



REFERRAL REPORT

Report Date: April 14, 2020
Contact: Theresa O'Donnell
Contact No.: 604.673.8434
RTS No.: 13812
VanRIMS No.: 08-2000-20
Meeting Date: April 28, 2020

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1111-1123 Kingsway

RECOMMENDATION

- A. THAT the application by 1076164 B.C. Ltd. (Peterson Group), the registered owner of the lands located at 1111 – 1123 Kingsway [*Lot V, Block 58, District Lot 301, Group 1, Plan 21267, PID 007-643-888; and Lot L, Block 58, District Lot 301, Plan 3257, PID 013-023-667*] to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 2.5 to 5.58 and building height from 13.8 m (45.3 ft.) to 44.2 m (145 ft.) for the development of a fourteen-storey mixed-use building, with 131 secured rental housing units, of which 20 per cent of the residential floor area will be secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, be referred to Public Hearing together with:
- (i) plans prepared by Musson Cattell Mackey Partnership, received July 5, 2019, with revisions submitted on December 12, 2019, and January 23, 2020;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval 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 the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

C. THAT, subject to enactment of the CD-1 By-law, the *Sign By-law* be amended generally as set out in Appendix C;

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

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

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

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

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone 1111-1123 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District under the *Moderate Income Housing Rental Pilot Program* (the “MIRHP Program”). The application proposes a mixed-use development consisting of a 14-storey building with commercial uses at grade and 131 secured rental housing units, of which 20 per cent of the residential floor area is reserved for Moderate Income Rental Housing Units (the “moderate income units”), being units reserved for households earning a moderate income and to be rented at rates targeted to meet the affordability needs of moderate income households earning between \$30,000 and \$80,000 per year, with such rents to be capped at the *Residential Tenancy Act’s* (RTA) annual allowable rental increase regardless of a change in tenancy. A height of 44.2 m (145 ft.) and an FSR of up to 5.58 are recommended.

Staff have assessed the application and conclude that it meets the intent of the *MIRHP Program*. The application is also consistent with the *Development Cost Levy By-law No. 9755* definition of “for-profit affordable rental housing”, for which certain Development Cost Levies may be waived, as described in this report.

If approved, the application would contribute 131 secured rental housing units towards the City’s housing goals as identified in the *Housing Vancouver Strategy*. Staff recommend the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing, along with the Conditions of Approval outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives (2017, last amended 2019)*
- *Housing Vancouver Strategy (2017)*
- *Kensington Cedar-Cottage Community Vision (1998)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *High-Density Housing for Families With Children Guidelines (1992)*
- *Green Buildings Policy for Rezoning (2010, last amended 2018)*
- *Community Amenity Contributions — Through Rezoning (1999, last amended 2018)*
- *Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2019)*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*
- *C-2 District Schedule and Design Guidelines (2003)*
- *Urban Forest Strategy (2014)*

REPORT

1. Site and Context

This 1,784.8 sq. m (19,211 sq. ft.) subject site is comprised of two lots located at the northeast corner of Kingsway and Glen Drive in the Kensington-Cedar Cottage neighbourhood (see Figure 1). There are no existing rental units on this site.

The northwest corner of the property at the intersection of the lane and Glen Drive will be secured for lane dedication to allow the lane to intersect Glen Drive perpendicularly and improve sight lines. This requirement is set out in Part 2 of Appendix B as a condition of rezoning enactment.

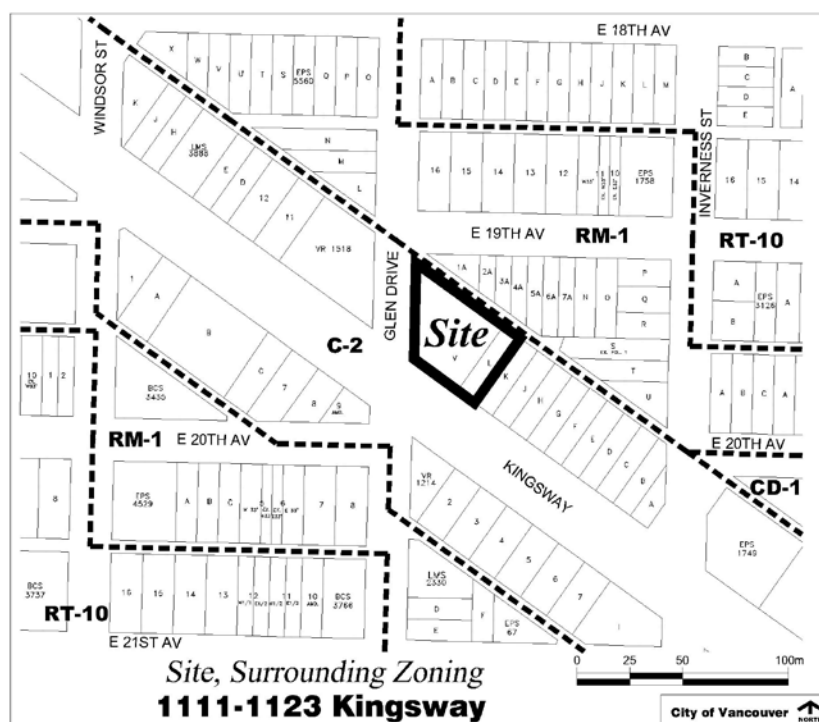
The trapezoidal-shaped site has a 35.3 m (115.9 ft.) frontage along Kingsway, 48 m (148 ft.) along Glen Drive, and 60.7 m (199 ft.) along the rear lane. The site is currently zoned C-2 (Commercial) District and developed with a two-storey commercial/service use. The site is cross-sloped down to the southwest by approximately 3.2 m (10.6 ft.).

Kingsway is zoned C-2 (Commercial) District, and is generally developed with one to three storey mixed-use buildings. The lots directly across Glen Drive to the northwest and across Kingsway to the south are developed as three-storey mixed-use buildings. The properties to the

north across the lane are zoned RM-1 (Residential) District, and predominantly developed with single family houses.

Kingsway is a primary arterial road and a TransLink frequent transit route. The 19 bus and N19 night bus both run along Kingsway. The Windsor north-south bike route can be accessed one block west of the site along Windsor Street.

Figure 1 – Location Map



Neighbourhood Amenities – The following neighbourhood amenities are within the area:

- Parks: Sunnyside Park (300 m to north), Glen Park (400 m to south), Kingcrest Park (700 m to southeast), Clark Park (1 km to northeast).
- Community Spaces: Kensington Branch of the Vancouver Public Library, located at the intersection of Kingsway and Knight Street (650 m to southeast).
- Childcare: Five childcare facilities within 800 m of the site.

Local School Capacity – This site is located within the catchment area of Charles Dickens Elementary School (1010 East 17th Avenue) and Annex (3877 Glen Drive), and Sir Charles Tupper Secondary (419 East 24th Avenue). Per the Vancouver School Board (VSB)'s *Draft Long Range Facilities Plan* dated May 29, 2019, utilization in 2018 at the elementary school and its annex were approximately 104 per cent and 90 per cent respectively of their capacities. By 2027, the draft plan forecasts a slight increase in enrolment to approximately 106 percent of their capacities. At the secondary school, the 2018 enrolment was at 68 per cent of its 1,500 student capacity. The draft forecasted enrolments are approximately 82 per cent of capacity by 2027. The overall enrolment trend for schools in the area anticipates continued capacity issues at the elementary level, and space to accommodate forecast enrolment at the secondary level.

VSBC also continues to monitor development and work with the City of Vancouver to help plan for future growth.

2. Policy Context

MIRHP Program – On November 29, 2017 Council approved the application process, project requirements and incentives for the *MIRHP Program*, which are intended to deliver moderate income rental housing across the city. Between January 1, 2018 and July 1, 2019, the City accepted rezoning proposals for new buildings where 100 per cent of the residential floor area is secured as rental housing and at least 20 per cent of the residential floor area is permanently secured as moderate income rental housing units (also referred to as **moderate income units** in this report). These moderate income units are to be rented at rates targeted to meet the affordability needs of moderate income households earning between \$30,000 and \$80,000 per year. Furthermore, there are to be caps on rental increases for the moderate income units at rates set under the provincial *Residential Tenancy Act*, even on a change in tenant. The purpose of the pilot is to test the level of interest from the development industry and demonstrate financial and operational feasibility of these projects in different parts of the city, including the level of affordability that can be achieved.

On November 26, 2019, Council approved an extension of the timeline of the *MIRHP Program* to enable new rezoning proposals to be considered until January 1, 2021. Following the pilot, Staff will report back to City Council with lessons learned from the pilot, and if appropriate, recommendations for a new, long term program to encourage the construction of moderate income rental housing.

Housing Vancouver Strategy (2017) – In November 2017, Council approved the *Housing Vancouver Strategy* (2018-2027) and the *3-Year Action Plan* (2018-2020). The strategy seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining diversity of incomes and households in the city, of shifting housing production towards rental to meet the greatest need, and of coordinating action with partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the next 10 years, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. This rezoning application, if approved, will contribute towards the targets for purpose-built market rental units, family units, and rental units geared to incomes below \$80,000 per year.

Kensington-Cedar Cottage Community Vision — In July 1998, Council approved the *Kensington-Cedar Cottage Community Vision*, which recognizes the potential for additional developments to provide housing, strengthen local shopping areas and improve safety by adding “eyes on the street”.

Development Cost Levy By-Laws – Under Section 3.1A of the *Vancouver Development Cost Levy By-Law No. 9755* (the “**DCL By-law**”), and Section 3.2 of the *Vancouver Utilities Development Cost Levy By-law No. 12183* (the “**Utilities DCL By-law**”), projects that meet the by-laws’ definition of “for-profit affordable rental housing”, a term specifically used by the province in Section 523D(10.3)(a) of the *Vancouver Charter*, are eligible for a DCL waiver for the residential portion of the development. The DCL By-law and the Utilities DCL By-law establish maximum unit sizes and maximum average rents by unit type for the project to be eligible for the waiver. Current rental rates and unit sizes are outlined in the *Rental Incentives Program Bulletin* and are updated on an annual basis.

On November 26, 2019, Council approved changes to the DCL By-law and the Utilities DCL By-law, including new maximum average rent criteria that enable projects that meet the affordability requirements in the *MIRHP Program* to be eligible for a waiver of the DCLs under the DCL By-law (the **DCLs**). Council also approved changes to Utilities DCL By-law to remove the waiver for “for-profit affordable rental housing,” effective September 30, 2020. However, applications submitted before this date will remain eligible for a waiver of the DCLs under the Utilities DCL By-law (the **Utilities DCLs**), provided that a building permit is issued within 12 months of the effective date of the Utilities DCL By-law change.

Staff note that the term “for-profit affordable rental housing” as defined by the *Vancouver Charter*, and used in relation to the DCL By-law and Utilities DCL By-law does not necessarily create rental units that are affordable to all Vancouver residents. The DCL waiver provides opportunities for the creation of a range of rental levels, in accordance with the housing continuum objectives of the *Housing Vancouver Strategy*.

Strategic Analysis

1. Proposal

This application proposes a mixed-use building consisting of commercial uses at grade and 131 secured rental housing units, of which 20 per cent of the residential floor area is being secured as moderate income units. The recommended height is 44.2 m (145 ft.) with an accompanying FSR of 5.58.

Figure 2 – Perspective from Kingsway, Looking Southeast*



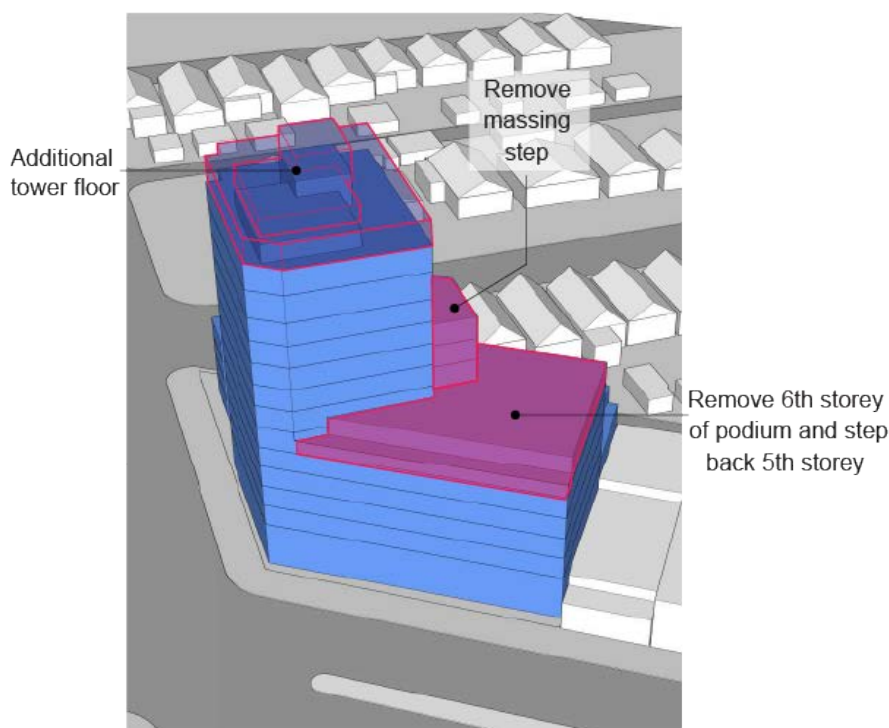
*Rendering reflects revised application received December 12, 2019

A total of 9,138 sq. m (98,363 sq. ft.) of residential floor area is proposed, as well as 821 sq. m (8,837 sq. ft.) of commercial floor area. 100 per cent of the residential space is dedicated to residential rental uses, with at least 20 per cent of the residential floor area permanently secured as moderate income units.

