of floor area excluded under section 4.4 must not include any use other than that which justified the exclusion.

Building Height

5. Building height, measured from base surface, must not exceed 23.0 m.

Horizontal Angle of Daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 ().
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom;
 - (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 m².

Acoustics

7. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

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

* * * * *

445 Kingsway and 2395 St. George Street
DRAFT CONDITIONS OF APPROVAL

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

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by FNDA Architecture and stamped "Received Planning and Development Services, September 3, 2015", 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 to provide common outdoor amenity space at the roof of the podium at the north side.

Note to Applicant: Usable common roof deck should be provided in this location, as well as greenery and landscape treatments. Access should be provided from the indoor amenity room to common outdoor amenity space at the front and rear podium. A planter border should be provided at the roof edge to screen potential overlook impacts to the site(s) to the north.

- 2. Design development to provide an improved relationship to St. George Street and Robson Park with a landscaped setback at the east edge of the site.

Note to Applicant: A landscaped setback should be provided along St. George Street in conjunction with the retained cedar tree and north of the commercial corner, which may maintain a 0.6 m setback as proposed. The landscaped setback may incorporate elements in response to the St. George Rainway initiative as outlined in the Mount Pleasant Community Plan. See Landscape condition 8.

- 3. Design development to maintain the high quality of materials and details indicated for the building design.
- 4. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce

these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

5. Design development to address CPTED (Crime Prevention Through Environmental Design) principles at the north side of the site.

Note to Applicant: A walkway may be provided at the north side of the site with exterior lighting to ensure it is safe and secure. Windows should be provided at the rear north elevation adjacent to the path to provide visual interest to the façade, and casual surveillance to the walkway.

6. 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.

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 of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming the above; 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 are also required under the policy. Confirm whether the project will be built to LEED® or Passive House® standards. If Passive House is chosen, supply similar information on the drawings as noted above.

Landscape Design

8. Design development to ensure an optimal tree protection setback for tree #11 that does not necessitate canopy pruning.

Note to Applicant: This is a significant condition that will require that the building be set back below and above grade. Tree #11 is a full canopied cedar tree located on the inner boulevard adjacent the site on City property. Of all trees within influence of the immediate development work, this single tree is

regarded as a high valued retention candidate due to its health and location at the perimeter of the site.

To inform design, the outer limits of the existing canopy have been measured from the trunk to the outer branch limits (or dripline): 6.5 m to the west, 4.7 m to the north, 6.7 m to the south. Preliminary review of the tree by City arboricultural staff has recommended a setback distance of 6.0 m. The ultimate setback distance to the building, measured from the trunk, must consider any necessary canopy clearance requirements to enable construction. Also, the setback must be sufficient to prevent unnecessary conflicts with the building as the tree grows. The rezoning response should offer an optimised solution that shall be no closer to the tree than 6.5 m (or more if construction clearance is identified).

Though the Rezoning condition remains, staff and the applicant team are aware of information gaps at the time of writing. At the time of development permit, staff will coordinate with the applicant team and the City Arborist to review the setback requirements in detail. Employ special construction methods such as vertical shoring, and set back the limit of excavation outside the dripline. The scheme should not rely on canopy encroachment pruning or root zone disturbances (such as intensive re-landscaping). Avoid landscape or grading proposals that may cause unnecessary compaction of roots and changes to the existing growing conditions (water availability and drainage). Modifications to the proposed streetscape may be needed in coordination with the General Manager of Engineering Services.

9. Design development to the retention of the row of trees to the north edge.

Note to Applicant: While an increased setback is not required to retain these trees, further commentary is required by the arborist with regard to special construction methods and/or foundation design to ensure safe and responsible protection of the trees.

10. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and landscaping.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

11. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad-mounted transformers, "Vista" junctions, underground venting) visible from the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to

integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

12. Consideration to explore design options that respect the City's Bird Friendly Design Guidelines.

Note to Applicant: Refer to
<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

13. At time of development permit application:

- (i) Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant List should include the common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a Tree Management Plan.

Note to Applicant: Provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including dimensioned tree protection barriers and important construction management directives drawn out of the arborist report(s) such as clearly illustrating the limit of excavation and footing design strategy (i.e. vertical shoring, shotcrete).

- (iii) Provision of detailed architectural and landscape cross sections (minimum 1/4" scale) through tree protection zones, all proposed common open spaces and semi-private patio areas.

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- (iv) Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.
- (v) Provision of the necessary infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common amenity locations.

- (vi) Provision of a partial irrigation plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 m²). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

- (vii) Provision of an outdoor Lighting Plan.

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

- (viii) Provision of an updated, detailed arborist report.

Note to Applicant: The expanded report should inform design and discuss all impacts. Include any construction limitations such as the location of construction storage materials, temporary structures, utility conflicts, site access, development phasing and temporary irrigation requirements.

- (ix) Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is typically necessary when any work is required within a minimum root protection zone of a retained tree. The arborist should discuss the details of any supervision requirements within the arborist report, particularly if the plans depict any work that encroaches into a minimum root protection zone. Typically, an assurance letter will outline up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

Engineering

14. Reconfigure parking allocations on sub-basement and basement levels such that commercial vehicles do not drive through residential parking areas.

