



REFERRAL REPORT

Report Date: October 6, 2020
Contact: Michael Naylor
Contact No.: 604.871.6269
RTS No.: 14090
VanRIMS No.: 08-2000-20
Meeting Date: October 20, 2020

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1265-1281 Kingsway

RECOMMENDATION

- A. THAT the application by Stuart Howard Architects Inc. on behalf of Song Xanh Holdings Ltd., the registered owner of the lands at 1265-1281 Kingsway [*PID 015-633-977, Lot 9, Except Part in Explanatory Plan 3087, Block 38 District Lot 301 Plan 187; PID: 015-633-951, Lot C (Explanatory Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187; and PID 011-221-810, Lot B (Explanatory Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50 FSR to 3.74 FSR and the building height from 13.8 m (45.3 ft.) to 21 m (68.9 ft.) to permit the development of a six-storey, mixed-use building with 43 secured market rental residential units, be referred to Public Hearing together with:
- (i) plans prepared by Stuart Howard Architects Inc., received February 3, 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, 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 Arts, Culture and Community Services.

- C. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be referred to the same Public Hearing;

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

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

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

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

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

REPORT SUMMARY

This report evaluates an application to rezone the site at 1265-1281 Kingsway. The application is for a mixed-use, six-storey building with a total of 43 secured market residential units and three commercial spaces at grade. A height of 21 m (68.9 ft.) and an FSR of 3.74 are proposed, with a total floor area of 4,002.3 sq. m (43,081 sq. ft.). The rezoning application is being considered under the *Secured Market Rental Housing Policy (Rental 100)*. If approved, the application would contribute 43 secured market rental housing units towards the City's housing goals as identified in the Housing Vancouver Strategy.

The application is also consistent with the Vancouver 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.

The application has been assessed, and the proposed use and form of development are supported subject to design development and other conditions outlined in Appendix B. It is recommended the application be referred to Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing and to the conditions in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- *Secured Market Rental Housing Policy* (2012, last amended 2019)
- *Secured Rental Policy* (2019)
- *Rental Incentive Programs Bulletin* (2019, amended 2020)
- *Kensington-Cedar Cottage Community Vision* (1998)
- *Housing Vancouver Strategy* (2017)
- *Family Room: Housing Mix Policy for Rezoning Projects* (2016)
- *High-Density Housing for Families With Children Guidelines* (1992)
- *C-2 District Schedule* (1996, last amended 2019)
- *Green Buildings Policy for Rezoning* (2010, last amended 2018)
- *Tenant Relocation and Protection Policy* (2015, last amended 2019)
- *Community Amenity Contributions Policy for Rezoning* (1999, last amended 2020)
- *Vancouver Development Cost Levy By-law No. 9755* (2008, last amended 2019)
- *Vancouver Utilities Development Cost Levy By-law No. 12183* (2018, last amended 2019)
- *Urban Forest Strategy* (2014)

REPORT

Background/Context

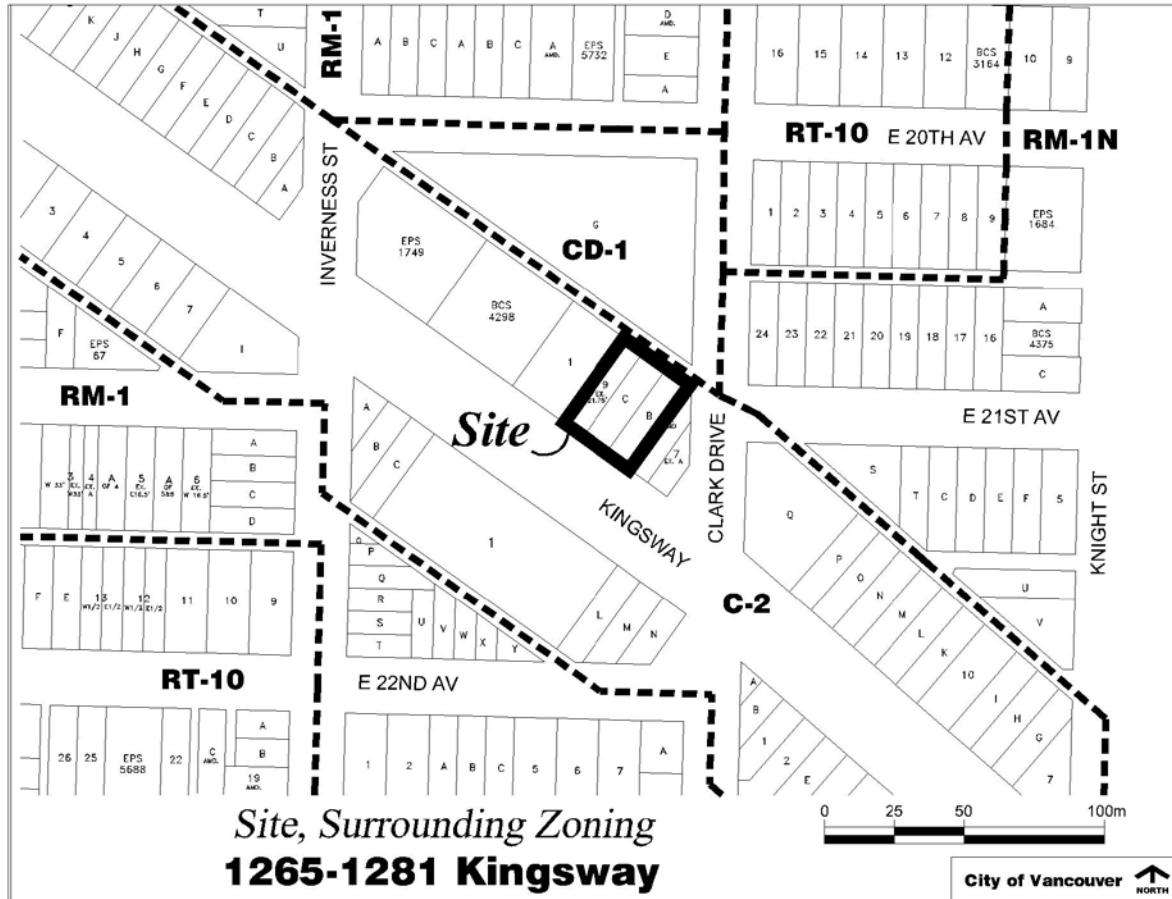
1. Site Context

The site, zoned C-2 (Commercial), is located in the Kensington-Cedar Cottage neighbourhood on the north side of Kingsway between Inverness Street and Clark Drive. It has an area of approximately 1071.5 sq. m. (11,534 sq. ft.) (See Figure 1). The site is comprised of three lots and is currently developed with two commercial buildings that are two storeys in height.

Both sides of Kingsway are zoned C-2 (Commercial), which permits mixed-use buildings up to 2.5 FSR and four storeys in height. Across the lane to the north, is a three-storey subsidised housing development zoned CD-1(76). Kingsway is part of TransLink's Frequent Transit Network (FTN), and includes bus route #19 from Metrotown to Stanley Park.

There are two similar six-storey rezoning projects in the immediate vicinity of the site. Adjacent to the site at 1247 Kingsway is a secured market rental project which was approved at Public Hearing on September 15, 2020. While at 1303 Kingsway and 3728 Clark Drive there is an approved six-storey secured market rental project.

Figure 1 - Location Map



Local School Capacity – There are five elementary schools located within a one-kilometre catchment of the subject site. The Vancouver School Board (VSB)'s Draft Long Range Facilities Plan, dated May 29, 2019, indicates that Tyee Elementary and Charles Dickens Elementary currently have enrolment numbers above the total operating capacity. Enrolment at these schools is projected to remain above the operating capacity to 2027.

Enrolment capacity for 2020 does exist at Lord Selkirk Elementary (84% utilization), Richard McBride Elementary (91% utilization) and David Livingstone Elementary (99% utilization). Projected enrolment numbers are expected to decrease to 2027 at both Lord Selkirk Elementary (76% utilization) and David Livingstone Elementary (87% utilization).

Figure 2 – Local Elementary School Enrolments

School name	2020 Capacity Utilization	2027 Capacity Utilization
Tyee Elementary	123 %	121 %
Charles Dickens	103 %	106 %
David Livingstone	99 %	87 %
Richard McBride	91 %	99 %
Lord Selkirk	84 %	76 %

Sir Charles Tupper Secondary School is located approximately 1 km to the west of the site and has an operating capacity of 1,500 students. The current enrolment is 1113 students (74% utilization) which is forecast to gradually increase to 82% in 2027. VSB continues to monitor development and to work with the City of Vancouver to help plan for future growth.

Neighbourhood Amenities – The following amenities are within walking distance of the site:

- **Parks:** Sunnyside Park is located 300 m to the north of the site, while Glen Park is located 300 m to the southwest.
- **Cultural/Community Space:** Trout Lake Community Centre is located at 3360 Victoria Drive. Kensington Library is located 350 m southeast at 1428 Cedar Cottage Mews.
- **Child Care:** Four licensed group childcare facilities are currently located within 1 km of the site for children aged infant to five years old.

2. Policy Context

Secured Market Rental Housing Policy – In May 2012, Council approved the *Secured Market Rental Housing Policy*, commonly known as *Rental 100*, which provides incentives for new developments where 100% of the residential floor space is secured rental housing. Rezoning applications considered under this policy must meet a number of criteria, including security of tenure, location and form of development. This policy was revised and retitled to *Secured Rental Policy* on November 26, 2019.