The original rezoning application, received on July 5, 2019 was for a mixed-use building consisting of a six-storey podium along Kingsway and 13-storey residential tower at the intersection of Kingsway and Glen Drive. Following comments received from the community open house, the Urban Design Panel and further staff review, a revised application was received on December 12, 2019 that decreased the height of the podium to five-storeys, simplified the residential tower's form by removing floor area from the 7th to 9th storey, and created a new 14th storey of the residential tower from the displaced floor area (see Figure 3). On January 23, 2020, the applicant also revised their parking plan by providing more transportation demand management measures in lieu of physical parking spaces.

Note that the FSR declared in the original and revised applications was incorrectly stated as 5.39. The staff technical review determined the proposal was for 5.58 FSR, as noted in Recommendation A and the draft CD-1 By-law in Appendix A.

Figure 3 –Changes Between Original to Revised Applications



2. Land Use

The site is currently zoned C-2 (Commercial) district. The intent of the *C-2 District Schedule and Design Guidelines* is to provide for a wide range of commercial uses serving both local and citywide needs, as well as residential uses, along arterial streets. This schedule emphasizes building design that furthers compatibility among uses, ensures livability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity. To encourage the delivery of increased below-market housing opportunities, the *MIRHP Program* allows for consideration of higher density residential uses.

This proposal, with residential and commercial land uses, is consistent with the intent of the *MIRHP Program* and the C-2 district schedule. A total of 821 sq. m (8,837 sq. ft.) of retail space

is proposed along Kingsway. 100 per cent of the residential space is dedicated to residential rental units.

3. Form of Development (Refer to drawings in Appendix E and statistics in Appendix H)

The *MIRHP Program* permits consideration of additional height and density to support a limited number of moderate income rental developments. For sites zoned C-2 located at an arterial intersection, a building height up to 14-storeys may be considered.

As there are limited urban design directions under the *MIRHP Program*, staff evaluated the proposed form of development based on considerations including:

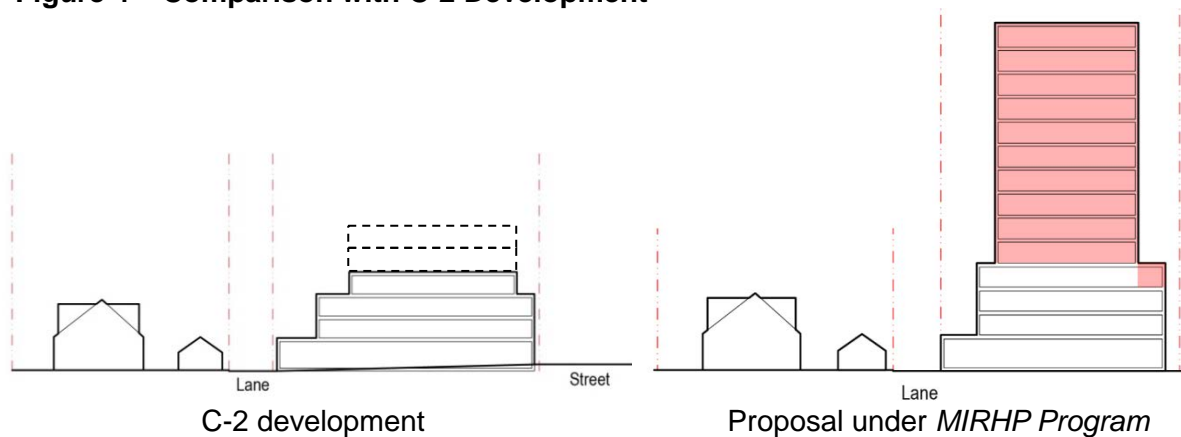
- Intent of existing zoning;
- Height - response to location and context;
- Neighbourliness – impact mitigation to adjacent neighbourhood development;
- Streetscape - contribution to public realm and pedestrian experience, supporting local services along both Kingsway and Glen Drive.

Existing Zoning – If development were to occur under the existing C-2 zoning, the conditional development potential of the site would be a maximum 13.8 m (45 ft.) in height and 2.5 FSR most likely in the form of a four-storey mixed-use building with commercial uses at grade (see Figure 4).

On November 29, 2019, Council directed staff to review the C-2 District Schedule to introduce a new 6-storey mixed-use rental-only development option. Staff anticipate bringing forward these changes for Council consideration later this year.

A development under the *MIRHP Program* allows for consideration of a tower-podium form with a tower height up to 14-storeys. This form of development would exceed the building form anticipated under existing zoning (see Figure 4), and necessitates careful consideration of how it relates to adjacent residential sites and the public realm. This proposal was selected for the *MIRHP Program* due to its ability to deliver a significant number of moderate income and market rental units on a wide arterial street (i.e. Kingsway) that is served by transit, local amenities and services and would not displace existing on-site renters. In addition, this section of Kingsway has existing and proposed tower forms.

Figure 4 – Comparison with C-2 Development



Height – The *MIRHP Program* allows for consideration of a tower height up to 14-storeys on this C-2 zoned site given its location and context.

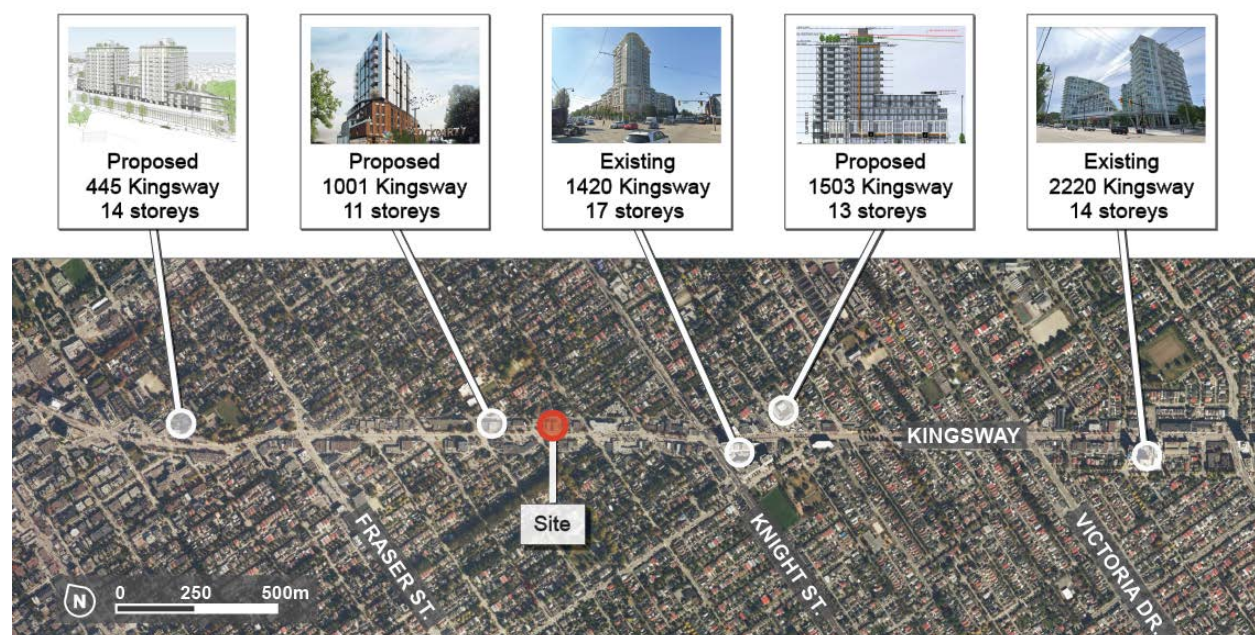
This site is located at an obtuse-angled corner of Kingsway and Glen Drive with relative large frontages on both streets. Kingsway is 100 ft. wide and a primary arterial serving the city and region. There are several existing and in-stream high-rise developments along Kingsway, including (see Figure 5):

- 2220 Kingsway, three existing 14-storey buildings at Gladstone Street;
- 1420 Kingsway, an existing 17-storey strata-titled building at Knight Street;
- 1503 Kingsway, an approved Development Permit application for a 13-storey mixed-use building at Dumfries Street;
- 1001 Kingsway, a rezoning application for a 11-storey social housing building at Windsor Street; and
- 445 Kingsway, a rezoning application for two 14 storey mixed-use buildings under the *MIRHP Program* at St. George Street.

The application proposes a 5-storey podium and a 14-storey tower. The proposed heights have been evaluated as an appropriate response to the location and the broader context along Kingsway.

Neighbourhood Fit – The *MIRHP Program* requires proposals to transition effectively to the surrounding area. This application has included several careful design considerations with respect to its transitional relationship to the surrounding low density development. These strategies reduce shadow impacts, enhance privacy and mitigate noise impacts. Further measures will be pursued through the development permit process, as noted in the conditions in Appendix B.

Figure 5 – Examples of Existing and Proposed High-Rise Developments in Proximity



Transitional relationship – The existing neighbourhood to the north was rezoned from RS-1 to RM-1 (Residential) District in 2004 under the *Kingsway and Knight Neighbourhood Centre Housing Area Plan* to permit 2- to 3-storey courtyard rowhouse developments with a maximum FSR of 1.2. However, the area saw little uptake of these forms, and remains largely characterized by single family houses. Furthermore, due to the irregular triangular shapes of some of the lots to the north, these sites are challenging to redevelop and may remain as single family houses for the foreseeable future. Note that the permitted overall maximum height under the RM-1 zoning remained at 10.7 m (35 ft). This necessitates transitional massing from developments along Kingsway to areas to the north.

This application provides transitional massing through appropriate tower placement and orientation, increased building setbacks from the rear lane, and a low building massing at the lane. The tower is placed at the corner of Kingsway and Glen Drive to maximize its separation with the single family houses to the north. The tower is also oriented at an angle to the rear lane to reduce direct overlook and increase the distance between its dwelling units and the backyards of the single family houses. The five-storey podium massing has also been set back from the rear lane by approximately 14.6 m (48 ft.), which is greater than typical rear setbacks under C-2 zoning (i.e. 10.7 m or 35 ft.). The podium height steps down to a one-story commercial level and two-storey townhouses at the back to reinforce the intimate scale and character of the lane (see Figure 6).

Figure 6 – View of the Rear of the Building from the Residential Area to the North



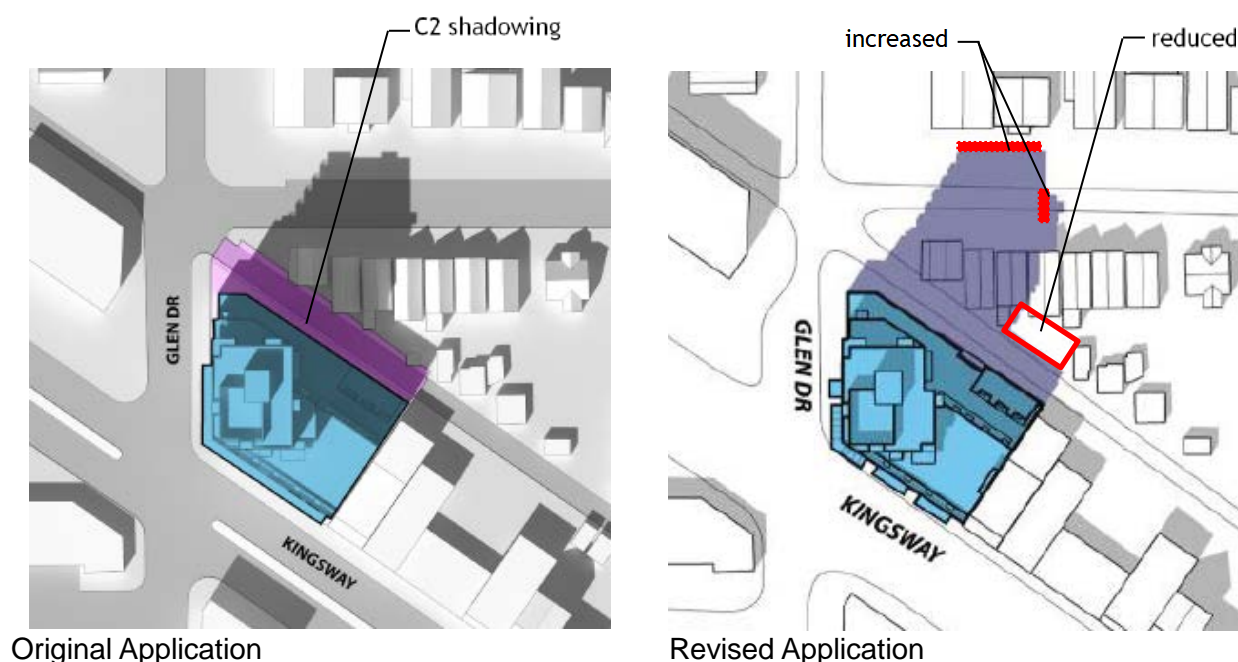
*Rendering reflects revised application received December 12, 2019

Shadow Impacts – Staff recognize that the proposed tower form casts additional shadows to the neighbouring areas to the north in comparison to a development under existing C-2 zoning. However, the shadow impact has been mitigated through optimizing the building's form. The original application was comprised of a 13-storey tower with a six-storey podium. Following comments received from the community open house, feedback from the Urban Design Panel and further staff review, the application was revised by lowering the podium height to five

storeys. The tower form was also simplified by removing floor massing from levels seven to nine. The displaced floor area was shifted to a 14th storey of the tower. (see Figure 3).

An analysis of the shadow performance of the revised application in comparison to the original application demonstrates that the five-storey podium has substantially reduced shadow impacts on properties to the north, and is more in line with the performance of a C-2 development (see Figure 7). Furthermore, the five-storey podium also allows for a greater sense of openness to the sky for the residents living in the adjacent properties to the north as compared to a six-storey podium. Figure 7 also shows that the revised 14-storey tower casts a small, additional shadow on front yards of houses to the north as compared to the original application's 13-storey tower.