Note to Applicant: Engineering does not support commercial vehicles driving through the residential parking area.

15. Relocate public bike pump and maintenance station on drawing L1.0 to be on private property, which are to be fully maintained by developer/tenant appointed by developer. (Note: Legal arrangements will be required to ensure on-going maintenance.)

16. Relocate proposed Class B bike racks to private property.

Note to Applicant: Design or orientate the bike racks so when in use bikes will not encroach onto the City sidewalk.

17. Provide automatic door openers on the doors providing access to the bicycle room(s).
18. 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 an improved plan showing the location of poles and guy wires to identify conflicts with the proposed vehicle crossings and any required relocation of poles or guy wires.
- (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the parking area, both sides of the loading bay, and at all entrances.

Note to Applicant: This is required to calculate the slope and cross-fall.

- (iii) Provision of a Vehicle Delivery Plan for the auto dealership.

Note to Applicant: Additional information is required to understand how new vehicles will be delivered to the site. Provide information about delivery schedule and procedures, size of delivery vehicles, use of a storage lot and any additional related delivery procedures.

- (iv) Provision of a review of the parking and loading design by a qualified Transportation Consultant.

Note to Applicant: This must analyse vehicle and truck turning movements and show vehicle turning swaths on the submitted plans. Additional items to include in the review are as follows:

- Identify conflicts at the crossing on St. George Street between residential and dealership vehicle access. Current design shows numerous vehicle paths crossing over each other to access the building. The Transportation Consultant should provide a solution to resolve the conflicts.
- Solutions to achieve the required maneuvering for the Class B loading spaces with loading throats and additional stall widths for second and subsequent loading spaces. Show maneuvering from the street into and out of the site.
- Provision of an improved residential Class B loading space. The space shown is not supported as trucks are required to back in or out 80' (24 m) down the maneuvering aisle.
- Provision of car elevator dimensions, confirm maneuvering for the car elevator on the ground floor as drawing A2.08 shows a 15' maneuvering aisle. (There is inadequate space to access elevator).
- Review maneuvering aisle widths as electrical rooms and elevator cores are located within the maneuvering aisle. Without the

required maneuvering, the stalls cannot be included in the parking calculations.

- Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement. A column 2' in length must be set back 2' from either the opening to or the end of the parking space. A column 3' long may be set back 1'.
- Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4' from the end of the stall. Provide a minimum 0.3 m (1') setback from the drive aisle for all columns.

- (v) Dimension all parking stalls and columns encroaching into parking stalls.
- (vi) Provision of minimum vertical clearance for the main ramp, security gates, and loading bays and clearly note them on plans.

Note to Applicant: A section drawing is required showing elevations and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces and 3.8 m of vertical clearance is required for all Class B loading spaces and maneuvering. Without the required vertical clearance, the Class B spaces shown are not acceptable.

- (vii) Remove columns located within the maneuvering aisle on drawing A2.08.

Note to Applicant: The columns are located along gridline E.

- (viii) Confirm 2.0 m of vertical clearance is being provided for stalls 31-34 on drawing A2.02.
- (ix) Provision of 2.9 m stall width for the carshare stall and provision of an improved plan showing the routing from the carshare vehicle to the street.

Note to Applicant: Confirm that 24/7 public access is being provided to the carshare stall.

- (x) Provide a signed letter from the BC Safety Authority which supports the provision of the vehicle elevator/lift device.
- (xi) Provision of corner cuts to improve maneuvering at the bottom of the ramps.

Note to Applicant: A 9' x 9' corner cut is required on the south side of the ramp on drawings A2.00 and A2.02.

- (xii) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

Please contact the Neighbourhood Parking and Transportation Branch at 604-871-6279 for more information or refer to the Parking and Loading Design Guidelines at the following link: (<http://vancouver.ca/home-property-development/parking-policies-guidelines.aspx>)

19. Provide a City standard commercial driveway for the proposed dealership driveway entrance on St. George Street as curb returns are shown. Note a crossing application is required.
20. Confirmation that canopies or awnings are proposed over the property lines and submit a separate application to the General Manager of Engineering Services.
21. Clarification of separated garbage storage and recycling facilities (separated between residential and commercial uses), clarification that waste haulers can access and pick-up from the locations shown and pick up operations for both that do not rely on use of public property for storage of bins.
22. Provision of details within the garbage and recycling areas to confirm adequate space for bins and recycling. Please refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins.
23. Provision of standard exposed aggregate 4-piece tree surrounds for all new trees on Kingsway.

Note to Applicant: Drawing No. L1.0 (Landscape Plan) - The placement of the bus stop and shelter do not match the current location. Clarify if the existing bus stop and bus shelter will be relocated. Ensure that the proposed new street trees do not conflict with the existing or relocated bus stop and bus shelter location.

24. Delete references to rain garden on public property and show turf or plantings that meet the boulevard planting guidelines.
25. Provision of a separate application to the General Manager of Engineering Services for all public property treatments. Please update the landscape and site plans to reflect the geometric changes sought for this application. (Geometrics will be supplied by the City).
26. Provision of high-quality materials for landscape surface treatments within the public realm in accordance with the Mount Pleasant Public Realm Plan in consultation with the Director of Planning and to the satisfaction of the City Engineer.
27. Final coordination of the public realm treatment to meet the intent of the Mount Pleasant Public Realm Plan.