Secured Rental Policy - On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy*, and retitled it to *Secured Rental Policy (SRP)*. The *SRP* expands on *Rental 100*, by consolidating rezoning opportunities for secured rental housing previously contained in the *Affordable Housing Choices Interim Rezoning Policy* and introducing new green buildings requirements. New rezoning applications and enquiries are required to meet the provisions of the *SRP*. However, in order to ensure consistency and fairness for in-stream applications, the policy requirements of the previous *Secured Market Rental Housing Policy* will continue to apply to projects where a supportive letter of response was received prior to November 26, 2019. The rezoning enquiry for 1265-1281 Kingsway received a letter of response on April 12, 2019, and is therefore considered under the previous *Secured Market Rental Housing Policy*.

Rental Incentive Guidelines – The intent of the *Rental Incentive Guidelines* is to inform the way in which City incentives, taken at the applicant's discretion, are applied to eligible secured rental projects. The guidelines also provide further information on the incentives approved by Council in May 2012 through the *Secured Market Rental Housing Policy*, including general direction for the consideration of additional density through rezoning. The guidelines apply to the *Secured Market Rental Housing Policy* and have since been superseded by the *Rental Incentive Programs Bulletin* and introduction of the *SRP*.

Rental Incentive Programs Bulletin – To correspond with Council's approval of the *Secured Rental Policy* in November 2019, a new *Rental Incentive Programs Bulletin* was issued. This bulletin provides updated information on Development Cost Levy (DCL) waivers and other incentives available to eligible secured rental projects. The additional density considerations provided in the *Rental Incentive Guidelines* will continue to apply to applications considered under the *Secured Market Rental Housing Policy*.

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 and family units.

Tenant Relocation and Protection Policy – The *Tenant Relocation and Protection Policy* (TRP Policy) last amended June 2019 applies to this application. The TRP policy is intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that some renewal is necessary to maintain the health of the overall rental stock. A Tenant Relocation Plan is required when tenants are displaced as a result of redevelopment or major renovation activity. At a minimum, these terms include four month's free rent or more based on length of tenancy, a flat-rate payment towards moving expenses, and assistance finding three alternate accommodation that best meet the tenants identified priorities. Eligible tenants may exercise a Right of First Refusal to return to one of the replacement rental units in the new building with a 20 per cent discount off of starting market rents, or at new below-market rates, provided they meet the eligibility requirements under those policies.

Development Cost Levy By-Laws – Under Section 3.1A of the Vancouver Development Cost Levy By-law No. 9755 (the "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 waiver of DCLs for the residential portion of the development. The *DCL By-law* establishes 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 Incentive Programs Bulletin and are updated on an annual basis.

Prior to September 30, 2020 eligible projects were also entitled to a waiver *under the Vancouver Utilities Development Cost Levy By-law No. 12183 (the "Utilities DCL By-law")* to remove the waiver for "for-profit affordable rental housing. As a result in-stream rate protection provided under the *Vancouver Charter* eligible project will remain entitled to a waiver of the Utility DCLs provided that the corresponding building permit is issued before September 30, 2021 (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 waiver of the DCLs provides opportunities for the creation of a range of rental levels, in accordance with the housing continuum objectives of the Vancouver Housing Strategy.

Strategic Analysis

1. Proposal

This application proposes a six-storey, mixed-use building with commercial uses at grade and a total of 43 secured rental housing units over two levels of underground parking (see Figure 2).

The proposed building height is 21 m (68.9 ft.) and the proposed density is 3.74 FSR with a total floor area of 4,002.3 sq. m (43,081 sq. ft.). The application qualifies for and has requested a DCL waiver for the residential floor area portion of the development) (see Appendix F).

2. Land Use

This site is currently zoned C-2 (Commercial) District. The intent of the C-2 District Schedule is to provide for a wide range of commercial uses serving both local and city wide needs, as well as residential uses, along arterial streets. The C-2 District Schedule emphasizes building design that furthers compatibility among uses, ensures livability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity

Figure 3 – Kingsway Frontage View of Proposed Development



This proposal includes commercial retail units and residential uses, consistent with the intent of the C-2 (Commercial) District and the *Secured Market Rental Housing Policy*. A total of 634.5 sq. m (6,830 sq. ft.) of leasable commercial space is proposed on the Kingsway frontage.

3. Density, Height and Form of Development

(Refer to drawings in Appendix E and statistics in Appendix I)

The *Secured Market Rental Housing Policy (Rental 100)* and accompanying *Rental Incentive Programs Bulletin* provide general direction for the consideration of additional height and density to facilitate the provision of rental housing. On sites zoned C-2, increases up to six storeys with

commensurate achievable density may be considered, subject to urban design performance evaluated on the consideration of base zoning, neighbourly fit, streetscape, and livability.

Height and Density – This application proposes a building height of 21 m (68.9 ft.) over six storeys and a floor space ratio (FSR) of 3.74. The existing C-2 District Schedule has a maximum permitted height of 13.8 m (45.3 ft.) and a FSR of 2.50. The proposed additional height and density is compliant with the *Rental Incentive Programs Bulletin* and is generally consistent with Council's direction to explore six-storey, mixed-use, rental-only buildings in C-2 areas.

Neighbourhood Fit – The adjacent site to the north was rezoned (CD-1 (76)) for a supportive housing facility serving residents living with physical disabilities. The property contains a three-storey building with an outdoor amenity area in a courtyard. The existing C-2 zoning prescribes a stepping form at the rear to limit the impact on lower density neighbouring properties.

The proposed six-storey building includes a four-storey base, which is generally in line with the C-2 stepping form, and two additional storeys which have been further stepped back. The shadow, overlook and visual impacts to the neighbours are minimal. The proposal is considered an appropriate contextual fit that has balanced impacts onto neighbouring properties, and addressed the need for secured market rental housing in the city.

Figure 4 – Kingsway Frontage View of Proposed Development



Further design development is expected to reduce the negative impacts from parking access, service areas and open spaces. Design conditions related to these changes are included in Appendix B.

Streetscape – Kingsway is a primary arterial with a width of 100 ft. at this location. The existing zoning anticipates an engaging streetscape including a four-storey street wall expression, vibrant commercial services, and pedestrian-oriented frontages.

The subject site is in the middle of a C-2 block and is adjacent to a recently approved six-storey secured market rental building to the west at 1247 Kingsway, approved at Public Hearing on September 15, 2020. This future building is illustrated in the perspective renderings in Figures 3, 4 and 5. The buildings directly to the east are two-storey mixed use buildings. Further east of the site is an approved rezoning for a six-storey market rental building located at the corner of Kingsway and Clark Drive.

The development contributes a wider public realm of 6.7 m (22 ft.) along Kingsway in front of the street-facing commercial units, creating opportunities to increase pedestrian interest and comfort. Further design development to the commercial frontage is expected to strengthen the established character of the local shopping street and further enhance the pedestrian-oriented public realm. Staff also recommend increasing the visual interest of the façades and sidewalls, through conditions in Appendix B.

Livability – The application proposes an indoor and outdoor amenity space on the fifth floor. The outdoor space is on the north-facing roof deck and is small in size. Staff recommend improving the outdoor amenity area to accommodate on-site activity for both children and adults and be situated to maximize sunlight access. Livability of dwelling units should be further improved, in particular access to daylight and ventilation for deep and narrow units, and to decrease the depth below grade for units facing the lane. Design conditions related to these recommendations are included in Appendix B.

Figure 5 – Rear Lane View of Proposed Development



Landscape – There are currently no trees on the site. This application proposes to add new landscaping at the lane and the fifth-storey amenity space. There are three existing street trees which will be retained. Landscape conditions are provided in Appendix B.

Urban Design Panel Review – This application was not reviewed by the Urban Design Panel given the relatively small scale of the proposal and general compliance with the Secured Market Rental Policy. The Urban Design Panel reviewed a similar project on the property directly to the west of this site at 1247 Kingsway on March 4, 2020. As both applications have been prepared by Stuart Howard Architects, many of the recommendations from the panel on 1247 Kingsway have been considered in this proposal. Should the rezoning be approved, rezoning conditions in Appendix B will secure continued design improvements at the development permit stage.

Staff conclude the proposal responds well to the *Secured Mark Rental Housing Policy* and the *Rental Incentive Programs Bulletin*, and recommends approval subject to design conditions in Appendix B.

4. Housing

The *Housing Vancouver Strategy* strives to enhance access to rental housing and sets a number of short- and long-term rental housing targets. This application, if approved, would contribute 43 secured market rental housing units to the City's rental housing targets set out in the *Housing Vancouver Strategy* (see Figure 6).

Figure 6 – Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market Rental Housing as of June 30, 2020

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	20,000	3,728

*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.

***Includes Developer-Owned Below-Market Rental Housing

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%. These units are to be designed in accordance with the *High Density Housing for Families with Children Guidelines*. This proposal would deliver a variety of unit types in the form of 20 studios, 5 one-bedroom units, 16 two-bedroom units, and 2 three-bedroom units. The two- and three-bedroom units account for 42% of all units.

Security of Tenure – All 43 units would be secured as rental housing through a Housing Agreement and/or a Section 219 Covenant for the longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates during the last 30 years. In 2019, the purpose-built apartment vacancy rate was 1.0% in Vancouver. The vacancy

rate based on the CHMC Market Rental Survey for the Mt. Pleasant/Renfrew Heights area within which this site is located is 1.3%. This means that 13 out of every 1,000 market rental units in this area were empty and available for rent. A vacancy rate of 3.0 to 5.0% represents a balanced market.

Figure 7 – Proposed Unit Mix

Type	Count	Percentage
Studio	20	46.5 %
1-bed	5	11.6 %
2-bed	16	37.2 %
3-bed	2	4.7 %
Total	43	100.0 %

Existing Tenants – If Council approves this application, the six units now existing on the subject site would be replaced with 43 new secured rental units. Redevelopment of the site would require the relocation of existing tenants.