Figure 7 – Shadow Changes Between Original and Revised Applications at 2:00 pm on the Spring Equinox.



Privacy and noise impact – The large proposed setbacks from the rear of the building to the north lane help address overlook and noise impacts from the proposed building. Further design development will occur through the Development Permit process. Design conditions related to these recommendations are included in Appendix B.

Streetscape – Kingsway is a primary shopping street in Vancouver. A development on Kingsway under C-2 zoning is expected to contribute to urban design objectives including a compatible streetscape, a high level of sunlight penetration onto shopping streets, a sense of openness to the sky, an engaging commercial frontage with diverse and active shops at grade, and a high quality pedestrian-oriented public realm.

The 14-storey tower's visual impact on the Kingsway streetscape is considered reasonable due to Kingsway's 100 ft. wide right-of-way, the site's large frontage along Kingsway, and the tower's small floor plate (approximately 5,500 sq. ft.). In addition, the five-storey podium provides a setback above the fourth storey, creating a four-storey streetwall expression compatible with

both the existing and potential future developments along Kingsway, and also maintains a feeling of openness along the street.

Significant design refinements to the project's commercial frontage and public realm are recommended to ensure the viability and diversity of commercial uses, and to deliver an active and pleasant pedestrian experience along Kingsway. Design conditions related to these recommendations are included in Appendix B.

Amenity – This application proposes an indoor amenity space approximately 65 sq. m (700 sq. ft.) in size, located on level six and adjacent to an outdoor amenity area on the roof deck of the podium. The *High-Density Housing for Families with Children Guidelines* require sufficient outdoor and indoor amenities to be provided to meet the on-site needs of children and adults. Specifically, more than one outdoor amenity space may be needed when there are more than 100 dwelling units. The total children's outdoor play area should not be less than 1,400 sq. ft. The indoor amenity space should also be large enough to accommodate up to 40 per cent of the estimated adult population in the building.

As this development includes 131 dwelling units with 35 per cent family-oriented units, the proposed amenity spaces may not be sufficient to accommodate the desired activities for children and adults. Staff recommend an increase in size of the indoor and outdoor amenity spaces, including children's play area. A second outdoor amenity area may be considered on the roof of the tower. Design conditions related to these recommendations are included in Appendix B.

Livability – The *MIRHP Program* allows consideration of the relaxation of unit sizes and configurations, subject to the project's location, evaluation of livability, design performance, and affordability. Considerations include the relaxation of studio dwelling unit size from a minimum of 37 sq. m (398 sq. ft.) to 29.7 sq. m (320 sq. ft.), and allowance for inboard bedrooms (bedrooms without external windows) within three-bedroom moderate income units.

This application does not propose any inboard bedrooms. Some studio units less than 37 sq. m (398 sq. ft.) are proposed. A few of the other units also have small room sizes. Further design development is recommended at the Development Permit stage to provide appropriate unit and room sizes to improve their livability. These conditions are included in Appendix B. Any changes in the recommended unit count and unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board.

Landscape – The proposal provides landscape elements and screening at grade in front of ground floor and townhouse units along Glen Drive and the rear lane. Further soft landscaping, urban agriculture, outdoor seating and children's play areas are also located on the rooftop deck of the five storey-podium. Staff also recommend green roofs on rooftops where possible to further enhance sustainability objectives and social interactions. Landscaping conditions are provided in Appendix B.

Urban Design Panel Review – The Urban Design Panel reviewed this application on Sept 18, 2019 and supported the proposal with recommendations to further develop the tower form, streetwall expression, and treatment of roof surfaces. For detailed panel comments, refer to Appendix D.

Subject to conditions in Appendix B, the proposed form, massing and height represent a balanced response to the goal of securing moderate income units under the *MIRHP Program*.

The proposed building integrates generous setbacks and provides a massing approach to enhance shadow performance and reduce privacy and overlook issues. Staff support the revised application under the *MIRHP Program* subject to the conditions outlined in Appendix B.

4. Housing

The *Housing Vancouver Strategy* (Housing Vancouver) and associated 3 Year Action Plan is the culmination of a year-long process of gathering, synthesizing and testing new ideas and approaches to addressing housing affordability in Vancouver. The *MIRHP Program* is a new approach to help provide an important supply of homes for households who are not eligible for or do not want to live in social housing but cannot afford market rental housing. The addition of new moderate income units and market rental units to the City's inventory contributes towards the Housing Vancouver target as shown in Figure 8.

Figure 8 – Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of December 31, 2019

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000	3,130
	Developer-Owned Below Market Rental	4,000	74
	Total	20,000	3,204

**Note that tracking progress towards 10-year Housing Vancouver targets began in 2017*

**Unit numbers exclude the units in this proposal, pending Council's approval of this application.*

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2019, the purpose-built apartment vacancy rate was 1.0 per cent in Vancouver, which was equivalent to approximately 585 units. The vacancy rate (based on the Canadian Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Mount Pleasant/Renfrew Heights area was 1.3 per cent, meaning thirteen out of every 1,000 market rental units in the area were empty and available for rent. A vacancy rate of three per cent is considered to be a balanced rental market.

Market rents continue to be high in light of significant demand and limited supply, and new market rental and moderate income units are important parts of the housing continuum which help reduce pressure on the existing rental stock. The high cost of land and construction means that new market rental units will rent at higher rates than existing, older apartment rental units. The *MIRHP Program* is intended to ensure that more rental housing options are created that meet the affordability needs of those annually earning between \$30,000 and \$80,000 and restricts market access to these units through the use of eligibility criteria.

Housing Mix – On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy which includes family housing requirements set at 35 per cent. These units are to be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

This application provides for a broad cross section of household types and would deliver 46 family units (35 per cent) across the project, thereby meeting the family unit requirements in both the market rental and moderate income rental portions of the proposal. The complete unit mix is illustrated in Figure 9.

Figure 9 – Proposed Unit Mix, Market and Moderate Income Rental

Market		Moderate Income	
Studio	32	Studio	4
1-bed	38	1-bed	11
2-bed	37	2-bed	6
3-bed	0	3-bed	3
Total	107	Total	24
Total 131 units			

Proposed Rents and Income Thresholds – In 2016, the median household income in the Kensington-Cedar Cottage neighbourhood was \$70,815. Under the *MIRHP Program*, the application must provide 100 per cent secured rental units with a minimum of 20 per cent of residential floor area as moderate income units. This application would deliver approximately 24 units to be rented at rates that meet the affordability requirements of moderate income households under the MIRHP Program, as illustrated in Figure 10.

Figure 10 – Proposed Rents for Moderate Income Units, Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Incomes Served

Unit Type	Moderate Income Units		Newer Rental Buildings - Eastside ²		Median-Priced Ownership Unit – Eastside ³	
	Average Starting Rents	Average Household Income Required ¹	Average Market Rent	Average Household Income Required ¹	Monthly Costs of Ownership	Average Household Income Required ¹
Studio	\$950	\$38,000	\$1,584	\$63,360	\$2,270	\$90,800
1 Bedroom	\$1,200	\$48,000	\$1,796	\$71,840	\$2,824	\$112,960
2 Bedroom	\$1,600	\$64,000	\$2,378	\$95,120	\$3,852	\$154,080
3 Bedroom	\$2,000	\$80,000	\$2,603	\$104,120	\$5,394	\$215,760

¹ As per CMHC, affordable housing is defined as shelter costs equal to less than 30 per cent of total before-tax household income, and these values represent the average minimum household income required for the average unit according to the CMHC definition. The actual rents and income required will be a range.

² October 2019 CMHC Rental Market Survey for buildings completed in year 2010 or later, Vancouver Eastside.

³ BC Assessment 2019, based on the following assumptions in 2019: median of all BC Assessment recent sales prices in Vancouver Eastside in 2019 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 – 250 monthly strata fees and monthly property taxes at \$2.56 per \$1,000 of assessed value.

To be eligible for moderate income rental housing, a household must have a gross annual income that meets the requirements for the specific unit type, and there must be at least one household member per bedroom. The eligibility requirements are described in further detail in the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives* document. All residents in the building will have equal access to common indoor and outdoor amenities and facilities illustrated in the architectural drawings in Appendix E.

Based on median incomes for Metro Vancouver, a one-bedroom moderate income unit would be affordable to persons employed in a variety of occupations such as services workers, trades workers, entry-level researchers and non-profit workers. A three-bedroom moderate income unit would meet the needs of a two-income family employed in sectors such as trades, industrial arts, and human resources.

Average market rents in newer rental buildings on the eastside are also shown in the middle two columns in Figure 10. A market rental studio unit could be affordable to a single person employed in occupations such as administrative services management. A two-bedroom market rental unit could be affordable by a couple employed in occupations such as technical roles in construction or engineering.

The market rental housing component will provide options that are significantly more affordable than home ownership as illustrated in Figure 10.

Waiver of DCLs and Utilities DCLs – *MIRHP Program* projects that qualify as “for-profit affordable rental housing” under the *DCL By-law* and *Utilities DCL By-law* are eligible for a waiver of DCLs, and a waiver of Utilities DCLs provided that the building permit is issued prior to September 30, 2021. The applicant has requested a waiver of DCLs and Utilities DCLs for the residential portion of the building. The average proposed starting rents across the moderate income units, which comprise at least 20 per cent of the residential floor area that is counted in the calculation of the floor space ratio, are required to meet the maximum average rents as outlined in the *DCL By-law* and *Rental Incentive Programs Bulletin*.

The *DCL By-law* does not allow rents for the moderate income units to be increased ahead of initial occupancy, and subsequent increases are permanently capped at the annual allowable rate permitted under the *Residential Tenancy Act* S.B.C. 2002 c. 78, regardless of any change in the tenancy. The applicant will be required to submit a DCL Waiver Form, including a final rent roll that sets out the starting monthly rents for the moderate income units prior to issuance of the occupancy permit in order to ensure compliance with the *DCL By-law* and the *MIRHP Program*.

Through the Development Permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out in the *DCL By-law*. More information on the Development Cost Levy Waiver can be found in Appendix F.

Security of Tenure – All 131 units in the project will be secured as rental through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. The agreement is to be enacted by Council by by-law and registered on title to secure starting rents for the moderate income units (as per Figure 10), and will prohibit the stratification and separate sale of individual units. The agreement will also limit the rates at which rents for the moderate income units may be increased, even on a change in tenant. Annual reporting on the operation of the moderate income units will be required and will contain information including rents and verification of tenant eligibility. The addition of new moderate income units and market rental units contributes towards Housing Vancouver targets. Conditions related to securing the units are contained in Appendix B.

Existing Tenants – As there are no existing residential units on this site, a Tenant Relocation Plan is not required.

5. Transportation and Parking

Vehicle parking is provided in one and a half levels of underground parking, accessed from the lane. The application proposes a total of 44 vehicle parking spaces, including 29 resident spaces and seven visitor spaces, and eight commercial spaces. Six of these spaces are also accessible spaces. In addition, the application proposes approximately 262 bicycle parking spaces. This 131 unit secured rental housing project, of which 20 per cent of the floor area will be moderate income units, would require approximately 91 spaces to comply with the *Vancouver Parking By-law* without transportation demand management measures (TDM).

The applicant will meet the requirements of the *Parking By-law* by providing a TDM Plan, which provides for reductions in the number of physical spaces required in exchange for providing TDM measures. The applicant has indicated an intention to provide TDM measures including:

- Car sharing memberships and subsidies for public transit passes to residents
- Bicycle maintenance facility
- Shared bicycle fleet for residents and employees
- Additional short term passenger drop-off and pick-up spaces

The site is served by the No. 19 frequent bus service along Kingsway and is no more than 100 m from the closest bus stops, making the project eligible for a 20 per cent reduction to residential parking requirements.

Pedestrian safety and traffic management will be enhanced at the intersection of Kingsway and Glen Drive by an upgrade of the intersection with a fully signalized system. Engineering conditions are included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Building Policy for Rezonings* (2010, last amended 2018) requires that residential rezoning applications satisfy either the near zero emission buildings or the low emissions green buildings conditions within the policy.

This application is pursuing the low emissions green buildings requirement. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces.

The applicant has submitted preliminary energy modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets.

Natural Assets – The *Urban Forest Strategy* was developed to find ways to help preserve, protect, and strengthen Vancouver's urban forest and tree canopy for the future. In April 2014, Council amended the *Protection of Trees By-law* to maintain a healthy urban forest by requiring permission to be granted to remove trees that meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities, and densification. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas. A 'by-law sized tree' has a tree trunk diameter of 20 cm or greater and requires a tree permit when it is proposed to be removed.

There are currently no existing by-law sized trees on the site. This application proposes to add new street trees along Kingsway and Glen Drive. The final number of trees planted will be determined through the Development Permit process.

There is a historical stream one block to the west under Windsor Street. The applicant has submitted a preliminary hydrogeological study which does not anticipate any negative issues with construction de-watering of the site. A full hydrogeological investigation is planned at a subsequent stage to confirm these preliminary review findings.

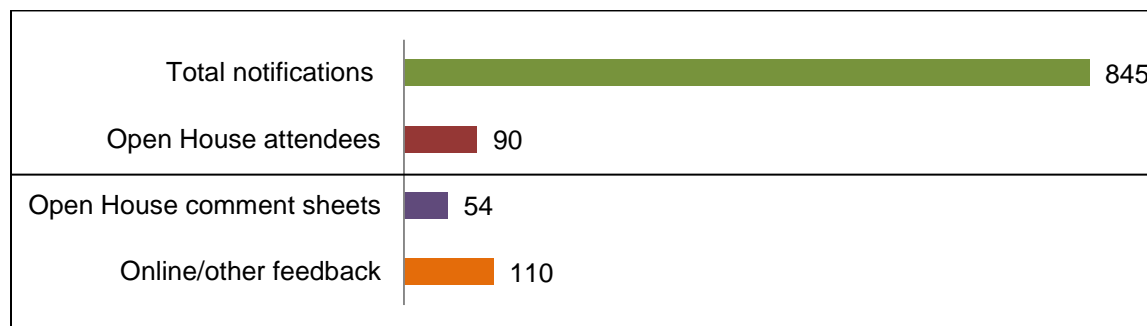
PUBLIC INPUT

Pre-application Open House – On April 23, 2019, a pre-application open house was held at the Polish Community Centre, located at 4015 Fraser Street, to solicit early feedback on the proposal. Approximately 55 people attended this open house. The feedback indicated support for moderate income rental housing as well as the design. Some concern for the project was expressed regarding its density and height.