Housing

28. The proposed total unit mix of 29 studio (26.6%), 53 one-bedroom (48.6%) and 27 two-bedroom (24.8%) units is to be modified to ensure that a minimum 25 per cent of units are two-bedroom units in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25 per cent of the dwelling units designed to be suitable for families with children.

29. Design development to ensure that a minimum of 25 per cent of the proposed secured market rental units are designed to be suitable for families with children.
30. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
31. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Chief Housing Officer (or successor in function), 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 Lot 1 and Lot 2 Except Part in Explanatory Plan 6822, Both of Lot A, Plan 7272; and Lot L, Plan 21842; All of Block 132, DL 264A to create a single parcel.
2. Release of Easement 94188M and Easement & Indemnity Agreements 95614M and 129302M (all for commercial crossings), and associated extension agreements GB77378 and GB77379 prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

3. Provision of a shared access agreement for vehicular traffic onto any future development on the adjacent Lot 7, Except Portions in Reference Plans 847 and

1617, Block 132, DL 264A, Plan 923 and 1771. Note: Provision of a knockout panel at the appropriate location along the vehicular entry ramp is required.

4. Provision of building setback and a surface SRW to achieve a 5.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension. The SRW agreement is to accommodate the underground parking within the SRW area.
5. Provision of a corner-cut at the St. George/Kingsway corner of the site to accommodate sidewalk widths. A detailed review is required to determine if a corner-cut is necessary, and if so, dedication or other arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required.
6. 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 that 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) Provision of a minimum 1.83 m (6'-0") broom-finish concrete sidewalk with saw-cut joints and a minimum 2.0 m (6'-6") front boulevard with sod on St. George Street to match the boulevard on the east side of the street. Final sidewalk dimensions and location to be determined in consultation with the Vancouver Park Board and Director of Planning should the proposal to retain the large cedar tree on St. George Street be achievable.
 - (ii) Provision of new curb ramps and curb return at the intersection of Kingsway and St. George Street.
 - (iii) Provision of new sidewalks adjacent the site in keeping with the area standards.
 - (iv) Provision of street trees adjacent the site where space permits.
 - (v) Should the existing bus shelter and stop on Kingsway require relocation to accommodate the development proposal, all costs are to be borne by the applicant.
 - (vi) Provision of geometric changes on St. George Street, north of the proposed driveway crossing. The geometric changes shall include the following:
 - a. A raised crosswalk on the north leg of St. George Street and 13th Avenue.
 - b. The closure of St. George Street with geometric changes for a cul-de-sac.

- c. Removal of the existing traffic circle at St. George Street and 13th Avenue.
 - d. Provision of a bi-directional protected bike lane on the east side of St. George Street adjacent to Robson Park for the length of the site.
- (vii) Provision of a new traffic signal on Kingsway at the parkade entry aligned with the driveway crossing for Mount Saint Joseph Hospital on the south side of Kingsway. Work to including geometric changes on Kingsway (median and curbs) to accommodate the proposed access including relocation and/or adjustment of all utilities and services to allow for the signal installation and geometric changes with on-site space to accommodate signal kiosks and controllers should space not be available for these items within the road right of way. (Note: Legal arrangements will be required should any feature require placement on the site.)
- (viii) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary, then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
- (ix) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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 sewer system upgrading that may be required.
7. 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), and 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.

Housing

8. Make arrangements to the satisfaction of the Chief Housing Officer (or successor in function) and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:

- (i) A no separate-sales covenant;
- (ii) A no stratification covenant;
- (iii) That none of such units will be rented for less than one month at a time;
- (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance;
- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents, subject to any increases allowed by section 3.1B(c) of the Vancouver Development Cost Levy By-law:

Unit Type	445 Kingsway Proposed Average Starting Rents
Studio	\$1,242
1-bed	\$1,561
2-bed	\$1,972

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of the Chief Housing Officer (or successor in function) and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by section 3.1B(c) of the Vancouver Development Cost Levy By-law.
- (vii) Such other terms and conditions as the Chief Housing Officer (or successor in function) and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a 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 the Public Art Program Manager at 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 to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as 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.

**445 Kingsway and 2395 St. George Street
DRAFT CONSEQUENTIAL AMENDMENTS**

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

SIGN BY-LAW NO. 6510

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

"445 Kingsway [CD-1 (#)] [By-law #] B (C-2)"

PARKING BY-LAW NO. 6059

In Schedule C, add:

Address	By-law No.	CD-1 No.	Parking Requirements
445 Kingsway			Parking, loading and bicycle spaces in accordance with by-law requirements, except that there must be 2 Class A and 3 Class B loading spaces provided.

NOISE CONTROL BY-LAW NO. 6555

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

"[CD-1 (#)] [By-law #] 445 Kingsway"

* * * * *

445 Kingsway and 2395 St. George Street
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Panel reviewed the application on January 27, 2016 and supported it.

EVALUATION: SUPPORT (7-0)

Introduction: Joyce Uyesugi, Rezoning Planner, introduced the project as an irregular-shaped site located at Kingsway and St. George Street in the Mount Pleasant community. Robson Park is located to the east and Mount St. Joseph Hospital across Kingsway to the south. Directly to the north of the site is the Kivan Boys & Girls Club; another social facility, the Mount Pleasant Family Centre, is located in the park across the street. These facilities both provide community programming with a focus on youth.