The *Tenant Relocation and Protection Policy (2019)* applies to this site and the applicant has provided a draft Tenant Relocation Plan (TRP), which will be secured as a condition of rezoning (summarized in *Appendix B*). A final Tenant Relocation Plan will be required at the time of Development Permit issuance, with an Interim Tenant Relocation Report required prior to Demolition Permit issuance and a final Tenant Relocation Report prior to issuance of the Occupancy Permit.

At the time of application all six units on site were tenanted. One tenancy started less than one year prior to the rezoning application being received; these tenants do not qualify for the provisions of the City's *Tenant Relocation and Protection Policy*. Of the six tenancies covered by the TRP, the average length of tenancy was five years. Rents ranged from \$832 to \$1,245 per month, with an average rent of \$1,030 per month.

Under the amended *Tenant Relocation and Protection Policy (2019)*, eligible tenants receive a minimum of four months free rent or more based on length of tenancy, a flat-rate payment towards moving costs, and assistance finding alternative accommodation that best meets the tenants identified priorities. Eligible tenants who choose to do so can exercise a First Right of Refusal to return to one of the replacement units in the new building at 20% below market rates. All tenancies are protected under the *BC Residential Tenancy Act* that governs how residential properties are rented, and includes specific provisions around ending tenancies. Any disputes would be resolved through the Residential Tenancy Branch.

Development Cost Levy Waiver - The applicant has requested and is eligible for a DCL waiver for the residential floor area. To be eligible for the waiver, this project must meet the maximum average rental rates and unit size restrictions under the DCL By-law. These requirements will form part of the Housing Agreement referred to in Appendix B. Figure 7 provides this project's proposed starting rents, the current allowable DCL By-law maximum average rent rates, average rents in newer buildings in the eastside of Vancouver, and the estimated monthly cost of home ownership. The proposed rents in this application are a lower and viable alternative to the cost of home ownership, particularly for larger units.

Section 3.1B.(c) of the DCL By-law allows for rents to be increased annually from the time of Public Hearing to initial occupancy, as per the maximum allowable increases under the BC *Residential Tenancy Act*. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the occupancy permit in order to ensure compliance with the maximum increases authorized by the DCL By-law. After occupancy, rent increases are regulated by the *Residential Tenancy Act*.

Figure 8 – Proposed Rents for Market Rental Units, Market Rents in Newer Eastside Buildings, and Costs of Ownership

Unit Type	Project's Average Proposed Rents	DCL By-Law Maximum Averages – Eastside ¹	Average Market Rent in Newer Buildings ²	Monthly Cost Associated with Purchase of Median Priced Unit – Eastside ³
Studio	\$1,641	\$1,641	\$1,584	\$2,270
1-bed	\$1,942	\$1,942	\$1,796	\$2,824
2-bed	\$2,611	\$2,611	\$2,378	\$3,852
3-bed	\$2,977	\$2,977	\$2,603	\$5,394

1. CMHC Jan 2020, *Rental Market Report 2019* for studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all residential units built since the year 2005 in the City of Vancouver.
2. October 2019 CMHC *Rental Market Survey* for buildings completed in the 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.

Figure 9 shows the approximate household incomes required to afford the proposed rents in this project.

Figure 9 – Household Incomes relative to Proposed Rents

Unit Type	1265-1281 Kingsway Average Proposed Rents	Household Income Ranges – Rents at or below 30% of before-tax income ¹
Studio	\$1,641	\$60,000 - \$69,999
1-bed	\$1,942	\$70,000 - \$79,999
2-bed	\$2,611	\$90,000 - \$99,999
3-bed	\$2,977	\$125,000 - \$149,999

1. As per Statistics Canada, affordable housing is defined as shelter costs equal to or less than 30% of total before-tax household income. Income ranges are used above which allow for further analysis at a neighbourhood or citywide level.

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

5. Transportation and Parking

The application proposes 52 vehicle parking spaces for the commercial and residential uses, including resident and visitor spaces. In addition, the application proposes one Class B loading

space, 81 Class A bicycle spaces, and eight Class B bicycle spaces, marginally below the rates required in the Parking By-law.

Frequent bus service is available on Kingsway which includes bus route #19 between Metrotown Station and Stanley Park. The project is eligible for a 20% reduction to residential parking and a 10% reduction to commercial parking requirements due to proximity to frequent transit.

As part of the rezoning, the applicant will also be required to fund streetscape and transportation upgrades in the vicinity of the site to address neighbourhood traffic impacts from the rezoning.

All engineering conditions are included in Appendix B.

6. Environmental Sustainability

Green Buildings – The *Green Buildings Policy for Rezoning*s requires that rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy.

This application has opted to satisfy the *Green Buildings Policy for Rezoning*s under the low emissions green buildings requirements. 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 modeling analysis detailing building performance strategies to meet the energy use intensity, greenhouse gas and thermal demand targets.

Natural Assets – The *Urban Forest Strategy* helps 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 remove trees which 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 tree with a diameter greater than 20 cm is subject to the Tree By-law and requires a permit if it is proposed to be removed. There are no existing trees on the site. There are three street trees on City lands adjoining the site, and protection of these street trees during construction is required. No new street trees are proposed as part of this application, however smaller trees will be included on the ground-level patios facing the rear lane. See Appendix B for landscape and tree conditions.

Public Input

Public Notification – A rezoning information sign was installed on the site on June 15, 2020. Approximately 1,020 notification postcards were distributed within the neighbouring area on or about June 12, 2020. Notification and application information, as well as an online comment form, was initially provided on the Rezoning Centre's applications webpage (vancouver.ca/rezapps) and subsequently re-directed to the City's new digital engagement

platform *Shape Your City Vancouver* (shapeyourcity.ca). A pre-application open house was not held due to COVID-19 restrictions at the time.

Virtual Open House – In-person open houses were put on hold based on the provincial health authority's restrictions for public gatherings since the COVID-19 pandemic. In lieu of an in-person event, a virtual open house was held from June 15, 2020 to July 5, 2020 on the Shape Your City platform. The virtual open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. Digital presentations from the City and the applicant were posted for online viewing, along with a digital model representation of the proposed application.

Due to the pandemic, the City's process for public discussion and obtaining feedback had to shift. Some benefits of the asynchronous approach using Shape Your City include allowing people to access materials online at a time and from a location of their choosing, and an extended timeframe for providing feedback.

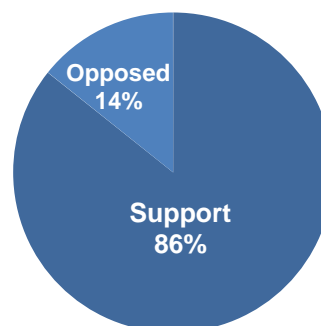
Public Response – Public input was received throughout the application process through online questions and comment forms, and by email and phone. A total of 13 submissions were received. The online comment form on Shape Your City included an optional question asking for an overall position on the application.

The volume of feedback received through Shape your City significantly exceeded the amount received for a recently approved market rental application on an adjacent site. The application at 1247 Kingsway had an in-person open house and received four pieces of feedback through the rezoning process.

Figure 10 - Overview of Notification, Responses and Overall Position

Public notification	
Postcards distributed –	1,020
Notice of Rezoning Application and Virtual Open House	
Public response	
Online questions	4
Online comment forms	7
Other input	2
Total submissions	13

Note: All reported numbers above are approximate.



Note: Providing an overall position is an optional question and may not directly reflect the qualitative feedback received.

Note: Submitted comments may each include statements of support, concern, or neutral or general statements. Staff's analysis emphasizes a qualitative approach. Some duplication of responses may result where respondents chose to provide feedback using different mediums (comment form, email to the planner, petition, etc.).

A summary of the key themes from the public feedback is provided below:

Support expressed by respondents included the following topics:

- **Amenity space:** The amenity space and green roof would be a good addition to the proposal.
- **Vibrant public realm:** The retail space and townhouses would increase street activity on Kingsway and in the rear lane.

Concerns expressed by respondents included the following topics:

- **Parking utilization:** Residents not parking within the proposed development could further impact street parking.
- **Local services:** More community services would be needed before further densification of the neighbourhood.

A more detailed summary of public comments on the application is provided in Appendix D.

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

Parking utilization – The proposal is compliant with the number of parking spaces required by the Parking By-law. On-street parking restrictions currently apply to Kingsway and East 21st Avenue, which will encourage residents to use parking spaces within the proposal.

Local services – This proposal will provide commercial spaces for shops and services at the ground floor. Staff analysis has also shown that there is existing and future capacity at local schools. Staff have also recommended that the size of the outdoor amenity area in the proposal be substantially increased to reduce the potential pressure on local parks.

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 the City-wide DCL and the Utilities DCL on the proposed 634.5 sq. m (6,830 sq. ft.) of commercial floor area and 3,367.9 sq. m. (36,251 sq. ft.) of residential 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”. Detailed analysis of this proposal against the requirements of the DCL waiver is included at Appendix F.

In accordance with amendments to the Utilities DCL By-law, effective as of September 30, 2020 the waiver of Utilities DCLs is no longer available.

Based on the rates in effect as of September 30, 2020, the value of the City-wide DCL waiver is approximately \$653,243. A review of how the application meets the waiver criteria is provided in Appendix F; compliance with requirements of the DCL waiver will continue to be assessed through the Development Permit application process. It is anticipated that the project will

generate approximately \$502,683 in DCLs.

DCL 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 from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Under in-stream rate protection this project will remain eligible for the Utilities DCL waiver on qualifying rental residential floor area, provided that the corresponding building permit is issued before September 30, 2021 (within 12 months of the effective date of the Utilities DCL By-law change).