Public Notification – Following the submission of a rezoning application on July 5, 2019, a rezoning information sign was installed on the site on July 31, 2019. Approximately 845 notification postcards were distributed within the neighbouring area on or about August 12, 2019. Notification and application information, as well as an online comment form, was made available on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Community Open House – On September 4, 2019, a community open house was held from 4:30 to 7:30 pm at the Polish Community Centre. City staff, the applicant team, and approximately 90 people attended the open house.

Figure 11 – Public Notification and Responses (September 4, 2019 Open House)



* Note that all reported numbers above are approximate

Note:

Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Second Public Notification – Following the submission of a revised application on December 12, 2019 and updates to the parking plan in January 2020, further notification was sent to the surrounding area to inform them of the changes. Approximately 940 notification postcards were distributed within the neighbouring area on or about January 24, 2020. An additional eight comments were received online following the second notification. The subsequent comments did not express views substantially different from comments captured after the first public notification and community open house.

Public Response – Approximately 172 comments have been received via comment sheets, letters, emails or on-line comment forms. Appendix D provides a detailed summary of the results of the public consultation. A summary of the key themes and staff responses is provided below.

Support for the proposal cited the following:

- Rental housing, especially moderate income units
- Density, height and design
- New retail spaces
- Proximity to transit and services

Concerns expressed by respondents included the following:

- Density, height and neighbourhood fit
- Local school capacity
- Traffic and safety

Staff Response – Public feedback has assisted staff with the assessment of the application. Response to key feedback is as follows:

Density, height, density and neighbourhood fit – As part of the *MIRHP Program*, staff ran a specialized “pre-enquiry” intake process that allowed proposals to be evaluated at a preliminary stage, vetted for eligibility under the *MIRHP Program* and other City policies, and ranked based on a number of performance criteria established on the basis of key policy objectives. These objectives included testing the possibility of delivering a diversity of rental projects that permanently secure moderate income units across the City in a range of zoning districts, building scales and locations.

Criteria used to evaluate the projects included:

- Compliance with *MIRHP Program*;
- Affordability (e.g. proposed rents and number of units secured as moderate income rental);
- Total number of new rental units created;
- Impact on existing renters and rental housing units;
- Unit mix (e.g. number of bedrooms);
- Proximity to transit and amenities; and
- Building form and neighbourhood fit.

This proposal was selected for inclusion in the *MIRHP Program* based on the strength of its performance under the criteria above. In particular, the rezoning application at this site, proposes to deliver a significant number of new moderate income units and market rental units in a location that is served by transit, amenities, open space and services while not displacing any existing on-site renters. Staff felt that the site could, on balance, handle the height and density proposed given the 100 ft. width of the Kingsway right-of-way. Furthermore, the five-storey podium massing is setback significantly from the rear lane, while the 14 storey tower is

set at an angle against the rear property line and lots to the north in order to increase the separation distance, and reduce overlook as much as possible. Further design development conditions in Appendix B also aim to reduce noise and enhance privacy from the project's outdoor amenity areas.

Local school capacity – Staff recognize that the current enrollment levels and enrolment trends for the elementary schools in the area are beyond their capacities, however there is space to accommodate growth at the secondary level. VSB also continues to monitor development and work with the City of Vancouver to help plan for future growth.

Traffic and safety – Appendix B includes a number of conditions to enhance the safety of pedestrians, cyclists and vehicles around this development. A fully signalized intersection upgrade is required at Kingsway and Glen to facilitate the crossing of pedestrians and cyclists, while allowing vehicles a signal phase to turn to and from Glen Drive to access the development. The lane and Glen Drive, which currently meet at an acute angle, will be realigned to meet perpendicularly to improve sightlines and normalize turning manoeuvres. Building residents will also be encouraged and incentivized to use car share, public transit, and cycling through the TDM measures proposed as part of this application.

PUBLIC BENEFITS

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

Development Cost Levies (DCLs) – DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 9,138 sq. m (98,363 sq. ft.) of residential floor area, as well as the 821 sq. m (8,837 sq. ft.) of commercial floor area.

In accordance with section 3.1A of the DCL By-law, the applicant has requested a waiver of DCLs attributed to the residential floor area qualifying as for-profit affordable rental housing. As described previously in this report, *MIRHP Program* projects for which applications are submitted before September 30, 2020 will remain eligible for a Utilities DCL waiver for the residential component of the project, provided that a building permit is issued within 12 months of the effective date of the Utilities DCL By-law change.

Based on the rates in effect as of September 2019, the value of the waiver of both the DCLs and the Utilities DCLs for the residential floor area is approximately \$2,531,851. A review of how the application meets the waiver criteria is provided in Appendix F. It is anticipated that the commercial component of the project will generate approximately \$182,401 in DCLs, which cannot be waived and will be paid by the applicant.

The *DCL By-law* requires that where rents are determined under section 3.1A(d), they are to apply at initial occupancy. A final rent roll that sets out the initial monthly rents for the moderate income units will be required prior to issuance of the occupancy permit in order to ensure compliance with the *DCL By-law*. After occupancy, rents for the moderate income units will not be permitted to increase on an annual basis further than the RTA limits, even on a change in tenancy, as per the *MIRHP Program*. The City will ensure that average unit sizes do not exceed

the maximum thresholds set out by DCL By-law through the Development Permit application process.

Public Art Program – The proposed floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.), therefore no public art contribution will arise from this application.

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. They take into consideration community needs, area deficiencies and the impact of the proposed development of City services.

The *Community Amenity Contributions – Through Rezonings* policy requires lower-density secured market rental applications within the C-2 zones proposing more than six storeys, to be subject to a CAC evaluation. Real Estate Services have assessed the application and costs of securing 20 per cent of the residential floor area for moderate income units and determined no additional CAC is expected.

Rental Housing – The applicant has proposed that all of the residential units will be secured as rental housing (non-stratified) for the longer of 60 years and the life of the building of which no less than 20 per cent of the residential floor area will be secured as moderate income units. The public benefit accruing from this application is the contribution to the City's secured rental housing stock serving a range of income levels.

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

Financial Implications

The site is subject to both City-wide DCLs and City-wide Utilities DCLs. However, projects providing 100 per cent of dwelling units that meet the definition of for-profit affordable rental housing are eligible for the waiver of both the DCLs and the Utilities DCLs for the residential component of the project, provided that the building permit is issued before September 30, 2021, as described earlier in this Report, an option which the applicant has requested. Based on rates in effect as of September 30, 2019, the value of the waiver is estimated to be \$2,531,851. It is anticipated that the commercial component of the project will generate approximately \$182,401 in DCLs and Utilities DCLs.

The 131 units of rental housing units, secured by a Housing Agreement and Section 219 Covenant for the longer of 60 years and the life of the building, will be privately owned and operated.

No additional CAC or public art contribution is applicable.

CONCLUSION

Staff have reviewed the application to rezone the site at 1111-1123 Kingsway Avenue from C-2 to CD-1 to permit development of a mixed-use building with 131 secured rental housing units, of which a minimum of 20 per cent of the residential floor area will be secured as moderate income units, and conclude that the application is consistent with the objectives of the *Moderate Income*

Rental Housing Pilot Program. The incentives provided of additional height, density, parking relaxations and a waiver of both the DCLs and the Utilities DCLs for the residential component of the project, assist with the delivery of needed rental housing units. Staff further conclude that the recommended form of development represents an appropriate urban design response to the site and context. If approved, this application would make a contribution to the achievement of key housing goals outlined in the *Housing Vancouver Strategy*.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application, including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B

* * * * *

1111 – 1123 Kingsway
DRAFT BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

[Note: Schedule A, not attached to this appendix, is a map that appends 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.]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 ().

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) for the purpose of calculating the total dwelling unit area for section 5.1 of this By-law, “Dwelling Unit Area” is the floor area of each dwelling unit, measured to the inside of all perimeter walls excluding any floor area as required by section 6.4 of this By-law; and
 - (b) “Moderate Income Rental Housing Units” means dwelling units that meet the requirements of approved Council policies and guidelines for Moderate Income Rental Housing, as secured by a housing agreement registered on title to the property.

Uses

4. 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) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;

- (b) Cultural and Recreational Uses, limited to Arcade, Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;
- (c) Institutional Uses, limited to Child Day Care Facility and Social Service Centre
- (d) Office Uses;
- (e) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;
- (f) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;
- (g) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (h) Accessory uses customarily ancillary to the uses permitted in this Section.

Conditions of Use

- 5.1 A minimum of 20% of the total dwelling unit area must be Moderate Income Rental Housing Units.
- 5.2 The design and lay-out of at least 35% 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".
- 5.3 There shall be no dwelling units above the height as required by section 7.1 of this By-law.
- 5.4 No portion of the first storey within a depth of 10.7 m of the front wall of the building facing Kingsway and extending across its full width, shall be used for residential purposes except for entrances to the residential portion and the underground access ramp.
- 5.5 All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
 - (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.

Floor Area and Density

- 6.1 Computation of floor space ratio must assume that the site consists of 1,784.8 m² being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 6.2 The floor space ratio for all uses must not exceed 5.58.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floors, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit 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% of the permitted 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 the 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, whose 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, including recreational facilities and meeting rooms accessory to a residential use, except that the total exclusion must not exceed the lesser of 10% of the total permitted floor area or 929 m²; 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.

- 6.5 The use of floor area excluded under section 6.4 must not include any use other than that which justified the exclusion.
- 6.6 Where floor area associated with storage space is excluded under section 6.4 (e), a minimum of 20% of excluded floor area above base surface must be located within the Moderate Income Rental Housing Units as storage space.

Building Height

- 7.1 Building height, measured from base surface to top of parapet must not exceed 44.2 m.
- 7.2 Despite the provisions of section 7.1 and of section 10.18 of the Zoning and Development By-law, the Director of Planning may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms located at least 3 m from the roof perimeter, mechanical screens, or similar features, and a vestibule accessing an outdoor rooftop amenity space, if the Director of Planning first considers:
 - (a) siting and sizing in relation to views, overlook, shadowing, and noise impacts; and
 - (b) all applicable policies and guidelines adopted by Council,

Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least one window on an exterior wall of a building.
- 8.2 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.
- 8.3 Measurement of the plan or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.
- 8.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council, and:
 - (a) The minimum distance of unobstructed view is not less than 3.7 m; or
 - (b) The habitable room is within a unit assigned to moderate income households and containing a minimum of three bedrooms, where the horizontal angle of daylight requirement is relaxed for no greater than one of the habitable rooms in the unit.
- 8.5 An obstruction referred to in section 8.2 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 ().
- 8.6 A habitable room referred to in section 8.1 does not include:
 - (a) a bathroom; or

- (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit; or
 - (ii) 9.3 m²;

Acoustics

9. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

Zoning and Development By-law

10. Sections 2 through 14 of the Zoning and Development By-law apply to this CD-1 ().

* * * * *

1111-1123 Kingsway
CONDITIONS OF APPROVAL

Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Musson Cattell Mackey Partnership, stamped received December 12, 2019 and January 23, 2020, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1. Design development to further support commercial activities in this established shopping area and strengthen a pedestrian-oriented commercial frontage through the following strategies:

- (a) Exploring an increase of overall commercial area;

Note to Applicant: This may be achieved by exploring mezzanine at the rear of commercial spaces. This may impact the proposed bike storage space. Any changes to bike storage should meet the bike storage requirement in the parking bylaw.

- (b) Demonstrating the possibility of smaller commercial units with frequent at-grade entries;

Note to Applicant: The intent is to create a vibrant retail area with local-serving, small scale retails and services. Each potential unit should be provided with access to the loading bay.

- (c) Creating a fine-grained commercial frontage expression with transparent glazing, high quality materials, and more intensive detailing to emphasize visual interest and variety, human scale and comfort.; and
 - (d) Providing generous and continuous weather protection to the full width of commercial frontage.

Note to Applicant: The weather protection is recommended to be in a canopy format. The canopy design should be integrated into the overall building and

relate to the pedestrian scale. A comfortable depth-to-height ratio of the canopy is approximately 1:1.5 and 10-12 ft. above sidewalk level.

- (e) Exploring opportunities to provide pedestrian amenities to the public realm;

Note to Applicant: The public amenity should be a positive addition to the street public realm, such as benches, planters, and displays.

- 2. Design development to mitigate the privacy, noise, and visual impacts to the neighbours to the north through the following recommended changes:

- (a) Reducing the privacy and noise impact from common outdoor amenity spaces;

Note to Applicant: This may be achieved by including enhancing the landscape buffer along the outer edges of north-facing roof decks and relocating activity areas, such as children play area further away from neighbouring properties;

- (b) Reducing the impact from the north-facing private open space.

Note to Applicant: This may be achieved by incorporating planters and using translucent guardrails.

- 3. Design development to ensure a high standard of livability for all dwelling units by providing the following:

- (a) Adequate daylight, ventilation, and external views for all habitable rooms;

Note to Applicant: All habitable rooms should meet the Horizontal Angle of Daylight (HAD) requirement set out in the CD-1 By-law. No inboard bedroom is proposed in this application, and should remain as such in the Development Permit application.