This proposal is to rezone the site from C-2 to CD-1 to allow a 6-storey, mixed-use building, with a car dealership at grade and 109 secured market rental units above at 3.66 FSR. This is a rezoning application; it is not concurrent with a Development Permit application.

The application is being considered under the Secured Market Rental Housing Policy (Rental 100). The Policy supports rezoning for additional height and density when all of the residential units are secured as market rental for the life of the building. On C-2 zoned sites, the Rental 100 Guidelines allow consideration of an increase in height up to six-storeys and commensurate achievable density. There is also a requirement for 25% of the units to be designed for families (2 or more bedrooms). In this proposal, 25% of the units are 2-bedroom units.

The site is located within the Mount Pleasant Community Plan area. The Plan includes policy direction for housing diversity, more market rental housing, and provides high level design direction. It does not specifically address this portion of Kingsway.

There is a Council-approved Public Realm Plan for Mount Pleasant. It includes policy to support a community-based initiative for St. George Street called the St. George Rainway. The Rainway initiative aims to create a unique recreational and educational corridor that demonstrates rainwater collection and marks a historic stream.

Marie Linehan, Development Planner, continued by stating that the site is located in the C-2 District at Kingsway, and consists of approximately half the block face along Kingsway with a frontage of just under 400 ft. (392 ft.) and a depth of 264 ft. along St. George Street. St. George Street slopes down to the north in this location, and there is a drop in grades of about 1.0 m along Kingsway and 4.25 m along St. George Street.

There is no lane at this block. Parking access is located at Kingsway for customer parking and at St. George Street, for residential parking. Service center and car storage uses are located the underground parkade. Pedestrian crossings are required in these locations, and a pedestrian-controlled crossing at Kingsway is currently under review with the City's Engineering group.

The zoning to the rear is RT-5 which allows duplex use at 2 ½ storeys height (35 ft.). There is an existing two-storey building at the City-owned site to the north, which houses the Kivan Boys & Girls Club. It is anticipated that the Kivan site will redevelop with the Club use. A 'knock-out' panel is required at the underground parkade for this project so that the Kivan site may share their driveway for future redevelopment.

The C-2 zoning allows for mixed use buildings on commercial arterials. The density is 2.5 FSR with a four-storey height limit (45 ft.). The typical form is a continuous street wall condition with three storeys flush to the sidewalk edge along Kingsway with a small setback at the 4th storey. A stepped profile is required at rear to reduce impact on the lower density residential sites behind this site.

The applicable policy for rezoning is the citywide Rental 100 Program. Under the Rental Incentive Guidelines, we may generally consider an increase in height to six-storeys with a commensurate increase in density, subject to overall urban design performance.

The Mount Pleasant Community Plan forms the background for this proposal, but does not provide specific guidelines for this site. There is a general expectation for high quality design in new buildings, and support for the provision of a greater range of housing types, including rental housing.

The proposal consists of a double-height commercial base with a mezzanine to the rear and five storeys of residential above for a total height of 75 ft. As C-2 commercial bases have typically high volumes, Planning is able to consider this proposal as meeting the intent of the six-storey height limit under the Rental 100 policy.

For a C-2 site with this adjacency the setback requirement is 12 ft. to a three-storey base, and 35 ft. to the fourth storey. This profile is shown as a dashed line on the sections. The proposal provides a 12 ft. setback to a two-storey base to match the height at the Kivan site, and provides significant setbacks to the upper residential levels.

In terms of the overall massing, a distinct commercial base is provided with a more sculptural approach to the upper massing, rather than a conventional C-2 street wall building.

It should be noted that, while underground parking is excluded, underground car storage and service center uses are counted towards the floor area. That represents some 40,000 sf. of the total floor area. As a point of reference, the above-grade building massing is at about 2.82 FSR.

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

1. Overall height, massing and density, in particular:

- a. Design response to the long frontage.
- b. Transition to RT zoned neighbourhood to the rear.

Applicant's Introductory Comments: The applicant introduced the site as being awkwardly shaped. Thus an attempt has been made to limit the long façade on Kingsway by playing with

the massing. The proposed massing breaks up the façade into a commercial base and a residential space, with a transition piece in between.

One of the things looked at was making pieces of the building a bit higher by one or two stories in order to add interest, but the height was limited to 6 storeys; the architect noted that they still felt they were able to do something interesting with the massing.

Since this is a rezoning only the basic landscape concepts have been established, and the details have not been sorted out. These details include having a bike area, designated quiet areas, and having an urban garden.

The applicant team took questions from the panel members.

Panel's Consensus on Key Aspects Needing Improvement:

- The long frontage could be further broken up moving the residential mass back or closer to Kingsway.
- The sharp corner seems a bit dramatic; consider design development.
- Design development to add visual interest to blank wall faces on Kingsway.
- Provide more space at St. George Street. The setbacks are too tight to address the railway aspiration and park adjacency.
- The path at the rear 12 ft. setback seems to have CPTED problems, which may be addressed by opening up the north façade.
- The rear podium roof should be accessible by residents as a common amenity space, not inaccessible green roof.
- High quality materials should be provided moving forward to the development application.