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

The *Community Amenity Contributions Policy for Rezoning*s provides an exemption for routine, lower density secured market rental housing rezoning applications that align with the *Secured Market Rental Housing Policy* and the *Rental Incentive Programs Bulletin*. Staff note that as this site is currently zoned C-2 and proposes to rezone to six-storeys, the application is eligible for this CAC exemption. The offered public benefit achieved through this application is securing 43 market rental housing units.

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. 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

Based on rates proposed to take effect as of September 30, 2020, it is anticipated that the commercial component of the project will generate approximately \$502,683 in DCLs. The residential component of the project is expected to qualify for a waiver of City-wide DCLs of approximately \$1,016,062.

The 43 rental housing units, secured by a Housing Agreement and Section 219 Covenant for 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 1265-1281 Kingsway from C-2 to CD-1 to permit development of 43 secured market rental housing units, and conclude the application is consistent with the objectives of the *Secured Market Rental Housing Policy*. The application qualifies for incentives provided for secured market rental housing, including additional height, density, and parking reductions. Staff further conclude that the proposed 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 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.

* * * * *

1265-1281 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, of 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 ().

Uses

3. 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 the 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 Artist Studio, Arcade, 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 Farmer's 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, Repair Shop – Class A, Repair Shop – Class B, 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 listed in this section.

Conditions of Use

- 4.1 No portion of the first storey of a building, within a depth of 10.7 m of the front wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 4.2 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) Farmer's 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.
- 4.3 The design and layout 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*.

Floor Area and Density

- 5.1 Computation of floor space ratio must assume that the site consists of 1,071.5 m² being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses must not exceed 3.74.
- 5.3 Computation of floor area must include all floors of all buildings, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

5.4 Computation of floor area must exclude:

- (a) open residential balconies or sun decks and any other appurtenances, which in the opinion of the Director of Planning are similar to the foregoing, except that:
 - (i) the total area of all such exclusions must not exceed 12% 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, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including recreational facilities and meeting rooms accessory to a residential use, except that the total exclusion must not exceed 10% of the total permitted floor area; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

5.5 The use of floor area excluded under section 5.4 must not include any use other than that which justified the exclusion.

Building Height

- 6.1. Building height, measured from base surface to top of parapet, must not exceed 21 m.
- 6.2. Despite the provisions of section 6.1 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 roof top appurtenances such as stairs, elevators, elevator machine rooms, mechanical screens, a vestibule accessing a green roof, or similar features, 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

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

- 7.2 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.
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) The Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) The minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in section 7.2 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 ().
- 7.6 A habitable room referred to in section 7.1 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

8. 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

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

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**1265-1281 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 Stuart Howard Architects Inc., stamped received February 3, 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

- 1.1 Design development to the outdoor amenity area to accommodate on-site activity for both children and adults and be situated to maximize sunlight access.

Note to Applicant: This may be achieved by providing additional outdoor amenity space on the rooftop in conjunction with the provision of a green roof. Also see Landscape condition 1.13.

- 1.2 Design development to the commercial frontage to strengthen the established character of the local shopping street and contribute to a pedestrian-oriented public realm through the following strategies:

- (a) Retaining the narrow shopfront width (approx. 17 ft. to 33 ft.) for each individual tenant to enhance the diversity and accessibility of local retail provision;

Note to Applicant: Each individual unit should be provided with an at-grade entry and an access to the loading bay.

- (b) Creating a fine-grained commercial frontage expression to respond to the character of the existing shopping street, and emphasize the intimate scale and visual interest for pedestrians;

Note to Applicant: The design should take cues from the character of the existing shopping street, such as small storefront widths, recessed single entry doors, large transparent glazing with window displays, raised window sills and the use of brick and awnings. The design should be further developed at the development permit stage to emphasize visual interest with high quality material and intensive detailing. Enlarged commercial frontage elevations and relevant details are required in the development permit application submission.

- (c) Providing generous and continuous weather protection to the full width of the frontage;

Note to Applicant: The design of weather protection should be integrated into the overall building and relate to the pedestrian scale. A comfortable depth-to-height ratio of the awning is approximately 1:1.5 and 10-12 ft. above sidewalk level.
 - (d) Integrating the exiting stair into the overall expression of the frontage to maintain the continuity of public visual interest; and
 - (e) Exploring opportunities for pedestrian amenities in the increased setback area, including special paving, outdoor seating, and landscaping, to make the setback area a positive addition to the street.
- 1.3 Design development to mitigate negative impacts to the adjacent neighbours and on-site units, including:
- (a) Reducing the noise and visual impacts of vehicular entrance parking ramps and loading areas through proper treatment such as enclosure, screening, high quality finishes, sensitive lighting, and landscaping; and
 - (b) Increasing the landscape screen on the north-facing roof decks to reduce the noise and privacy impact from private and common open spaces;
- 1.4 Design development to the residential entry to improve the arrival experience, through the following design measures:
- (a) Increasing the setback of the residential entrance to allow for a transition space from public sidewalk to semi-private residential entrance;
 - (b) Distinguishing the residential entrance through quality design details related to residential scale and character, such as customization of the canopy and entryway.
 - (c) Providing a residential lobby waiting area with seating that is visually connected to the public sidewalk.
- 1.5 Design development to increase the visual interest of the street façade, including:
- (a) Developing a more cohesive architectural expression with careful consideration of the geometry composition, choice of the materials and colours, and quality details; and
 - (b) Strengthening greenery components on the facade, including vertical trellis planters on the balconies and a horizontal trellis on the rooftop;
- Note to Applicant: Refer to landscape condition 1.14 and 1.23 to ensure the viability of the plants.
- 1.6 Design development to the rear elevation to provide a consistent appearance and be of similar quality to the principle façade that contributes to neighbourly visual interest.

- 1.7 Design development to the exposed party walls and sidewalls to mitigate the visual impact by emphasizing the articulation and material finish that complement the architectural character of the main building facades.
- 1.8 Design development to improve the livability, including:
- (a) Increasing access to daylight and ventilation, particularly for the deep and narrow units; and

Note to Applicant: The unit layout should maximize access to daylight and ventilation in the habitable space. Strategies may include locating the habitable space within the zone of approximately two times the ceiling height from the exterior window. For studio apartments, the living space should be located close to the exterior window, with the sleeping area located further away. Alternative methods should be utilized to enhance daylight and ventilation when the unit is deeper than four times the ceiling height.

- (b) Raising up the lower level of the laneway units to be no more than 2 ft. below the grade of the lane.
- 1.9 Confirmation that the firefighter access to the units at the lane is compliant with the Vancouver Building By-law;
- 1.10 Submission of a bird-friendly strategy for the design of the building in the application for a development permit.

Note to Applicant: Refer to the Bird-Friendly Design Guidelines for examples of built features that may be applicable. For more information, see the guidelines at: <http://guidelines.vancouver.ca/B021.pdf>

Crime Prevention through Environmental Design (CPTED)

- 1.11 Design development to respond to CPTED principles, having particular regard for:
- (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.

- 1.12 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

- 1.13 Design development to potentially expand programming on roof level with provision of a green roof to include opportunities for common social interactions for adults and play opportunities for children; refer to Urban Design Condition 1.1.

Note to Applicant: Green roof to include urban agriculture plots and softening with planting at edges. Urban agriculture plots should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc.

- 1.14 Design development to the ground level public realm interface to achieve a friendly expression to the street by accenting and softening entry areas and providing additional planting;

Note to Applicant: If planting is provided under an overhang, an automatic irrigation system will be required.

- 1.15 Design development to the landscape treatment to increase the volume of soil, tree canopy cover and planting on slab. On-slab planters should not exceed 2 ft. in height and are to be structurally integrated (built-in) for permanence and optimal growing conditions.

Note to Applicant: Planted landscapes on slab should be designed to maximize soil depths and should exceed CSLA Landscape Standard. Temporary, moveable planters will not be supported. If a 2 ft. raised planter cannot provide adequate soil volumes, additional volumes will have to be provided below slab.

- 1.16 Design development to improve the sustainability strategy, by the following:

- (a) Allow opportunity for Urban Agriculture by providing planting space for this purpose and by providing the associated amenities as per the City of Vancouver Urban Agriculture guidelines:
- (b) Add resilient vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems); and
- (c) 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.

- 1.17 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.
- 1.18 Provision of landscape features intended to create bird friendly design;
- 1.19 Design development to upgrade and enhance the lane environment;

Note to Applicant: Landscape materials should be incorporated adjacent to the lane through provision of climbing plants, hanging plants from the rooftop above, and/or shrubs and trees of suitable growing habit.

- 1.20 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rainwater infiltration and soil absorption, as follows:

- (a) Maximize natural landscape best management practices;
- (b) Minimize the necessity for hidden mechanical water storage;
- (c) Increase the amount of planting to the rooftop areas, where possible;
- (d) Use permeable paving;
- (e) Employ treatment chain systems (gravity fed, wherever possible); and
- (f) 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.

- 1.21 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 rooftops.

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.

Provision requirements at the time of Development Permit application:

- 1.22 Provision of a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be at 1/8":1 ft. scale minimum. The Plant List should include the common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the 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.

- 1.23 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch 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.

- 1.24 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.

Sustainability

- 1.25 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (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 – Process and Requirements (amended April 28, 2017 or later).

Zero Waste

- 1.26 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 Demolition By-law must achieve a 75% recycling rate for demolition. Buildings subject to the Green Demolition By-law must meet the by-law requirements in place at the time of the demolition permit application.