- (b) Appropriate room size to meet the needs of resident living activities;

Note to Applicant: Some unit sizes are relatively small. As per *High-Density Housing for Families with Children Guidelines*, each bedroom should be large enough to accommodate a single bed, a dresser, a desk or table, and in children's bedrooms, some floor space for playing. Generally the living and dining area should be designed to provide for minimum 4 seating capacity for one-bedroom unit and more seating capacity for two and three bedroom units commensurately. Detailed unit plans and furniture layout are to be included as part of a Development Permit application for further evaluation of livability by staff. Any changes in the recommended unit count and unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board.

- (c) Usable private open space for all residential units.

Note to Applicant: This can be achieved by providing balconies measuring 1.8 m (6 ft.) deep with a minimum area of 4.86 sq. m (52.3 sq. ft.). Reductions to the

balcony size may be considered for one-bedroom and studio by demonstrating the ability to accommodate elements such as a table and seating for two and offering generous common amenity spaces on site. Refer to the *High Density Housing Guidelines for Families with Children* for more information.

- (d) Adequate storage space for each dwelling unit in a form of bulk storage or in-suite storage.

Note to Applicant: While the storage spaces may be eligible for exclusion of floor area, any changes of above-grade storage at Development Permit application should not affect the building massing.

- (e) Mitigation of the loading impact to the townhome unit #3.

Note to Applicant: This may be achieved by flipping the townhome unit plan to move the unit entrance and bedroom away from the loading bay.

- 4. Design development to ensure that sufficient indoor and outdoor amenity spaces are provided to support on-site activity needs of children and adults by providing the following:

- (a) An increase of indoor amenity space to ensure the size and furniture layout meets the needs for anticipated onsite residents;

Note to Applicant: Explore opportunities to increase the area of indoor amenity space to be approximately 1,000 sq.ft. subject to further layout design. The intent is to accommodate a range of activities and gatherings for adults and children on site. The amenity room must include an accessible washroom, a kitchenette and a storage room. Minor projection into roof deck area can be considered, provided it is well set back from the edges of the roof and does not impact the performance of the roof deck outdoor amenity space.

- (b) An increase of in size of the children's play area.

Note to Applicant: As recommended by *High-Density Housing for Families with Children Guidelines*, total outdoor play area should range in size from 130 sq. m to 280 sq. m and should be situated to maximize sunlight access and supervision.

- (c) Opportunity for additional outdoor amenity space;

Note to Applicant: *High-Density Housing for Families with Children Guidelines* states that the number of households related to a common, semi-private outdoor open space should not exceed 100 and an open space should be located and designed to maximize sunlight access, especially in the winter. Recommend locating a second outdoor amenity space on the tower rooftop in conjunction with a green roof.

- 5. Design development to provide an inviting and comfortable residential main entrance;

Note to the Applicant: the residential entrance should be differentiated from the entries of commercial units through setbacks, design details and landscaping to emphasize the presence of the entrance and the sequence of resident arrival experience.

6. Design development to explore the opportunity for parkade-free green infrastructure at grade;

Note to Applicant: the proposed parklet at the north corner of the site is seen as an opportunity to incorporate parkade-free green infrastructure. This may be achieved by setting back the north corner of the underground parkade to line up with the building's exterior wall above.

7. Design development to minimize the visible massing of the rooftop appurtenance, including exiting stair on the level 6 rooftop deck, elevator overrun, and mechanical screens.

Crime Prevention through Environmental Design (CPTED)

8. Identify on the drawings strategies that consider the principles of CPTED including the following conditions:
 - (a) Limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;
 - (b) Limiting unobserved access or activity and encouraging natural visual surveillance;
 - (c) Mail theft;
 - (d) Site lighting developed with considerations for safety and security; and
 - (e) Reduced opportunities for graffiti;

Note to Applicant: Alcoves and other similar visually hidden areas should be designed so as to not be covered or have limited cover and be well lit. Opportunities for graffiti can be mitigated by reducing areas of exposed wall and by covering with vines, hedges or a rough finish material.

9. Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
 - (a) Overhead lighting and step lights at exit stairs and doors;
 - (b) 24 hour lights and walls painted white; and
 - (c) Visibility at doors, lobbies, stairs and other access routes.

Landscape

10. Design development to improve privacy and buffering to adjacent properties by increasing the amount of planting around private patios on Level 2 roof space facing northeast;
11. Design development to relocating the Children's Play area on Level 6 outdoor amenity space to ensure there is a contiguous visual connection with the indoor amenity room;

Note to Applicant: The design of the outdoor play area may also include appropriately designed portions of the outdoor amenity area to allow for a spillover of children's play activities, to be shown in additional drawings at the Development Permit stage.

12. Design development to improve the sustainability strategy, by the following:

- (a) Explore providing intensive and extensive green roofs on all available flat rooftops, to be commonly accessible and usable and to provide open spaces with improved solar orientation;

Note to Applicant: This could include Urban Agriculture plots, in keeping with City of Vancouver guidelines.

- (b) Add substantially more landscape around the residential common entry area facing Glen Drive, to accent and soften it;
- (c) Add vines to any large blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems);
- (d) Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence;
- (e) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.

13. Design development to the landscape treatment in common landscaped areas on parkade slab to allow for planting flush with the ground, while providing adequate planting depths, by lowering the slab to the greatest extent possible, rather than planting in raised planters;

Note to Applicant: Wherever possible, planted landscapes on slab should be designed to maximize soil depths. This will require integration of the landscape design and the structural plan. Soil depths should exceed CSLA Landscape Standard. At the perimeter of the building the slab can be angled downward (1 m across and 1.2 m down) to maximize contiguous soil volumes.

14. Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

15. Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

- (a) maximize natural landscape best management practices;

Note to Applicant: The parklet at the north corner of the site can be considered for on-site rain water infiltration.

- (b) minimize the necessity for hidden mechanical water storage;
- (c) increase the amount of planting to the rooftop areas, where possible;
- (d) consider linear infiltration bio-swales along property lines, at lower site areas;
- (e) use permeable paving;
- (f) employ treatment chain systems (gravity fed, wherever possible);

- (g) use grading methods to direct water to soil and storage areas;

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 & 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

16. Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

- (a) detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- (b) a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
- (c) an overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: The sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

17. Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information;
18. Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements;

Provision requirements at the time of Development Permit application:

19. Provision of a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be at 1/8 in.: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 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.

20. Provision of detailed **architectural and landscape** cross sections (minimum 1/4 in. scale) through common open spaces, semi-private patio areas and the public realm; Note to applicant: the sections should illustrate, 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.
21. Provision of a "Tree Management Plan";

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

22. Provision of an arborist “letter of undertaking” to include signatures by the owner, contractor and arborist;

Note to Applicant: The signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

23. Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable;

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

24. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.;

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

25. Provision of an outdoor Lighting Plan;

Sustainability

26. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning*s – *Process and Requirements* (amended April 28, 2017 or later).

Zero Waste

27. In order to minimize waste, a salvage strip-out must be done to remove fixtures, systems, and elements such as doors, deck, and fencing, for reuse. Any buildings which are not already subject to the *Green Demo By-law* must achieve a 75 per cent recycling rate for demolition. Buildings subject to the *Green Demo By-law* must meet the by-law requirements in place at the time of the demolition permit application.

Engineering Services

28. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
29. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

30. Construction dewatering is a Water Use Purpose under the *Water Sustainability Act* requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.
31. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
32. Provision of generous and continuous weather protection adjacent the retail units on both frontages.
33. Submission of a canopy application is required should the encroaching structure(s) meet the specifications set out in Section 1.8.8 of the *Vancouver Building By-Law*.

Note to Applicant: An application for a Permit to Use City Property must be submitted to Engineering Development Services for the proposed canopy encroaching onto City Street. Canopies must be fully demountable and comply with all applicable requirements of the *Vancouver Building By-law* (Section 1.8.8).

34. Submission of an updated landscape plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available, make note of the improvement on the landscape plans. Submit a copy of the updated plan to Engineering for review noting the following:
- (d) This statement is to be added on the landscape plan; “This plan is “NOT FOR CONSTRUCTION” and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.”
 - (e) Remove reference to Kingsway/Knight streetscape design guidelines from landscape drawings.
35. Gates and doors are not to swing more than 0.3m (1'-0") over the property lines or into the SRW area.
36. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for wood pole relocation.

Note to Applicant: Existing wood pole in lane conflicts with access and corner cut dedication.

37. Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
- (a) Provision of design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances
 - (b) The entire Class B bike parking stall, not just the bike rack, should be located behind the future sidewalk

Note to Applicant:

- The proposed benches cannot be located within the 5.5 m setback from the back of curb.
 - Additional aisle width beyond the Bylaw minimum may be required, depending on the design specifications for stacked bicycle racks.
 - Class B bicycle parking is to be located in a well-lit and highly visible area as per the Bylaw. It is encouraged to be near visitor entrance.
38. Design development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.
- (a) The slope of the loading bay must not exceed 5 per cent
 - (b) A minimum 2.3 m (7' 6 ½") of vertical clearance is required for access and maneuvering to all Class A loading spaces. Overhead projections into loading

spaces are not permitted

- (c) 3.8 m (12' 6") of vertical clearance is required for access and maneuvering to Class B loading spaces. Overhead projections into loading spaces are not permitted
 - (d) A clear unloading area or raised rear dock, minimum 1.8m wide, with suitable access to facilitate goods loading /unloading
39. Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:
- (a) Provision of improved two-way flow for vehicles on the ramp and in the parking areas:
 - (i) Improve two-way traffic flow to follow concurrent traffic movements at the following locations:
 - Top of P0.5 to P1 parking ramp through provision of an adequate corner cut.
 - Corners by "Storm Water Tank" on P1 through relocation of the small car parking space by the staircase
 - (ii) Illustrate the swept paths of two-way flow at the aforementioned locations.
 - (iii) Provide view portals and convex mirrors to improve visibility to address conflicts between vehicles at the top and bottom on all ramps
 - (iv) Provide convex mirrors at all bends in the parkade to improve visibility.
 - (b) Provision of a minimum 2.3 m (7 ft. 6½ in.) of vertical clearance for access and maneuvering to all disability spaces and Class A loading space. Overhead projections into disability spaces are not permitted.
 - (c) Vertical clearance of overhead projections into vehicle parking spaces must not be less than 1.2 m (4 ft.) and projection into the space must not be more than 1.2 m (4 ft.).
40. Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Parking By-law and shown accordingly at the time of development permit application.

Note to Applicant: Proposed reductions may be considered at the Development Permit stage with the provision of acceptable Transportation Demand Management (TDM) or other management measures.

41. Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Provide TDM Plan as a separate package with complete information on TDM measures proposed. A TDM Plan with a minimum of 24 points for both

residential rental and retail land uses is required to achieve the proposed vehicle parking reduction. Refer to [Schedule B](#) of the TDM policy for detailed requirements for each measure. The following information would be required at the Development Permit stage to support the proposed measures:

- (i) FIN-01 – Car Share Membership
 - Provision of a letter of support from a car share provider
 - Provision of an operational plan detailing how the memberships will be offered and delivered, and the schedule for doing so
 - If available, provision of any additional information regarding this measure (e.g., online sign-up portals or additional marketing materials) that demonstrates how the property owner will offer car share memberships and credits.
- (ii) FIN-02 – Public Transit Passes
 - Provision of an operational plan detailing the level of contribution, how subsidies will be offered, and how it will be delivered.
 - If available, provision of any additional information regarding this measure (e.g., online sign-up portals or additional marketing materials) that demonstrates how the property owner will offer transit subsidies.
- (iii) ACT-02 – Improved Access to Class A Bicycle Parking
 - Provision of concept design for excellent design of lighting, finishes, grades, convenience.
 - Identify the number and location of the Class A bicycle parking provided above grade on plans, as well as note the access route to reach the Class A bicycle parking from the outside
- (iv) ACT-05 – Bicycle Maintenance Facilities
 - Note and dimension location of facilities on plans.
 - Bicycle maintenance facilities to be located with convenient access to from Class A bicycle spaces.
 - Provision of an operational plan detailing:
 - A description of the amenities to be provided;
 - A means of providing access to all residents, commercial tenants, and the public (if applicable);
 - Plan for maintaining these amenities.
 - If available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.
- (v) ACT-08 – Shared Bicycle Fleet
 - Provide additional details of the bicycles to be provided.
 - Identify the location of the Class A Bicycle Parking designated for the fleet of bicycles on plans.
 - Provision of an operational plan including:
 - Ownership of equipment;

- Equipment Maintenance for: storage, locking, charging (if applicable), user limitations (ride time, hours of operation, number of bicycles, etc.), administration, terms and conditions of use, and capital replacement of bicycles and parts;
 - Plan for providing ongoing monitoring and reporting standards set out below;
 - If available, any additional information regarding this measure (e.g., online sign-up portals or additional marketing materials) that demonstrates how the property owner will deliver this service.
 - Please note bicycle parking spaces for shared bicycle feet will not be counted toward minimum Bylaw Parking requirements.
- (vi) COM-03 – Additional Pick-Up / Drop-off Spaces
- Spaces to be located with convenient, public access at-grade, or on P1.
 - Identify number, location, design, and dimensions of additional passenger loading spaces on plans
- (vii) SUP-01 – Transportation Marketing Services
- Provision of a description of the services to be provided.
 - If available, provision of any additional information regarding this measure (e.g., online signup portals or additional marketing materials) that demonstrates how the property owner will offer this service.
- (viii) SUP-03 – Multimodal Wayfinding Signage
- Identify the general locations for proposed displays on plans.
 - Provide conceptual design of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed.
- (ix) PKG-01 – Parking Pricing
- Provision of operational plan of how parking pricing will be implemented.
42. The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) All types of parking and loading spaces individually numbered, and labelled on the drawings
 - (b) Dimensions of column encroachments into parking stalls.
 - (c) Dimensions of additional setbacks for parking spaces due to columns and walls
 - (d) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates
 - (e) All types bicycle parking spaces should be clearly labeled on the drawings

Note to Applicant:

- No more than 30 per cent of the required Class A bicycle spaces may be vertical, and in total, no more than 60 per cent of the required Class A bicycle spaces may be vertical and stacked.
- Minimum 10 per cent of the required Class A spaces should be bicycle lockers.
- Minimum 5 per cent of the required Class A spaces should be oversize bicycle parking.