Related Commentary: Members of the panel noted that the proposal seems like a thoughtful response to a site which does not embody the typical conditions. There are no issues with the height, the density seems supportable, and the railway improvements could look great and add to the neighbourhood character.

While the podium reads very strongly, the residential is in line with the commercial base for a portion of Kingsway. Parts of the structure could be set back a bit to take the residential frontage off Kingsway. Alternately, consideration could also be given to moving more of the mass onto Kingsway. Overall the horizontal scale seems to work well in breaking up the mass.

The transition at St. George Street and the park includes a 2 ft. setback which seems a bit too small; a 6 ft. setback would be more appropriate in relation to the park. Move some of the mass away from the park to create a better response to the park.

On the rear corner with the pedestrian crossing, there is a lot going on; attention should be paid to how this corner will operate with all the uses.

One person thought that the corner on Kingsway is too sharp, and could be done a bit more elegantly. Other panel members thought the corner was fine and reflected the different geometry of Kingsway intersecting the standard north south street grid.

Parts of the building façade seem blank and underutilized. Materials, patterns and colours could be used to better break up the façade and add visual interest. Particular attention should be paid to the transition on the north side. It may be parking and vehicle space for test drives, but it would make sense to have a wall treatment to provide some texture or additional windows which may be translucent and show movement behind.

The building shadow extends across multiple property lines at times, but is a product of site conditions and may be unavoidable.

Crime Prevention through Environmental Design (CPTED) principles should be used on the walkway behind the north edge. It currently looks like it will be spooky at night.

There is a better use for the roof space in the rear than just pure green roof. In light of some of the balconies being narrow, provide common roof access in this area so that it can be useful. As well, the amenity on the front feels too small and awkward.

Applicant's Response: The applicant team noted that the renderings are covering up windows on the St. George elevation, so it is not all blank.

* * * * *

445 Kingsway and 2395 St. George Street PUBLIC CONSULTATION SUMMARY

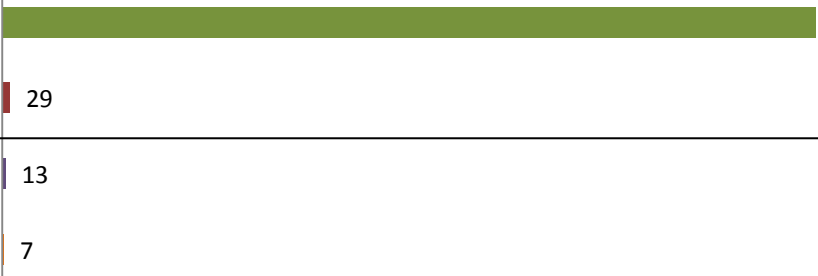
Public Notification

A rezoning information sign was installed on the site on September 29, 2015. A community open house was held on Thursday, December 10, 2015. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

December 10, 2015 Community Open House

A community open house was held from 5-8 pm on December 10, 2015 at the Florence Nightingale Elementary School gymnasium (2740 Guelph St.). A total of 3,070 notifications was distributed within the neighbouring area on or about November 24, 2015. Staff, the applicant team, and a total of approximately 29 people attended the open house.

Notification and Public Response

Total notifications	 3,070
Open House attendees	29
Feedback forms	13
Electronic feedback	7

Public Response

Public responses to this proposal have been submitted to the City as follows:

- In response to the December 10, 2015 open house, a total of 13 comment sheets was submitted.
- A total of 7 online comments was submitted by email about the proposal.
- Below is a summary of all feedback (both online and from the open house) related to the proposal.

Comments about the application are summarized below and ordered by frequency of topic:

Housing and Rental

Many voiced their support for new rental units for the Mount Pleasant community, including units appropriate for seniors and larger units for families.

Height

Most of those who commented on height were concerned that the proposed six storeys was too tall for the neighbourhood, and would negatively impact the park and neighbouring yards with shadowing and loss of views. Some were concerned that the proposed height was inconsistent with the policy directions in the Mount Pleasant Community Plan.

Parking and Traffic

There was significant concern about the location of the parkade entrance on St. George Street, and safety implications particularly for the Boys and Girls Club and the Family Centre in the park. Respondents suggested traffic calming, limiting St. George Street to be one-way, and/or locating the service parkade entrance on Kingsway to address these impacts. There was also some concern that the parking provided onsite would be inadequate, given the size of the development.

Parks and Open Space

There was a comment that the proposed open space was insufficient, and that improvements to Robson Park should be considered in light of the population increase from the new development.