Engineering Services

- 1.27 Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
- 1.28 Water Sustainability Act: 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.
- 1.29 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.
- 1.30 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.
- 1.31 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. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.
- 1.32 Provision of generous and continuous weather protection on Kingsway.
- 1.33 Remove the tables and chairs and patio label on the Kingsway frontage from the application drawings. Any potential patio applications must be reviewed through a separate process.
- 1.34 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
 - (a) Provision of a dedicated bicycle elevator for all bicycle spaces located below the first underground level;

Note to Applicant: The elevator is to have doors on both ends to allow bicycles to easily roll in from one end and roll out the other. The elevator to be a freight style elevator with durable finishes to comfortably accommodate two people with two

bicycles and provide minimum interior dimensions of 5'-6" x 6'-8". A separate bicycle call button is to be provided on all floors requiring bicycle access to allow users to call the bicycle elevator directly. Accommodation of oversized bicycles within this elevator may increase requirements.

- (b) Provision of bicycle parking lockers accommodating a maximum of one bicycle each;
- (c) Provision of a minimum 1.2m wide access route between the bicycle parking spaces and the outside;
- (d) Provision of automatic door openers to all Class A bicycle parking rooms;
- (e) Provision of a separated Class A bicycle room for the retail parking: and

Note to Applicant: Retail and residential Class A bicycle parking must be separated.

- (f) Provision of a maximum 40 Class A bicycle parking spaces with independent access.

Note to Applicant: Each room must have independent access and must not connect to any other Class A bicycle parking room or storage room (unless all the Class A bicycle parking spaces are secured by lockers) to ensure secure bicycle parking.

1.35 Design Development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.

- (a) Design development of the residential and commercial garbage rooms to provide convenient, internal, stair-free loading access to/from the Class B loading space to the residential elevator core and the commercial retail units.

Note to Applicant: The current 16% slope is not accepted through the commercial and residential garbage rooms.

1.36 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 interface of the parkade access and street/lane
 - (i) Modify the site vehicle access to (provide access from the lane, relocate/re-align driveway access).
 - (ii) Ramp design to position vehicles perpendicular to the lane to facilitate ease of vehicle ingress and egress from either direction of travel in the lane.
 - (iii) Ramp slopes must not exceed 10% for the first 20' from (property line/back of sidewalk).

Note to Applicant: A single plan showing the entire length of the main access ramp may assist in displaying this information.

- (b) Modification of grades on the ramp and in parking areas.
 - (i) 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4m in length.
 - (ii) Ramps which have a 15% slope and are exposed to the weather must be heated.
- (c) Provision of parabolic mirror at all corners to provide better visibility for vehicles.
- (d) Column encroachments, setbacks and parking space widths to comply with the Parking and loading design Supplement.
- (e) Note to Applicant: Column encroachments are not permitted in single module stalls
- (f) 2.3m (7' 6 1/2") of vertical clearance is required for access and maneuvering to all disability spaces.
- (g) Note to Applicant: Overhead projections into disability spaces are not permitted.
- (h) Vertical clearance of overhead projections into vehicle parking spaces must not be less than 1.2m (4') and projection into the space must not be more than 1.2m (4').

Note to Applicant: the following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:

- (i) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
- (ii) All types of parking and loading spaces individually numbered, and labelled on the drawings.
- (iii) Dimension of column encroachments into parking stalls.
- (iv) Show all columns in the parking layouts.
- (v) Dimensions for typical parking spaces.
- (vi) Dimensions of additional setbacks for parking spaces due to columns and walls
- (vii) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.

- (viii) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
 - (ix) Areas of minimum vertical clearances labelled on parking levels.
 - (x) 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.
 - (xi) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
 - (xii) Existing street furniture including bus stops, benches etc. to be shown on plans.
 - (xiii) The location of all poles and guy wires to be shown on the site plan.
- 1.37 Garbage pick-up operations appear challenging. Manoeuvre diagrams and a confirmation letter from the waste hauler provider are requested. There are two 16% slope ramps from the residential and commercial garbage rooms.
- 1.38 The following statement is to be placed 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."
- 1.39 Show all City of Vancouver supplied building grades on landscape and architectural drawings.
- 1.40 Provision of a draft final RWMP prior to DP issuance. As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

Note to Applicant: The resubmission at DP must include the following amendments;

- (a) Peak flow calculations to use 1:10 year return period. Inlet time = 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.
- (b) Recalculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices.
- (c) Provide a landscaping and grading plan (with soil volumes) to support the proposal of any landscaping capture.

- (d) Provide a site map detailing the different surface types and how rainwater will be directed or retained in each area. Include the following:
 - (i) All routing of water throughout the site;
 - (ii) Buildings, patios and walkway locations;
 - (iii) Underground parking extents;
 - (iv) Location of any proposed detention tank, water quality treatment and flow control system with connections to the sewer system; and
 - (v) Area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
- (e) Removal of the treatment flow rate for water quality treatment device. Instead, provide total contributing area to the device, percent imperviousness, TSS removal criteria and total annual capture requirements.

Note to Applicant: Design of the proprietary treatment devices are typically performed by the manufacturer/service provider. 24 mm relates to a 70% capture of annual average rainfall. 48 mm relates to a 90% capture of annual average rainfall.

- 1.41 Provision of a FINAL RWMP prior to the issuance of any building permit for the construction of any building, submitted to the satisfaction of the Director of Planning and City Engineer.
- 1.42 A legal agreement (Section 219 Covenant) related to Rainwater Management will be required prior to issuance of a Development Permit.

Note to Applicant: The applicant is requested to schedule a meeting with IWM Branch prior to moving forward with the RWMP and resubmission with the DP application. To schedule the meeting, contact rainwater@vancouver.ca.

Housing

- 1.43 The proposed unit mix, including 20 studio units (46%), 5 one-bedroom units (11%), 16 two-bedroom units (37%), and 2 three-bedroom units (4%) is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

- 1.44 The development is encouraged to apply the High-Density Housing for Families with Children Guidelines, and include the provision of:
 - (a) An outdoor amenity area that is a minimum of 130 square metres in size, and includes spaces suitable for a range of children's play activities; and

Note to Applicant: Recommend incorporating play equipment or 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.

(b) A minimum of 2.3 sq. m. (24.7 sq. ft.) of bulk storage for each dwelling unit.

- 1.45 Prior to issuance of a development permit, applicant to display a sign on the site, throughout construction, that acknowledges that secured market 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, Urban Design 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

- 2.1 Consolidation of Lots B and C (Explanatory Plan 3087) both of Lots 8 and 9; and Lot 9, Except Part in Explanatory Plan 3087, all of Block 38, District Lot 301, Plan 187 to create a single parcel.
- 2.2 Provision of a 5.5 metre offset distance measured from the back of the existing curb for widened sidewalks along Kingsway to be achieved through building setback and statutory right of way (SRW) for public pedestrian use over a portion of the site. The SRW will be free of any encumbrance such as vents, structure, stairs, planter walls, benches, and plantings at grade (and is to accommodate the underground parking structure within the SRW agreement).
- 2.3 Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class B loading space between the commercial and residential uses and label the space as 'Residential and Commercial Loading'.
- 2.4 Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
- (a) Provision of adequate water service to meet the fire flow demands of the project.
- (b) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. dated January 30, 2020, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main on Kingsway from Inverness Street to Clark Drive. 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.

- (c) Provision of adequate water service to meet the fire flow demands of the project.

Note to Applicant: Development to be serviced to the existing 200 mm SAN sewers in lane north of Kingsway.

Note to Applicant: Groundwater requirements are not currently an immediate concern at this site. The City may require a Hydrogeological Study, Groundwater Management Plan, and/or Impact Assessment if dewatering rates are significant or concerning, to the City's discretion. The developer is advised to undertake adequate investigations to understand the site groundwater conditions early on in the planning and design process.

- (d) Provision of improvements at the intersection of Clark Drive and Kingsway including:
- (i) APS (accessible pedestrian signal) including any associated enabling works and adjustments to all existing infrastructure to accommodate the proposed street improvements (including any transition from protected bike lanes to adjacent street network and replacement or modification of related traffic signal equipment).
- (e) Provision of street improvements along Kingsway adjacent to the site and appropriate transitions including the following:
- (i) 1.22m (4') wide front boulevard and minimum 3.05m (10') wide sidewalk that follows the City's "Knight Kingsway Neighbourhood Centre" streetscape design guidelines;
 - (ii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations;
 - (iii) Hard surface treatment within the remainder of the SRW next to the sidewalk;
 - (iv) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (f) Provision of new pad mounted service kiosk/cabinet.
- (g) 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.

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)

- (h) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (i) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (j) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8' long and 18" deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.

- 2.5 Engineering Services will require all utility services to be underground for this "conditional" development. All electrical services to the site must be primary with all electrical plant, which include but are not limited to System Vista, Vista switchgear, pad mounted transformers and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. The applicant shall provide written confirmation from BC Hydro that all required electrical plant is provided for on-site.

This proposed development is adjacent to existing BC Hydro electrical works. The applicant shall submit a surveyed clearance drawing to BC Hydro showing all BC Hydro plant and dimensioned clearances from the plant to the development. The applicant shall provide written confirmation from BC Hydro that all required clearances from BC Hydro plant have been satisfied. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>).

Note to Applicant: Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>). All third party service lines to the

development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc. The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Sustainability

- 2.6 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."

Housing

- 2.7 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 Section 219 Covenant securing all residential units as for-profit affordable housing units for the longer of 60 years and the life of the building, subject to the following additional conditions:
- (a) A no separate-sales covenant.
 - (b) A no stratification covenant.
 - (c) That none of such units will be rented for less than one month at a time.
 - (d) That, if a waiver of the Development Cost Levies is sought pursuant to the Development Cost Levy By-law, all proposed residential units will meet the definition of "for-profit affordable rental housing" in the Development Cost Levy By-law and accordingly, the average size of all residential units will not be greater than specified for for-profit affordable rental housing in the Development Cost Levy By-law, and the average initial rents for all proposed residential units will not exceed rents specified for for-profit affordable rental housing in the Development Cost Levy By-law. A rent roll would be provided indicating the agreed initial monthly rents for each rental unit, when the Housing Agreement is entered into, prior to development permit issuance and prior to DCL calculation during building permit.
 - (e) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may in their sole discretion require.