(f) Section drawings showing profile elevations and minimum vertical clearances for the following:

- (i) parking levels
- (ii) loading bays (Class A and B)
- (iii) accessible parking spaces
- (iv) parkade ramps
- (v) security gates

These clearances must consider mechanical projections and built obstructions

- (g) Areas of minimum vertical clearances labelled on parking levels.
- (h) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
- (i) Proposed the stair-free access route from the Class A and B bicycle spaces to reach the outside. Stair ramps are not generally acceptable. Doors with automatic door openers should be labelled.

43. Provision of a final Rainwater Management Plan (RWMP), which includes a written report, supporting calculations, computer models and drawings to the satisfaction of Engineering Services.

Note to Applicant: An interim Section 219 Rainwater Management Agreement Covenant will be required prior to issuance of a Development Permit with reference to the Rainwater Management Plan as outlined in the Conditions of Development, which restricts the issuance of a permit to construct any building until such time as a final Rainwater Management Plan (RWMP) is accepted by the City, and the developer has entered into an agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services providing for the construction or modification of a rainwater management system as per the RWMP.

Note to Applicant: The applicant is requested to schedule a meeting with Integrated Water Management Branch at Marine Gateway location prior to moving forward with the RWMP. To schedule the meeting, contact Torben Ruddock, P.Eng., 604-829-9792 (Torben.ruddock@vancouver.ca).

44. Provision of an updated Hydrogeological Study report which addresses the following:
- (a) Confirm the dates the groundwater levels at 1001 Kingsway and 810 Kingsway were taken.
 - (b) Per the Hydrogeological Study dated August 19, 2019, a revised study must be submitted that includes results of the proposed monitoring and testing. This includes:
 - (i) Installation of 3 monitoring wells to determine the groundwater conditions within the soil and bedrock expected on site
 - (ii) Remote groundwater monitoring for a minimum of 3 months to determine the influence of seasonal changes on groundwater conditions
 - (iii) Hydraulic conductivity testing to determine the soil and bedrock properties
 - (iv) Seepage analysis to estimate the groundwater inflow during and post construction. If deemed necessary, conduct additional geophysical and or laboratory testing of the sandstone present on site to provide insight on the groundwater storage mechanism;
 - (c) Provide the excavation depth, foundation depth , and static water level(s) depth/elevation in both metres below ground surface as well as geodetic elevations;
 - (d) Update the Impact Assessment if testing and/or monitoring provides any additional information;
 - (e) Include a plan for managing any groundwater encountered (e.g. perched or other aquifers) that is acceptable to the General Manager of Engineering Services, and demonstrates that the two conditions in the *Groundwater Management Bulletin* will be met. Include details about short- and long-term groundwater management methods, as well as a statement to confirm that there will be no long-term (>2 years) groundwater discharge to the City's sewer system;
 - (f) Provide a quantitative estimate (in litres per minute) of both the anticipated construction dewatering/drainage rate and the permanent (post-construction) dewatering/drainage rate;
 - (g) Provide a plan for monitoring and reporting on the flow discharged to the sewer during the construction dewatering period. The reported flow monitoring must include daily volume/flow measurements (or more frequent measurements) and can be submitted to utilities.servicing@vancouver.ca.

Housing

45. The unit mix to be included in the Development Permit drawings, including studio units, one-bedroom units, two-bedroom units, and three-bedroom units, generally complies with the unit mix guidelines in the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives*, for both the market and below market (moderate income) units, and must include a minimum of 35 per cent family units (two-bedroom and three-bedroom units).

Note to Applicant: The inclusion of three-bedrooms units are encouraged in the market rental component of the project, due to a limited supply of three bedroom units suitable for larger families and households in the city.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be considered under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35 per cent of the dwelling units designed to be suitable for families with children and meets the intent of the unit mix guidelines in the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives* (<https://bylaws.vancouver.ca/zoning/policy-rezoning-mirhpp.pdf>).

46. The development should comply with the *High-Density Housing for Families with Children Guidelines*, including the provision of:

- (a) Common outdoor amenity areas with a children's play area;

Note to Applicant: Play equipment is not required for the children's play area but a soft surface play area and creative landscape/play features (such as balancing logs and boulders, sandbox, creative motor-skills developing features etc.) which provide a myriad of creative play opportunities for a range of ages is encouraged.

- (b) seating with direct line of sight to the play area;

- (c) a minimum of 2.3 sq. m. (24.7 sq. ft.) of bulk storage for each dwelling unit; and

47. Prior to issuance of a development permit, applicant to display a sign on the site, throughout construction, that acknowledges that secured market and moderate income rental housing is being provided as part of the City of Vancouver's initiatives. Sign design, format, and location to be approved by the City.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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, Development and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

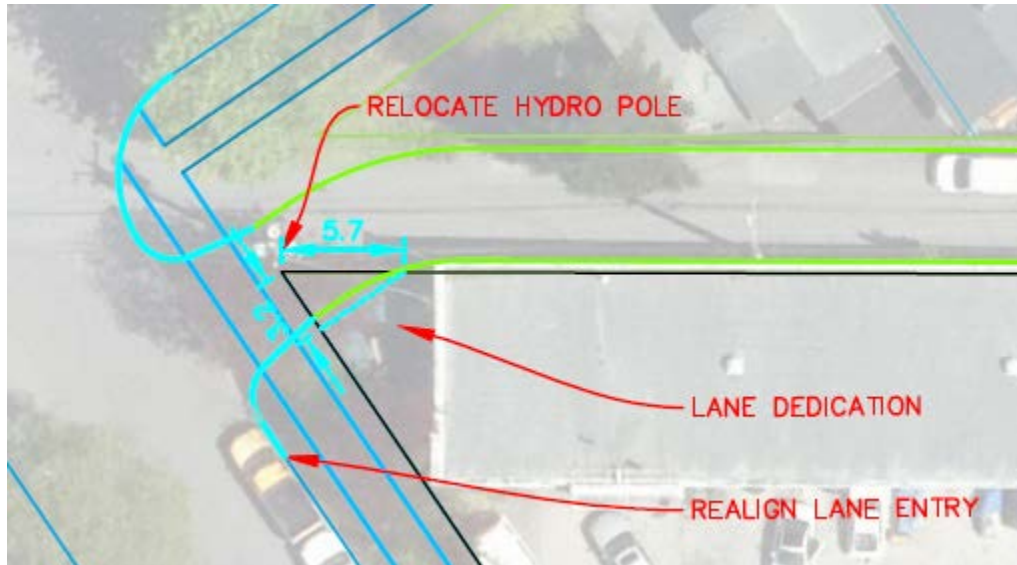
Engineering Services

1. Consolidation of Lot V, Plan 21267, and Lot L, Plan 3257, Block 58, District Lot 301 to create a single parcel.
2. Dedication of a 3.2 m x 5.7 m corner-cut for lane widening purposes in the northwest corner of the site, to be effected by way of a subdivision plan.

A subdivision is required to effect the dedication. A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the

subdivision website at: <http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>.

Note to Applicant: The dedication is to improve traffic safety by realigning the lane entry. All portions of the building above and below grade are to be deleted from the dedication area. The required corner cut is shown below:



3. Release of Easement & Indemnity Agreement 413326M (commercial crossing) and Extension R54160 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.

4. Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to Kingsway and Glen Drive, to achieve a 5.5m offset distance from the back of the existing curb to the building face. The SRW will be free of any encumbrance such as structure, stairs, door swing and plantings at grade and is to accommodate the underground parking structure within the SRW agreement.

Note to Applicant: The setback/SRW along Glen Drive is only required adjacent the proposed retail unit.

Note to Applicant: A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and SRW width is required.

5. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services is provided.

- a. Based on the confirmed Fire Underwriter's Survey Required Fire Flows submitted by R.F. Binnie & Associates Ltd. on March 25, 2019, no water main upgrades are required to service the development.

Note to Applicant: The proposed development can be serviced by the 200 mm main along Kingsway, or the 150 mm main along Glen Dr. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main on Kingsway from 200 mm to 300 mm. The developer is responsible for 100% of the cost of the upgrading.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- b. Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. Implementation of development(s) at 1111 Kingsway requires the following in order to maintain acceptable sanitary sewer flow conditions.
- (i) Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City.
 - (ii) Development to be serviced to the existing 200 mm sanitary sewers in lane south of E 19th Ave.
- c. Provision of green infrastructure within the Glen Drive down drainage curb bulge, such as bioretention or a stormwater tree trench, to manage 90% of average annual rainfall or a 48 mm – 24 hr event from the right-of-way frontage of the site.

Note to Applicant: Depending on the geotechnical conditions the runoff can be, in order of preference, fully infiltrated, partially infiltrated, or filtered through soil. The geotechnical assessment needs to determine the infiltration potential and the design infiltration rate. For further information, contact Robb Lukes, robb.lukes@vancouver.ca.

- d. Street improvements adjacent to the site and appropriate transitions including the following:
- (i) 1.22 m (4 ft.) wide front boulevard, broom finish saw-cut concrete sidewalk, from the edge of the front boulevard to the property line, and hard surface treatment between the sidewalk and the building along Kingsway;
 - (ii) Minimum 1.22 m (4 ft.) wide front boulevard, broom finish saw-cut concrete sidewalk, from the edge of the front boulevard to the property line, and hard surface treatment between the sidewalk and the building in front of the proposed retail unit along Glen Drive;
 - (iii) Minimum 2.14 m (7 ft.) wide broom finish saw-cut concrete sidewalk, from the edge of the front boulevard, in front of the residential units along Glen Drive;
 - (iv) Street trees where space permits;
 - (v) Removal of the existing driveway crossings and reconstruction of the sidewalks and curb to current standards;

- (vi) Curb bulge along Glen Drive, including any required road reconstruction to current standards;
- (vii) Curb ramps on the north east corner of Kingsway and Glen Drive;
- (viii) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps (on both sides of the lane) at the lane crossing on Glen Drive.

Note to Applicant: Adjustment to all existing infrastructure to accommodate the proposed street improvements.

e. Intersection improvements at Glen Drive and Kingsway including:

- (i) Upgrades to the existing pedestrian traffic signals across Kingsway to include pedestrian countdown timers and accessible pedestrian signals;
- (ii) Upgrade the existing traffic signal to a full traffic signal and associated enabling works to modify or relocate existing infrastructure;

Note to Applicant:

- Provision of a Transportation Assessment and Management Study (TAMS) at the Development Permit stage to the satisfaction of the General Manager of Engineering Services.
 - Any changes to the full traffic signal upgrade requirement may only be considered under the discretion and satisfaction of the General Manager of Engineering Services. Changes to this requirement may include a cash-in-lieu payment of a portion of a full signal upgrade.
- (iii) Installation of eastbound and westbound left turn bays on Kingsway, and associated enabling works to modify or relocate existing infrastructure.

Note to Applicant: The City will provide a geometric design for these street improvements.

f. Provision of installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Design details of off-site improvements to be finalized at the development permit stage.

g. Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City of Vancouver (COV) standards and Illuminating Engineering Society of North America (IESNA) recommendations.

h. Provision of lighting upgrade to the entire intersection of Glen Drive and Kingsway to current COV standards and IESNA recommendations.

i. Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required

prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- j. Provision of lane lighting on standalone poles with underground ducts. The ducts should be connected to the existing COV street lighting infrastructure.

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with Standard Specification of the City of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition)

- 6. Submission of a Hydrogeological Study to be reviewed and accepted by a City Engineer. The Study shall include a Groundwater Management Plan and an Impact Assessment, respectively, to demonstrate that no groundwater is to be discharged to the City's sewer network post construction, and that groundwater extraction/diversion shall have no significant negative impacts. The final Hydrogeological Study is required prior to Development permit issuance.

Note to Applicant: Proposed development near peat area.

- 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

In addition, 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

- 8. Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Housing

- 9. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant to secure all residential units as secured rental housing units, including at least 20 per cent of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law secured as moderate income units subject to the conditions set out below for such units and in accordance

with the requirements set out in the Moderate Income Rental Housing Pilot Program, for the longer of 60 years and the life of the building, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate sales covenant;
- (b) A no stratification covenant;
- (c) A provision that none of such units will be rented for less than one month at a time;
- (d) All rental units will be secured as rental for a term of 60 years and the life of the building, whichever is greater;
- (e) That a rent roll be provided indicating the agreed initial monthly rents for each moderate income unit, when the Housing Agreement is entered into and again prior to development permit issuance.
- (f) That the average initial starting monthly rents for each moderate income unit, which comprise at least 20 per cent of the residential floor area that is counted in the calculation of the floor space ratio, will be at or below the following rents, not subject to adjustment, as set out in section 3.1A(d) of the Vancouver Development Cost Levy By-law and section 2a of the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives* Administration Bulletin:

Moderate Income Rental Housing Type	Maximum Average Starting Rents
Studio	\$950
1-bedroom	\$1,200
2-bedroom	\$1,600
3-bedroom	\$2,000

and that a rent roll indicating the agreed maximum average initial monthly rents for the units secured at moderate income rates will be required prior to Development Permit issuance, and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;

- (g) That rent increases for the moderate income units following the issuance of an Occupancy Permit will be capped at the *Residential Tenancy Act* maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy;
- (h) The applicant will verify eligibility of new tenants for the units secured at moderate income rates, based on the following:

- (i) For new tenants, annual household income cannot exceed 4 times the annual rent for the unit (i.e. at least 25 per cent of household income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (i) The applicant will verify the ongoing eligibility of existing tenants in the units secured at moderate income rates every five (5) years after initial occupancy:
 - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20 per cent of income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (j) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the moderate income units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the moderate income units, and a summary of the results of eligibility testing for these units; and
- (k) Such other terms and conditions as the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services may require in their sole discretion.