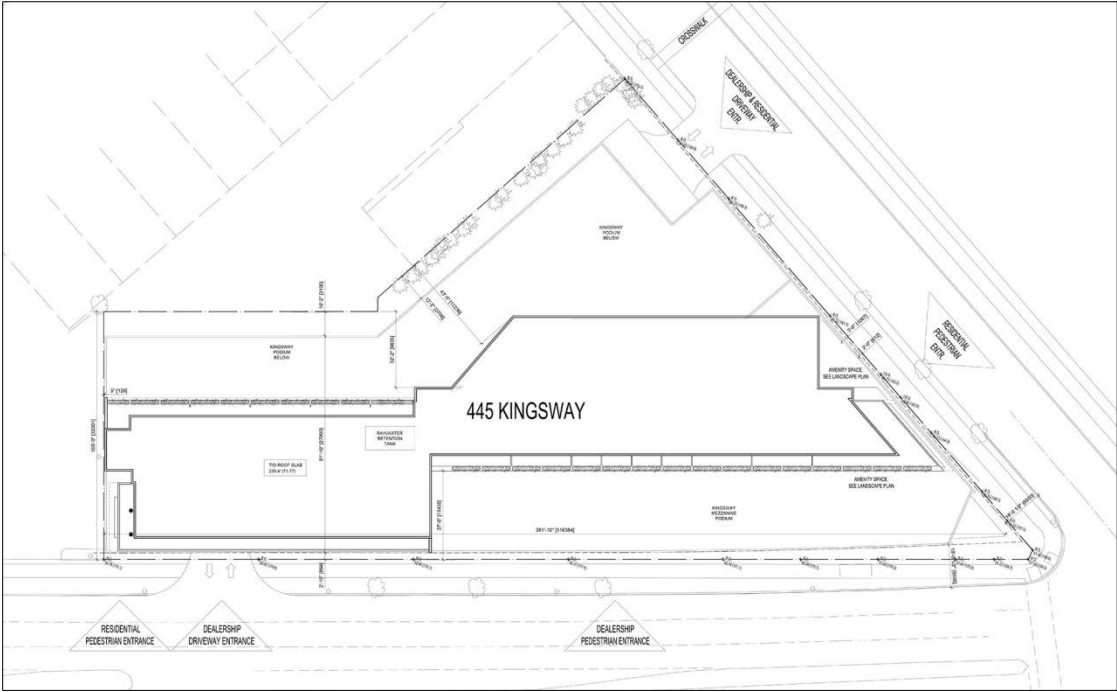
Design

There was a comment in support of the architecture and proposed building materials.

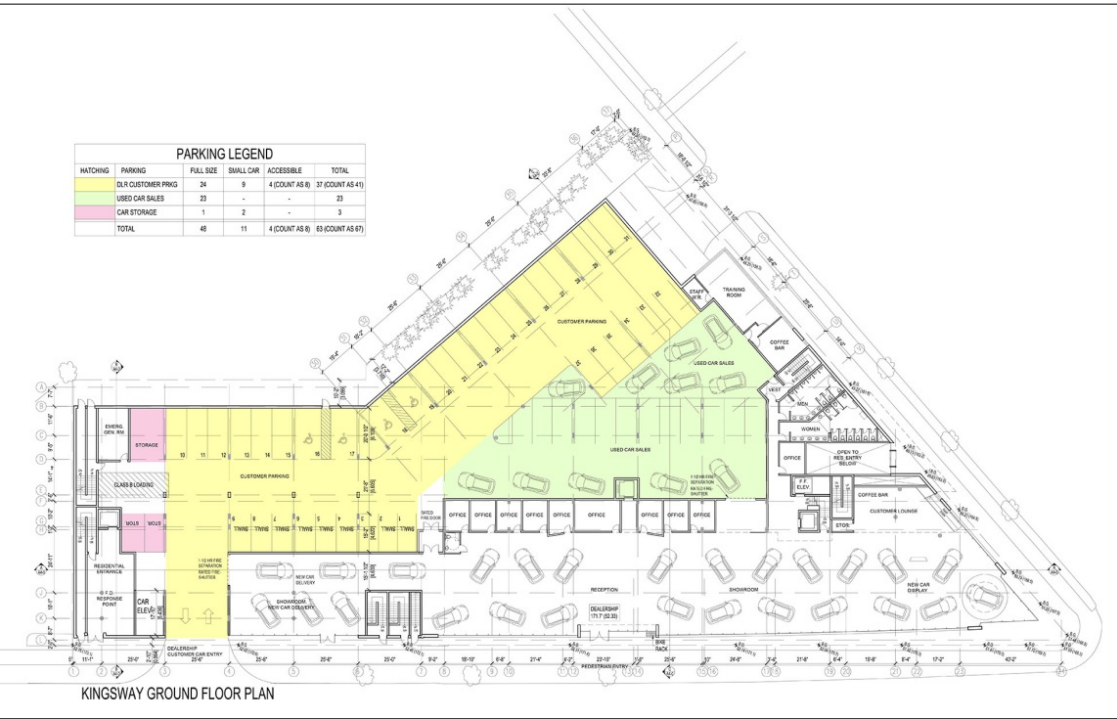
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445 Kingsway and 2395 St. George Street
FORM OF DEVELOPMENT