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

- 2.8 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Arts, Culture and Community Services and the Director of Legal Services determine are necessary to require the applicant to:
- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services as per the Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.
 - (b) Provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
 - (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Arts, Culture and Community Services prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

Note to Applicant: If a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.
 - (d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Arts, Culture and Community Services prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

Environmental Contamination

- 2.9 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 such agreements deemed necessary to fulfill the 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

on terms and conditions 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, have been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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 at no cost to the City.

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.

* * * * *

1265-1281 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:

“1265-1281 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 #] 1265-1281 Kingsway”

1265-1281 Kingsway PUBLIC CONSULTATION SUMMARY

This section contains:

- List of engagement events, notification, and responses
- Map of the notification area
- Analysis of all comments received

3. List of Engagement Events, Notification, and Responses

	Dates	Results
Event		
Virtual open house (City led)	June 15 – July 5, 2020	89 participants (aware)* <ul style="list-style-type: none"> • 42 informed • 9 engaged
Public Notification		
Postcard distribution – Notice of Rezoning Application and Virtual Open House	June 12, 2020	1,020 notices mailed
Public Responses		
Online questions	June 15 – July 5, 2020	4 submittals
Online comment forms <ul style="list-style-type: none"> • via Rezoning Centre website • via Shape Your City platform 	February – June, 2020 May – August, 2020	0 submittals 7 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	June – August, 2020	7 submittals <ul style="list-style-type: none"> • 6 responses • 1 response • 0 responses
Other input	February – August, 2020	2 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	June – August, 2020	286 participants (aware)* <ul style="list-style-type: none"> • 116 informed • 11 engaged

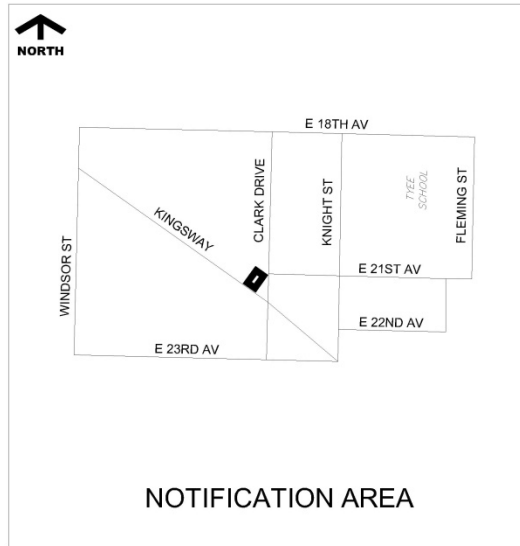
Note: All reported numbers above are approximate.

*The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.

- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

Map of Notification Area



Analysis of all comments received

Below is a summary of feedback received from the public by topic and ordered by frequency**.

Generally, comments of support fell within the following areas:

- **Amenity space:** The amenity space and green roof would be a good addition to the proposal. One respondent also cited that they would support a taller building if a rooftop amenity space could be incorporated.
- **Vibrant public realm:** The retail space and townhouses would increase street activity on Kingsway and in the rear laneway.
- **Building height, density, and massing:** The proposed height and density is appropriate but even more density would be supported.
- **Affordable housing:** This project would provide affordable housing as a response to the housing crises.
- **Building design:** The overall building design is supported.
- **Parking within the development:** The proposed number of parking spaces is appropriate, while even fewer spaces would be better.

Generally, comments of concern fell within the following areas:

- **Parking within the development:** Residents not parking within the proposed development could further impact street parking.
- **Local services:** More community services would be needed before further densification of the neighbourhood.
- **School capacity and parks:** This proposed development would negatively impact local schools and parks capacity.
- **Commercial space:** There is uncertainty about whether the proposed commercial units would be needed due to recent business closures.

The following are other comments received from the public but were not as frequently occurring as the above topics.

General comments of support:

- Appreciate that this proposal would not need to go through the Urban Design Panel due to its simplicity.

General comments of concern:

- Residents feel they have a lack of agency in their own neighbourhood.
- The building design is poor.
- The project would place greater stress on public transit.

Neutral comments/suggestions/recommendations:

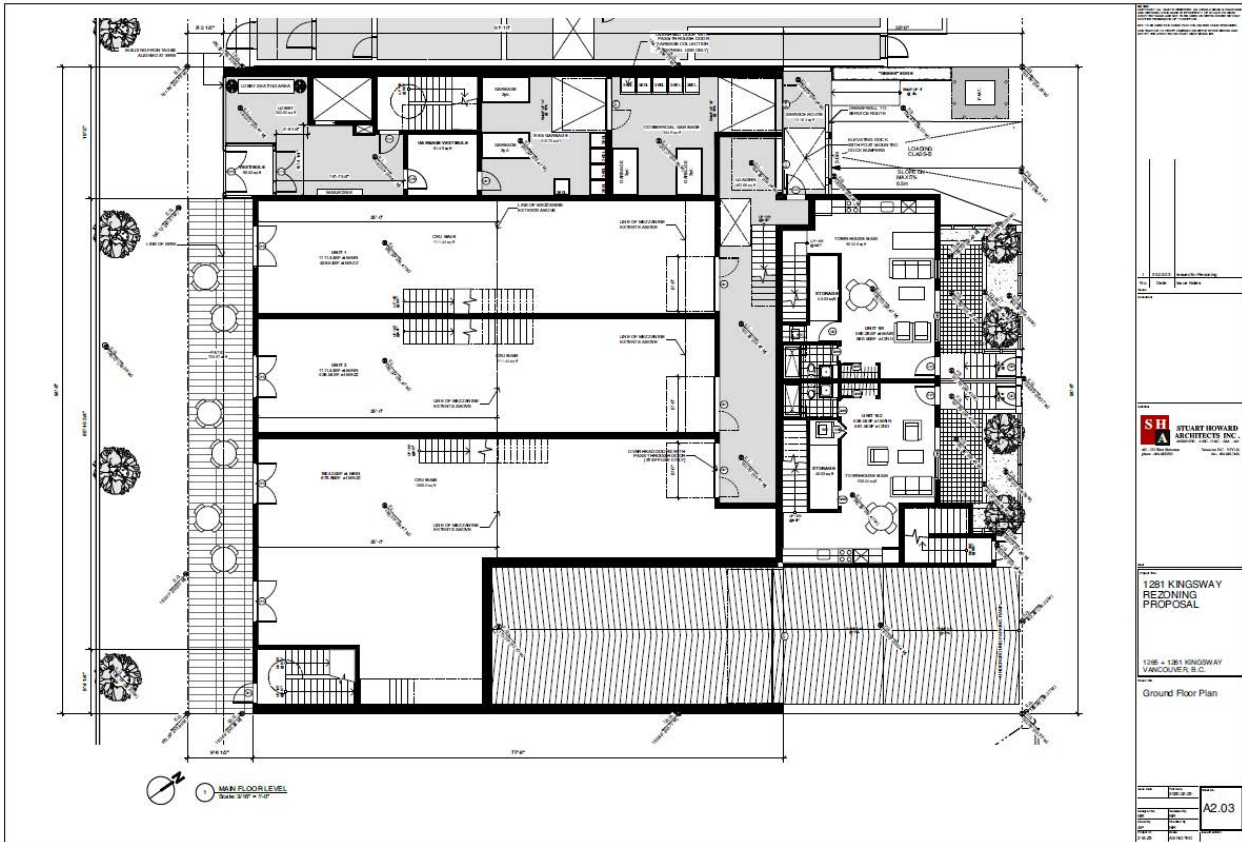
- The building material could be improved with timber or brick and brighter exterior colours.
- New developments in the area could share a parkade to cut down on development cost.
- The apartment building could be taller since it is located on a busy arterial road.
- Public art could be included on the eastern façade of the proposed development.
- Would like the units to be pet friendly.
- Ensure garbage bins within the proposed development would be secure.
- More landscaping to improve the pedestrian walkway experience would be appropriate due to the busy Kingsway vehicle traffic.
- Would like improvements to the east-west cycling routes.

** Submitted comments may each include statements of support, concern, or neutral or general statements. Staff's analysis emphasizes a qualitative approach. Some duplication of responses may result where respondents chose to provide feedback using different mediums (comment form, email to the planner, petition, etc.).