Note to Applicant: This condition will be secured by a Section 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter prior to enactment of the rezoning by-law.

Sustainability

10. For buildings containing 20 units or more, the applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Environmental Contamination

11. If applicable:
- (a) Submit a site profile to Environmental Services (Environmental Protection);
 - (b) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into agreements deemed necessary to fulfill requirements of Section 571(B) of the Vancouver Charter; and

- (c) If required by the Manager of Environmental Services 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 satisfactory to the Manager of Environmental Services, 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, are provided to the City.

Agreements

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 is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws. The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * * *

1111-1123 Kingsway
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.

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 11879

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

“1111-1123 Kingsway [CD-1 #] [By-law #] C-2”

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW No. 6555

Amend Schedule B [Intermediate Zone] by adding the following:

“[CD-1#] [By-law #] 1111-1123 Kingsway”

* * * * *

**1111-1123 Kingsway
ADDITIONAL INFORMATION**

1. Urban Design Panel Minutes

Address:	1111-1123 Kingsway
Permit No.	RZ-2019-00048
Description:	To develop a 13-storey mixed-use building with commercial spaces at grade and 128 secured rental housing units above (with 20% of residential floor area assigned to moderate income households); all over two levels of underground parking with 97 parking spaces and 260 bicycle spaces. The maximum building height is 40.5 m (133 ft.), the total floor area is 9,618 sq. m (103,530 sq. ft.), and the floor space ratio (FSR) is 5.39. This application is being considered under the Moderate Income Rental Housing Pilot Program.
Zoning:	C-2 to CD-1
Application Status:	Rezoning Application
Review:	First
Architect:	Musson Cattell Mackey Partnership
Delegation:	Peter Odegaard (Architect), Aaron Petruic (Architect), and Rod Maruyama (Landscape Architect)
Staff:	Chee Chan and Grace Jiang

EVALUATION: Support with Recommendations (7/0)

Introduction

Rezoning Planner, Chee Chan, began by noting that this is a rezoning application for two lots at 1111-1123 Kingsway, located in the *Kensington-Cedar Cottage Community Vision Area*. It is located directly on the 19 Kingsway bus line, part of TransLink's Frequent Transit Network. The development site is zoned C-2, and this zoning extends along Kingsway to the east and west. This irregular shaped site has a frontage of approximately 115 ft. along Kingsway, 148 ft. along Glen Drive, a local street, and 200 ft. along the rear lane. The lot is 120 ft. deep, and the total site area is 19,200 sq. ft.

The site is currently developed as single storey automotive repair shops. The C-2 properties along Kingsway are developed with predominantly as 1 – 2 storey commercial retail uses and some mixed-use. There is an older (1978) three storey mixed-use building with 2 storeys of residential above a commercial ground floor across Glen Drive. A similar three storey mixed-use building also occupies the corner lot across Kingsway.

The properties to the north of the site were zoned RM-1 and RT-10 (max height 10.7 m) under the *Kingsway and Knight Neighbourhood Centre Housing Area Plan* in 2004, permitting courtyard rowhouses, duplexes, small houses and suites, although the current uses are still predominantly one family dwellings. This rezoning also applies to properties to the south side of Kingsway, just behind the C-2 zoned properties.

Finally, there is a current rezoning application for a 12 storey social housing project at Windsor and Kingsway, just 1 block to the northwest.

This application is in response to the *Moderate Income Rental Housing Pilot Program (MIRHP Program)*, which is a limited pilot program that enables up to 20 rezonings city-wide for new buildings that provide 100% secured market rental housing, with a minimum of 20 per cent of the residential floor area permanently secured for moderate income households earning between \$30 and \$80K / year.

As part of the process, early proposals were considered during an initial pre-enquiry application period in early 2018. This proposal proceeded through the standard rezoning enquiry process before a formal rezoning application was received in July 2019. The program outlines location criteria for projects, and allows for consideration of 6 to 14 storeys at arterial intersections. Corner sites not at the intersection of two arterials are eligible for additional height and density, commensurate with site size, context and other considerations, which is the case for this project. Neighborhood context is an important consideration, and all projects must consider and respect transitions to surrounding areas and homes.

This proposal is to rezone from C-2 to CD-1 for a 13 storeys mixed-use building with 128 secured rental housing units, with approximately 23 moderate income units. It proposes an FSR of 5.39 and a height of 40.5 m (133 ft.), and includes: 97 underground vehicle parking spaces and 260 bicycle parking spaces. The applicant has requested a reduction in parking requirements by approximately 20-30 per cent, credits gained from secured rental units, as well as proximity to transit.

Development Planner, Grace Jiang began by noting that the site is irregular shaped with an obtuse angle at the corner. The overall street frontage is relatively long, particularly along Glen Drive. The site is generally flat on both streets but slope uphill along the lane by approx. 10 ft. The site is on the north side of Kingsway, and in the middle of two major arterial intersections - Fraser St and Knight St. On both sides of Kingsway, the base zone is C-2. The anticipated developments are generally in a form of 4-storey mixed-use building. Currently there are a few approved rezoning applications within couple of blocks which are rezoned to 6-storey secured rental. The area to the north is zoned RM-1 permitting 3 storey courtyard rowhouse development. The only existing tall building in this area is a 17 storey mixed-use tower at Knight and Kingsway.

For this C-2 site located at an intersection of an arterial street and a local road, it may eligible for some additional height and density from 6 to 14 storeys under *MIRHP Program* rezoning policy subject to the site size, context, and other considerations.

The application proposes a 13 storey tower at the corner and a 6 storey podium on Kingsway with 5 storey street-wall expression. On Glen Drive, the podium steps down from 5-storey to 2 storeys when approaching to the north lane. The tower plate is approximately 4,900 sq. ft. with a bump-out at the lower portion. The tower has a generous setback from the east side, and is built to the SRW line on the Glen Drive. The distance from the building face to the centre line of the street is slightly shorter than 40 ft. which generally is asked for tower separation.

Under C-2 zoning, the rear massing is required to stepping down towards the lane as shown on the section in red dash line. The application proposes transition setbacks and heights on the back of the building. A two storey podium is at the lane with ground-oriented townhouse units on the eastern side. The primary 6 storey podium is further setback with a wing extended on Glen Drive.

The proposed form does cast additional shadows on the neighbouring areas, particularly on the triangle block to the north and the north sidewalk of East 19th Avenue as comparing to the shadows of development conforming to C-2 zoning.

On the ground plane, the commercial is proposed fronting Kingsway and wrapping the corner. The residential entrance and ground-oriented townhouses are on Glen Drive. A pocket public open space is proposed at the north triangle corner of the site as a transition to the residential area. Indoor and outdoor amenity spaces are co-located on the podium level.

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

1. Given the existing context and future potential developments in this area, does the panel support the proposed height and density (13-storey tower and 6-storey podium)?
2. Under the *MIRHP Program*, projects must consider and respect transitions to surrounding areas and homes. Has the proposed transition heights and setbacks successfully mitigated impacts to the neighbouring low density area in terms of shadowing, overlook, views, and lane interface?
3. Take into account the nature of Kingsway, the angle of the intersection, and the anticipated future developments in the context, does the proposal contribute an appropriate streetscape on Kingsway? In particular comment on street-wall expression and the presence of the tower at the corner.
4. Please provide preliminary comment on the architectural expression and materiality to inform the development application.

The planning team then took questions from the panel.

Applicant's Introductory Comments

The applicant began by noting the main building sits on a podium where retail spaces are allocated and town homes in the back laneway area.

The applicant noted that the tower expresses itself as an individual entity to the rest of the building and fits in contextually towards Kingsway.

The loading and parkade entrance is located to mid-site of the lane.

Amenity is on the 7th floor with a covered barbeque station area. Also on the 7th floor, there are seating areas, a fire pit and a children's play area.

The applicant embraces the innovative storm water management system on the 2nd floor that acts as a rain water retention pond.

The applicant team then took questions from the panel.

Panel's Consensus on Key Aspects Needing Improvement

Having reviewed the project it was moved by Ms. Stamp and seconded by Mr. Neale and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORT** of the project with the following recommendation to be reviewed by City Staff:

- Design development of the façades in terms of streamlining the form and the materiality of the building with consideration given to the articulation of building.
- Design development of the second level roof space to provide better outlook and landscape for adjacent units
- Consider the treatment of all roof spaces.
- Design Development of the building streetwall at the ground level including the canopy.

Related Commentary

In general the panel supported the project at the rezoning stage.

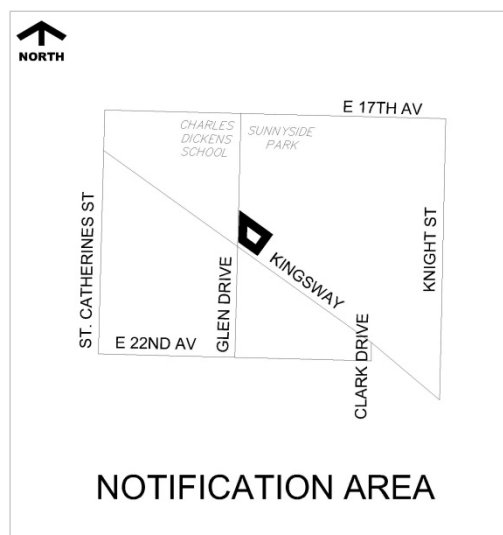
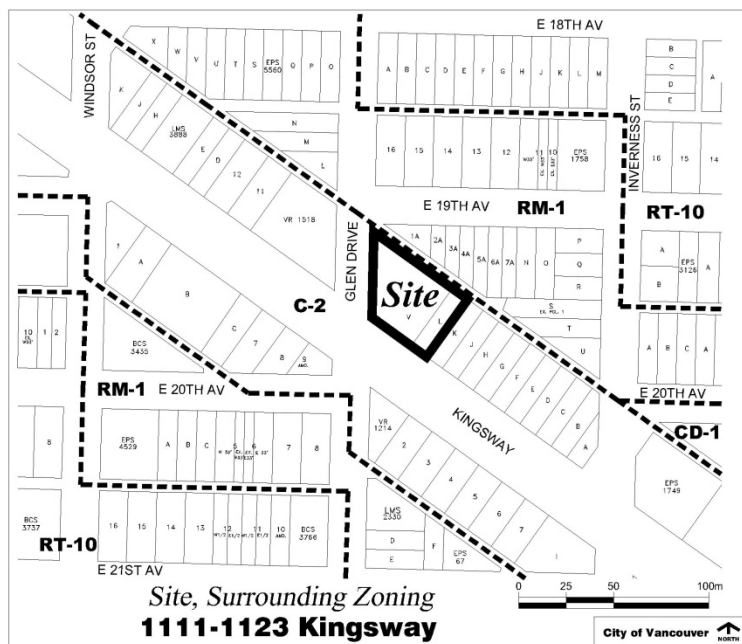
- Panel members noted that the massing and stepping of the building is suitable.
- Some panel members recommended design development of tower to provide a cleaner tower form, distinguish it from the podium, and to improve the proportionality of the building.
- Some panel members suggested that a taller tower, removal of 6th floor setback on Kingsway, could simplify and improve building form while maintaining density.
- Panel members supported the placement of the townhomes and the usage of the lane.
- Some panel members recommended consideration of smaller commercial units to support smaller retail typical of Kingsway.
- Some panel members recommended design development of streetscape to provide an expression more reflective of Kingsway vocabulary.
- Some panel members recommended further detailing and better materiality for the project.
- Panel members recommended further design development of the entrance and façade.
- Many panel members recommended further design development of livability on all lower units.
- Panel members recommended the town houses to have the stairs on the high side.
- Many panel members recommended for better utilization of the roof level.
- One panel member requested that the “Stan’s Transmission sign and wall be integrated into the building somehow.

Applicant’s Response

The applicant team thanked the panel for their comments.

2. Public Consultation Summary

A rezoning information sign was installed on the site on July 31, 2019. Approximately 845 notification postcards were distributed within the neighbouring area on or about August 12, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).



Community Open House

On September 4, 2019 a community open house was held from 4:30-7:30 pm at the Polish Community Centre, 4015 Fraser Street. Staff, the applicant team, and a total of approximately 90 people attended the Open House.

Public Response

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

- 54 comment sheets, and 110 letters, e-mails, online comment forms, and other feedback were received from the public in response to the September 4, 2019, open house.

Total notifications	845
Open House attendees	90
Open House comment sheets	54
Online/other feedback	110

* Note that all reported numbers above are approximate

Note:

Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Below is a summary of all feedback received from the public by topic, and ordered by frequency:

Generally, comments of support fell in the following areas:

- **Affordable housing:** The proposal responds to the housing demand and affordability crises in the city while bringing more residents with diverse incomes into the neighbourhood.
- **Building height, massing, and density:** The proposed height, massing and density are appropriate for the neighbourhood to create more demand for housing, with one respondent who noted that the height is well designed to limit shadowing. Another respondent believe the height and density can be higher in this area.
- **Neighbourhood context:** The project would be respectful to the surrounding environment and helps revitalize the neighbourhood.
- **Retail space:** Additional retail space would be suitable along Kingsway to bring more services to residents and support local business.
- **Location:** The proximity to key employment areas and public transit lines would make this location suitable.
- **MIRHP Program:** Appreciate the initiative to develop more rental housing under this program, while also proposing a suitable number of dedicated MIR units.
- **Building design:** The proposed building design would be acceptable.
- **General support:** The proposal received general support from respondents.