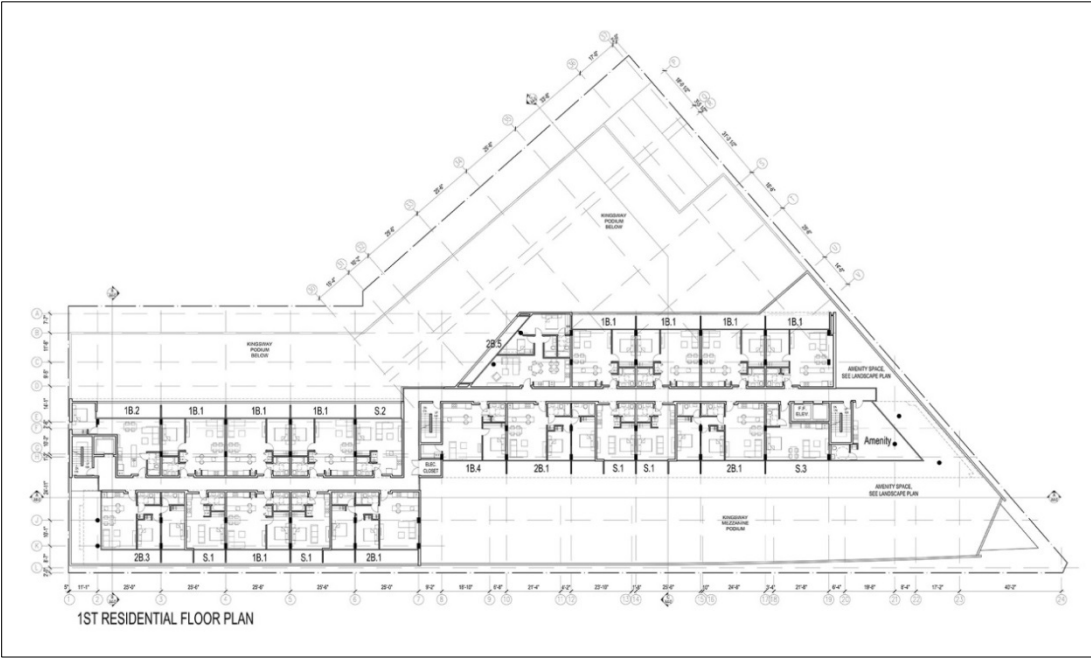
Site Plan



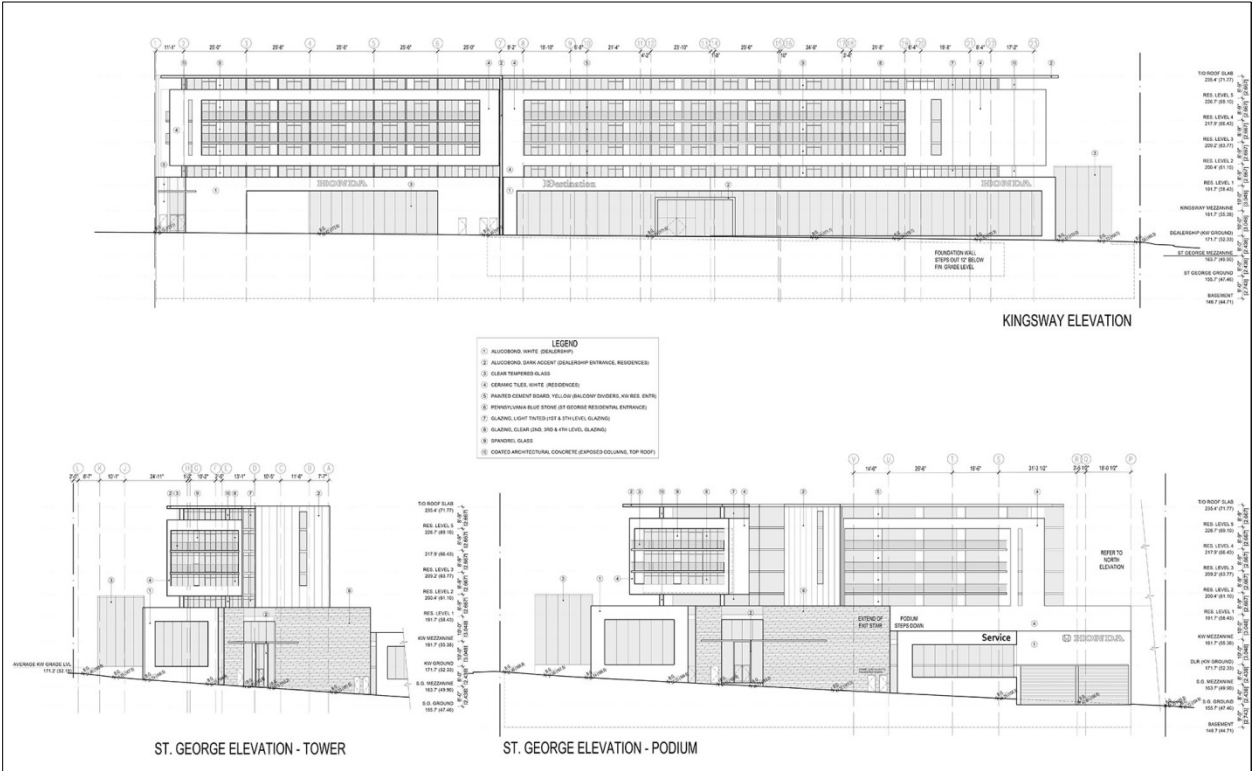
Ground Floor Plan



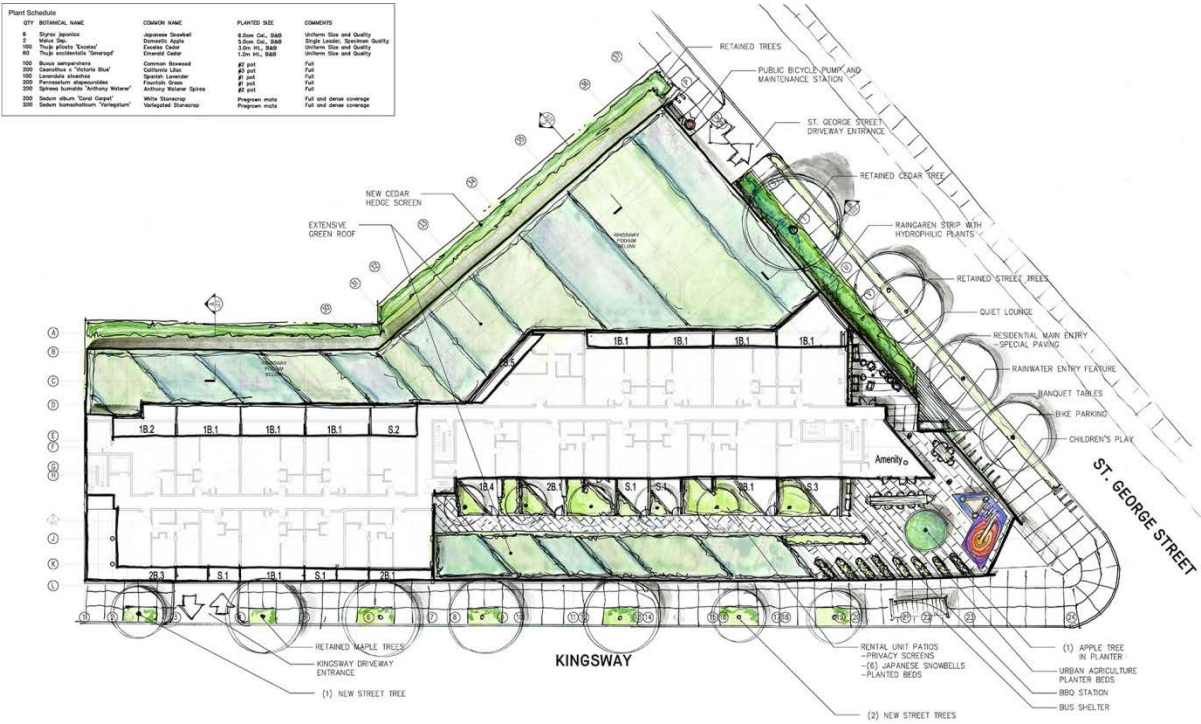
Typical Residential Floor Plan



Elevations



Landscape Plan



View from Kingsway and St. George Street, looking northwest



View from Robson Park, looking west



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445 Kingsway and 2395 St. George Street
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) 8 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	29	42 m ² (450 sq. ft.)	36.4 m ² (392 sq. ft.)
1-bedroom	53	56 m ² (603 sq. ft.)	49.7 m ² (535 sq. ft.)
2-bedroom	27	77 m ² (829 sq. ft.)	72.3 m ² (778 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	29	\$1,260	\$1,242
1-bedroom	53	\$1,675	\$1,561
2-bedroom	27	\$2,084	\$1,972

*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
\$2,691 per m ² (\$250 per sq. ft.)	\$2,497 per m ² * (\$232 per sq. ft.)*

* Excludes one level of parking reserved for the commercial component of the site.

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

* * * * *

445 Kingsway and 2395 St. George Street
PUBLIC BENEFITS SUMMARY

Project Summary:

A six-storey mixed-use building containing commercial uses (vehicle dealer and repair shop) on the lower floors and 109 for-profit affordable rental units above.

Public Benefit Summary:

The proposal would provide 109 dwelling units secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer. A public art contribution would also be provided.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 4,330 m ² / 46,609 sq. ft.)	up to 2.50	3.60