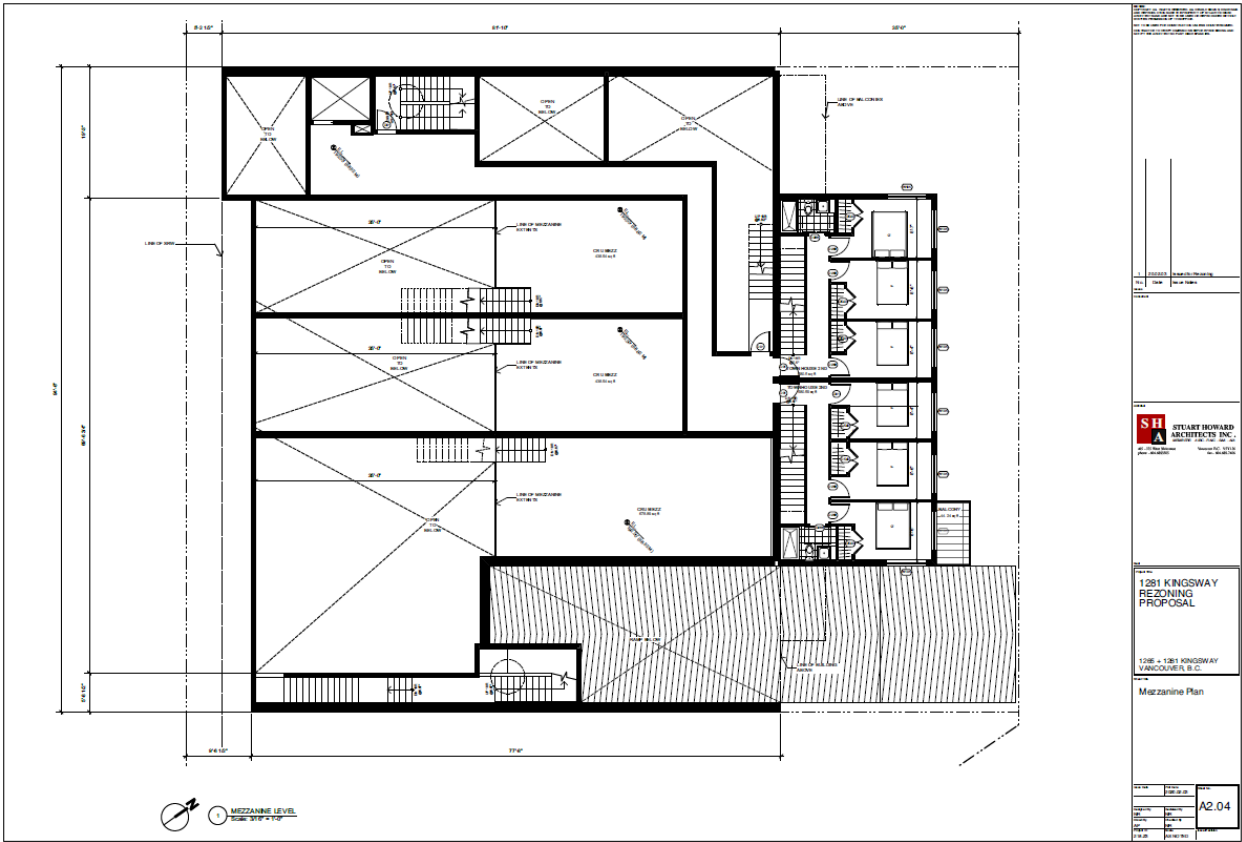
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1265-1281 Kingsway
FORM OF DEVELOPMENT DRAWINGS