Generally, comments of concern fell into the following areas:

- **Building height, massing, and density:** The height of the proposed building is too tall for a low density neighbourhood without adequate transit and amenities.
- **School capacity:** Local schools are already over capacity, with respondents suggesting for coordination with the Vancouver School Board.
- **Traffic and safety:** The neighbourhood already experience traffic congestion due to narrow streets, especially near the schools. The proposed development would bring more traffic, which further poses safety concerns for children.
- **Neighbourhood Context:** The project would not conform to the low and mid-rise housing in the family-friendly neighbourhood. It would also deteriorate the community identity and gentrify the neighbourhood.
- **Infrastructure support:** Current infrastructure needs to be updated before they can support more developments in the area.
- **Community amenities:** Insufficient community amenities, parks, and daycares to serve additional residents are of concern in the area.

- **Street parking:** The proposed project would contribute to further street parking problems, making it challenging for visitors and after school program users to find parking.
- **Shadowing:** The development would shadow neighbouring properties, yards, and the Charles Dickens soccer field, resulting in a decline of liveability.
- **Building location:** Another location along a major arterial that can support higher density would be better suited for this project.
- **Transit:** There is insufficient transit in the area, resulting in buses being overcrowded. The City should work with TransLink to increase bus services to the area to better accommodate increasing population.
- **Parking within development:** There are not enough parking spaces with the number of proposed units. Other respondents also voiced that there are too much parking spaces for a proposal that is close to public transit.
- **Setting precedence:** The proposed building would set precedence in the area.
- **Neighbourhood safety:** Safety, increase in crime, noise could result from this development. One respondent noted that pedestrian and cyclist safety would need to be prioritized as well.
- **Approval process:** Respondents voiced concerns that the approval process is slow with fears that the project would not be approved due to strong voices in opposition.
- **Lack of privacy:** There would be limited privacy as residents of the proposed project could peer onto neighbours' yards and homes.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of support:

- The amenity space within the proposal is well designed.
- The project would have a good unit mix.
- The proposed number of parking and bicycle space is adequate.
- More 'eyes on the street' would result from this project, which would help with decreasing crime in the area.
- The development would provide an increase in much needed family-oriented housing.
- The laneway design is suitable and friendly.
- The incorporation of greenery in the proposal is appreciated.
- The project would not impact the capacity of local schools because the building is only 35% family units.
- The development would be supported over temporary modular housing

General comments of concern:

- The proposal would result in neighbouring property values being negatively affected.
- There are already other major developments in the area that would impact the community with the increased densities.
- The building would block views and sunlight for neighbouring properties.
- Local parks would not be able to support more residents.
- The dedicated number of MIR units are not adequate and should be increased.
- There are too many units for the neighbourhood context
- The proposed building design is not suitable for the neighbourhood character.
- The neighbourhood would be challenged to accept an increase in population as a result of the development.
- The displacement of businesses in the area as a result of this development would negatively impact the neighbourhood. Retail space should be limited in size to increase affordability.

- Concerned that a decision has already been made to approve this proposal.
- Increasing rental units in the area would diminish local residents' the opportunity to rent in their neighbourhood.
- The building setback is too close to Glen Drive and Kingsway.
- There are not enough two to three bedroom units.
- Open houses for developments do not truly take citizens' feedback into consideration.

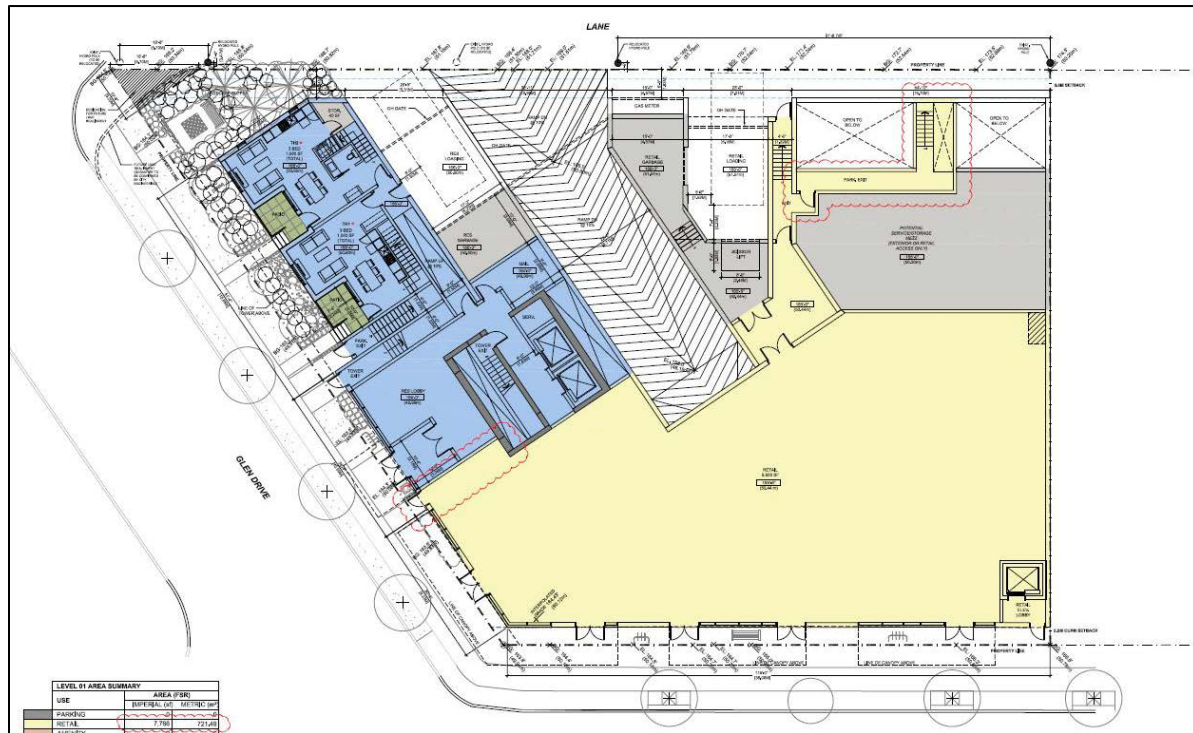
Neutral comments/suggestions/recommendations:

- Would like to see a rooftop amenity space on the 13th floor of the proposed building.
- The building design can be improved with different textures and colours.
- An educational space could be considered on the main floor.
- A smaller development with a green road would be more suitable.
- Residential permit parking fees should be raised in order to alleviate street parking limitations.
- Home owners directly impacted by developments should be compensated.
- Would like to see good landscaping as part of the proposal to beautify the area.
- Would like to see an art piece incorporated into the development, however, if there is no art piece, the project would still be supported.
- Developing high density housing on quieter streets would lower noise and diesel exhaust that can irritate residents.
- As a resident's home is labelled a character house, the street and alleyway should also be labelled to preserve the neighbourhood.
- Consider installing a pedestrian crosswalk at St. Catherines street and Kingsway.
- Question if there is a plan to add more bike routes.

* * * * *

1111-1123 Kingsway FORM OF DEVELOPMENT DRAWINGS

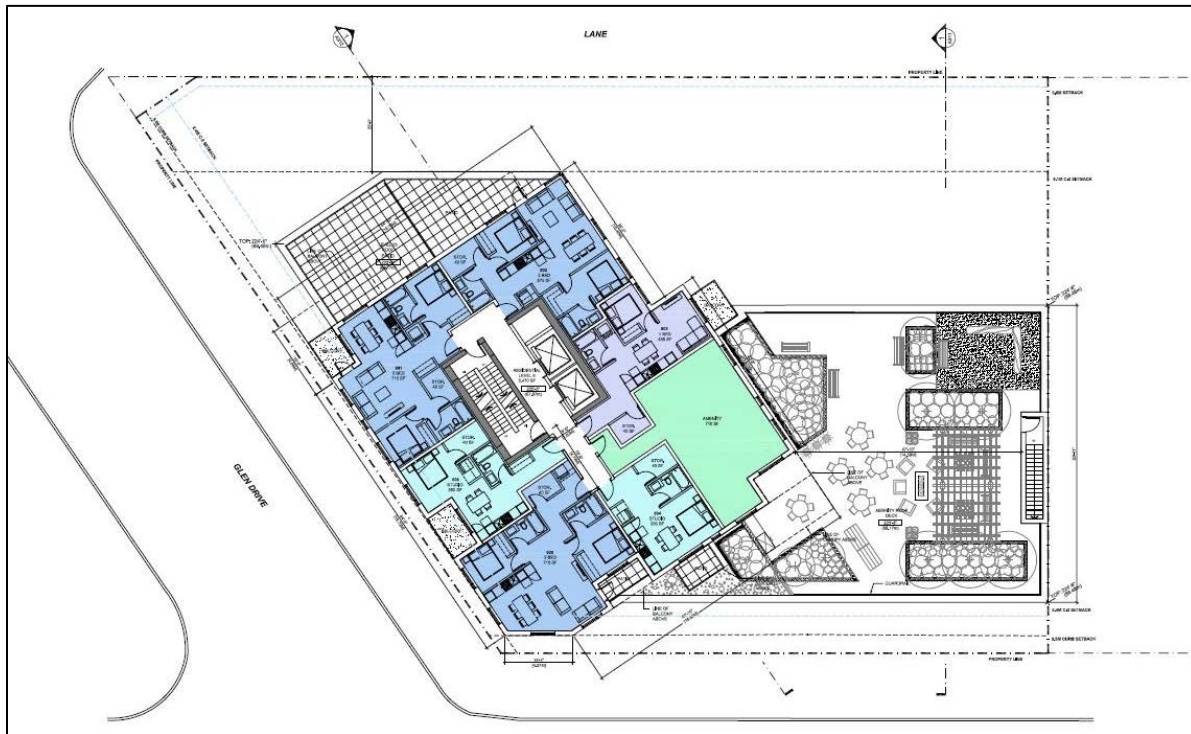
Ground Floor



Level 2



Level 6



Level 7 to 14



Kingsway Elevation



Glen Drive Elevation



* * * * *

1111-1123 Kingsway
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 in the Conditions of Approval (Appendix B).
- (b) None of the proposed dwelling units will be strata units, as required through the Housing Agreement.
- (c) The average size of all 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	36	42 sq. m (452 sq. ft.)	33.5 sq. m (361 sq. ft.)
1-bedroom	49	56 sq. m (603 sq. ft.)	46.4 sq. m (500 sq. ft.)
2-bedroom	43	77 sq. m (829 sq. ft.)	65 sq. m (700 sq. ft.)
3-bedroom	3	97 sq. m (1,044 sq. ft.)	93 sq. m (1005 sq. ft.)

- (d) The average initial rents for all proposed moderate income units do not exceed rents specified in section 3.1A(d) of the DCL By-law.

Unit Type	No. units proposed	DCL By-law maximum average unit rent
Studio	4	\$950
1-bedroom	11	\$1,200
2-bedroom	6	\$1,600
3-bedroom	3	\$2,000

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 averages set out under (d) above.

* * * * *

1111 – 1123 Kingsway
PUBLIC BENEFITS SUMMARY

Project Summary:

14-storey mixed-use building with 131 secured rental housing units, of which 20 per cent of the floor area will be secured as moderate income units.

Public Benefit Summary:

The proposal would provide 131 secured rental housing units, of which 20 per cent of the floor area will be secured as moderate income units, for the longer of 60 years and the life of the building. The project would also contribute a DCL payment for the commercial floor area.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 1,784.8 sq. m. (19,211 sq. ft.))	2.50	5.58
Buildable Floor Space (sq. ft.)	48,028	107,200
Land Use	Mixed-use	Mixed-use

Summary of Development Contributions Expected under Proposed Zoning

City-Wide DCL ¹	\$135,564
City-Wide Utilities DCL ¹	\$46,837
Total	\$182,401

Other benefits (non-quantified): 131 rental housing units, of which 20 per cent of the floor area will be secured as moderate income units for the longer of 60 years and the life of the building.

¹ Based on rates in effect as at September 30, 2019 rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for details.

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1111 – 1123 Kingsway
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Street Address	Property Identifier (PID)	Legal Description
1111 Kingsway	007-643-888	Lot V, Block 58, District Lot 301, Plan 21267
1123 Kingsway	013-023-667	Lot L, Block 58, District Lot 301, Plan 3257

APPLICANT INFORMATION

Developer	Peterson Group
Architect	Musson Cattell Mackey Partnership
Property Owner	1076164 B.C. Ltd.

SITE STATISTICS

Site Area	1,784.8 sq. m (19,211 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed		Recommended (Other Than Proposed)
Zoning	C-2	CD-1		
Uses	Mixed-use	Mixed-use		
Floor Space Ratio (FSR)	2.50 FSR	5.39 FSR		5.58 FSR
Floor Area	4,463 sq. m (48,034 sq. ft.)	9,621 sq. m (103,547 sq. ft.)		9,959 sq. m (107,200 sq. ft.)
Maximum Height	13.8 m (45.3 ft.)	45.9 m (150.7 ft.) / 14 storeys		44.2 m (145 ft.) / 14 storeys
Unit Mix	N/A	Market: Studio 32 1-Bed 38 2-Bed 37 3-Bed 0 Subtotal 107	Moderate Income: Studio 4 1-Bed 11 2-Bed 6 3-Bed 3 Subtotal 24	
		Total 131 units		
Parking Spaces	Per Parking By-law	29 residential vehicle spaces, 7 visitor spaces, 8 commercial vehicle spaces, 3 Class A, 1 Class B residential loading spaces		
Bicycle Spaces	Per Parking By-law	248 Class A and 14 Class B bicycle spaces		
Natural Assets	Existing: 0 on-site trees, 4 off-site street trees 1 historic stream 1 block west	Proposed (including existing): 3 of 4 off-site trees will be removed due to poor condition. New street trees will be planted.		

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