Floor Area (sq. ft.)	116,523	167,606
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)	\$1,550,914	\$1,100,311
	Public Art		\$303,367
	20% Social Housing		
Offered (Community Amenity Contribution)	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Childcare Facilities/Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$1,550,914	\$1,403,678

* 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: Engineering (7%); Replacement Housing (30%); and Parks (63%).

445 Kingsway and 2395 St. George Street
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Parcel Identifier (PID)	Legal Description
445 Kingsway	011-726-598	Lot L, Block 132, District Lot 264A, Plan 21842
445 Kingsway	009-994-131	Lot 2, except part in Explanatory Plan 6822, of Lot A, Block 132, District Lot 264A, Plan 7272
2395 St. George Street	010-671-919	Lot 1 of Lot A, Block 132, District Lot 264A, Plan 7272

Applicant Information

Applicant/Architect	FNDA Architecture Inc.
Developer/Property Owner	Razgul Holdings Ltd. and Azizamalco Holdings Canada Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	C-2	CD-1
Site Area	4,330 m ² (46,609 sq. ft.)	4,330 m ² (46,609 sq. ft.)
Land Use	Commercial and Residential	Commercial and Residential
Maximum FSR	2.50	3.60
Maximum Height	13.8 m (45.3 ft.)	23.0 m (75.5 ft.)
Floor Area	10,825 m ² (116,523 sq. ft.)	15,571 m ² (167,606 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law, except that there must be 2 Class A and 3 Class B loading spaces provided.

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