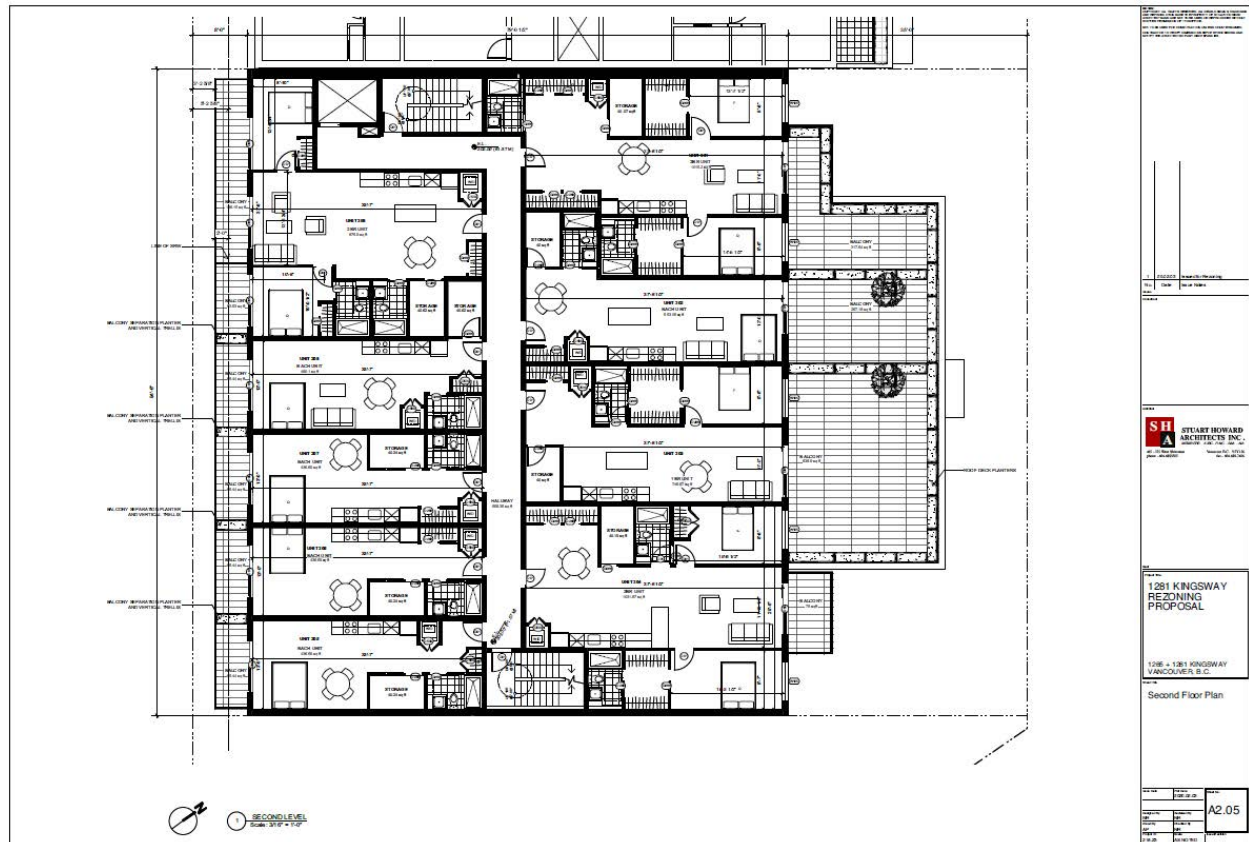
Site Plan / Ground Floor Plan



Mezzanine Floor Plan



Level 2 Floor Plan



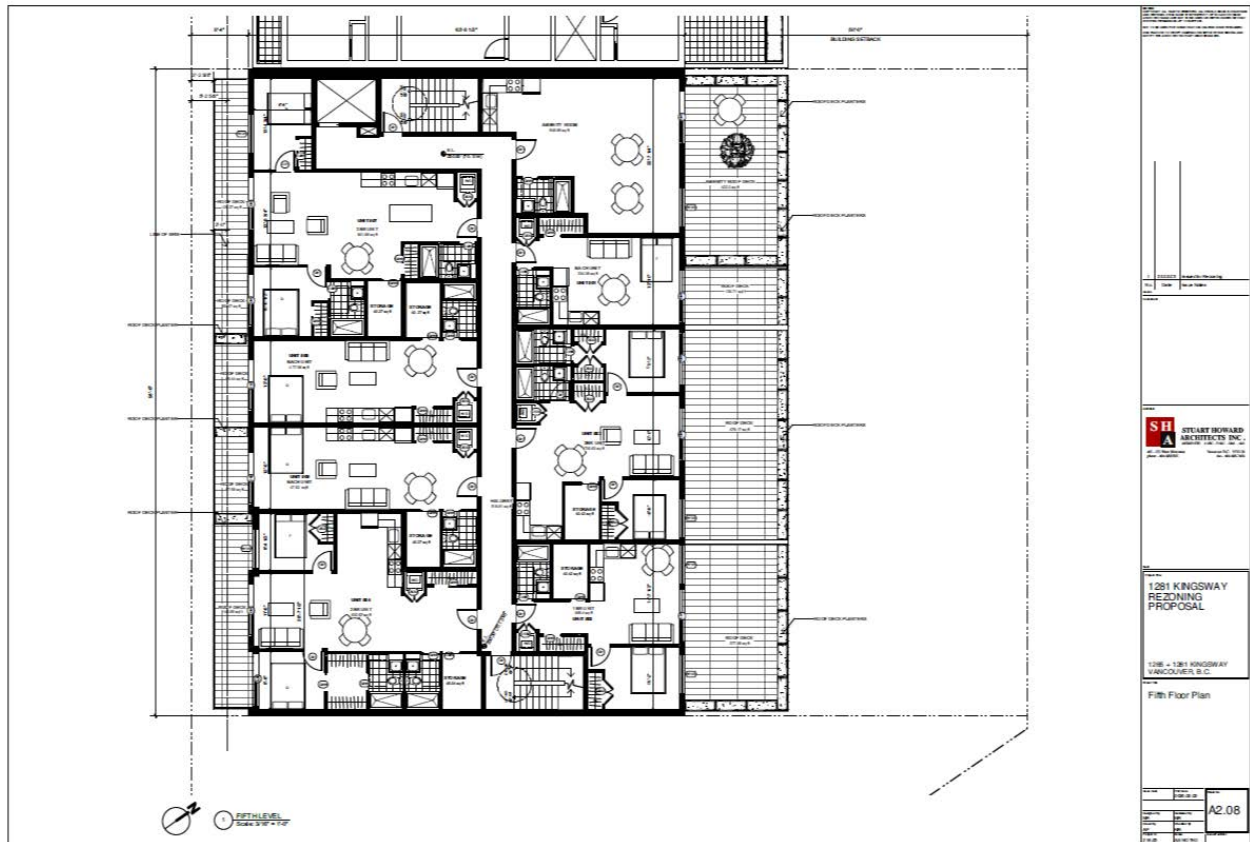
Level 3 Floor Plan



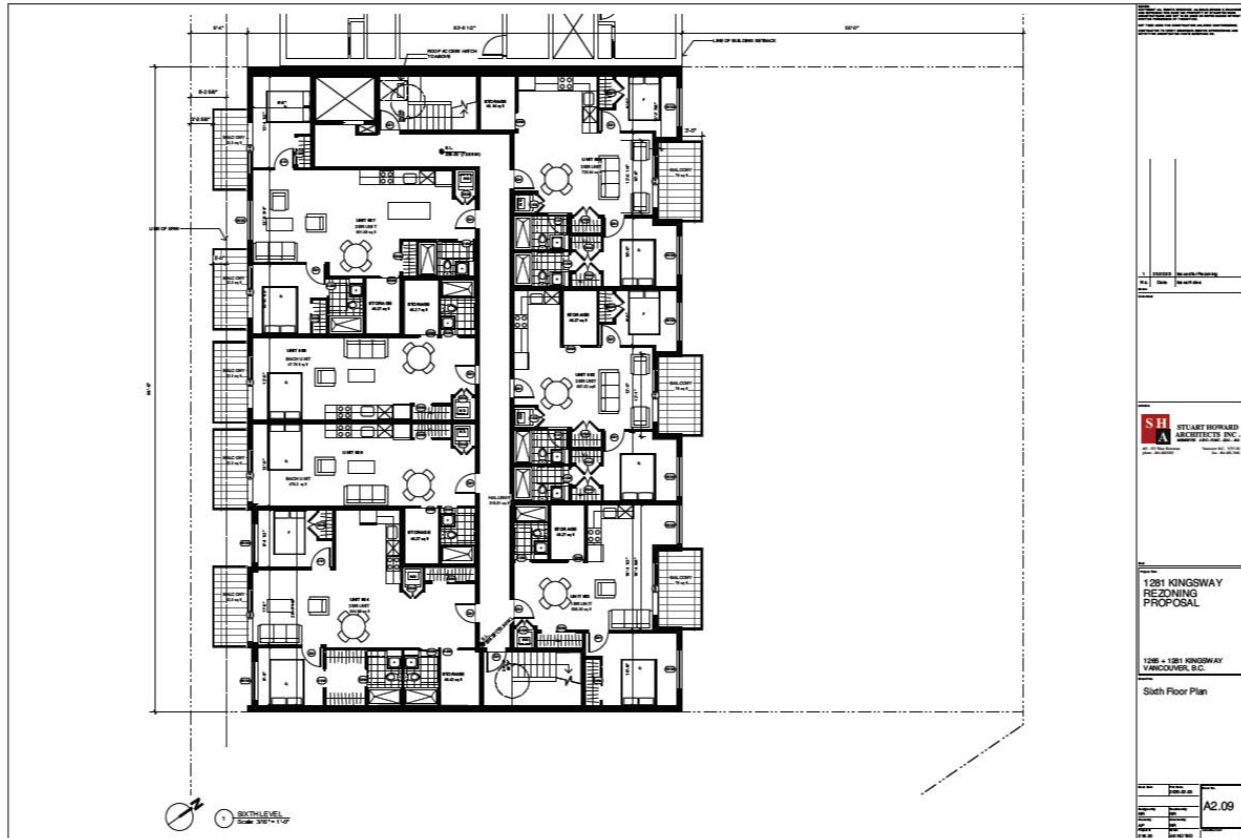
Level 4 Floor Plan



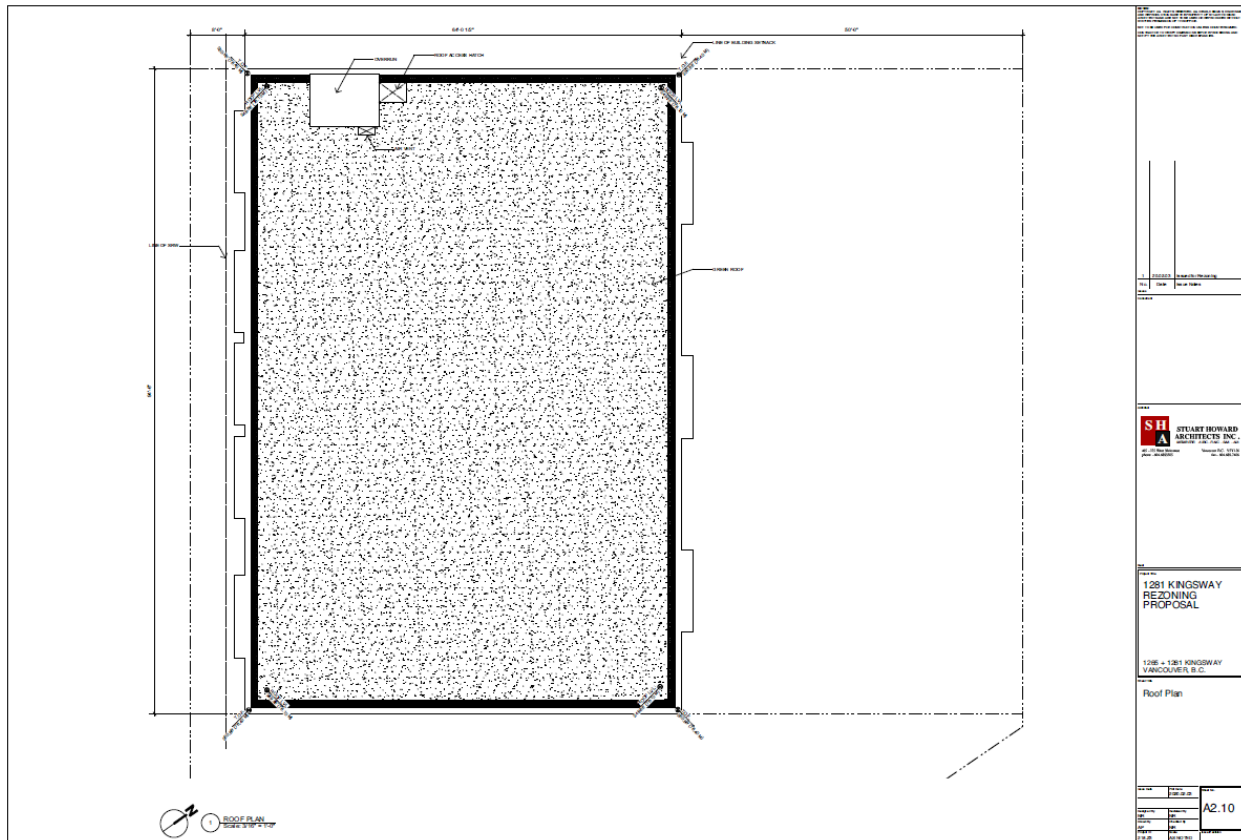
Level 5 Floor Plan



Level 6 Floor Plan



Level 7 Rooftop Plan



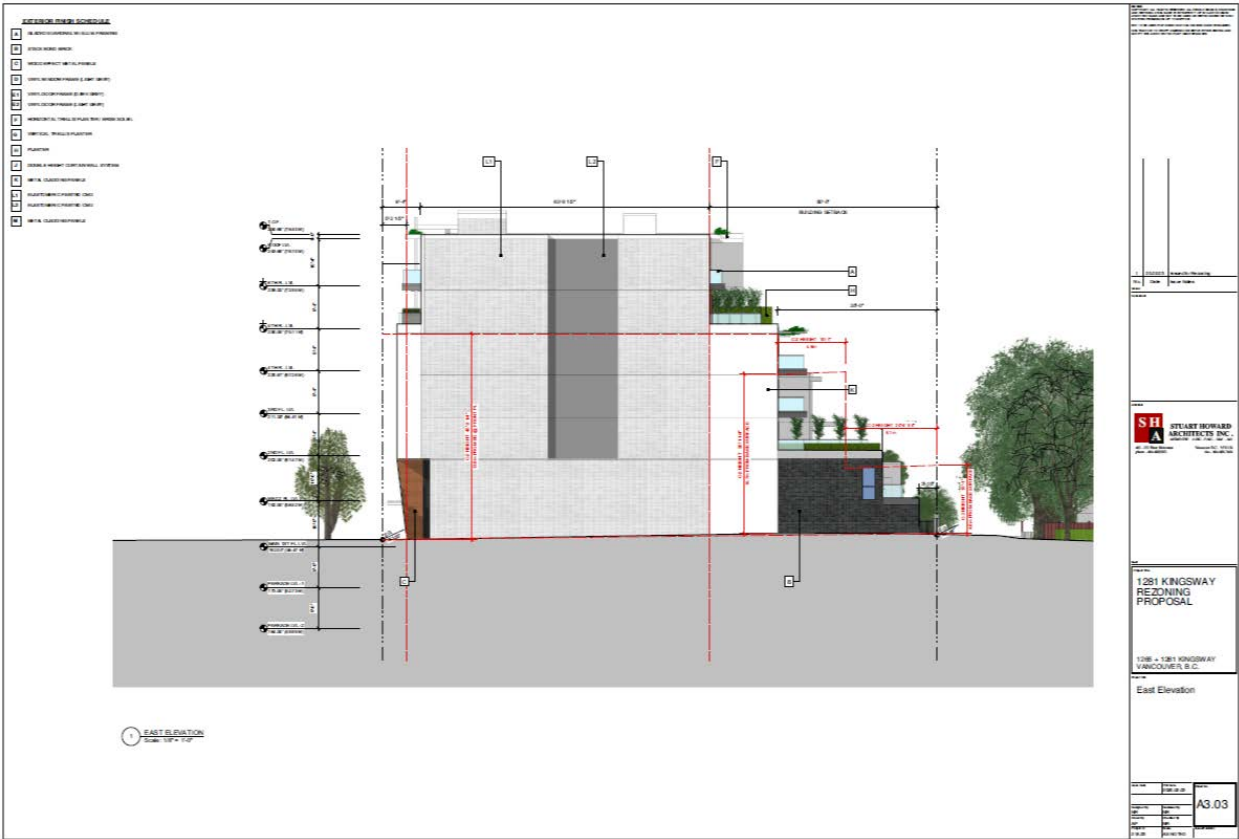
South Elevation (Kingsway)



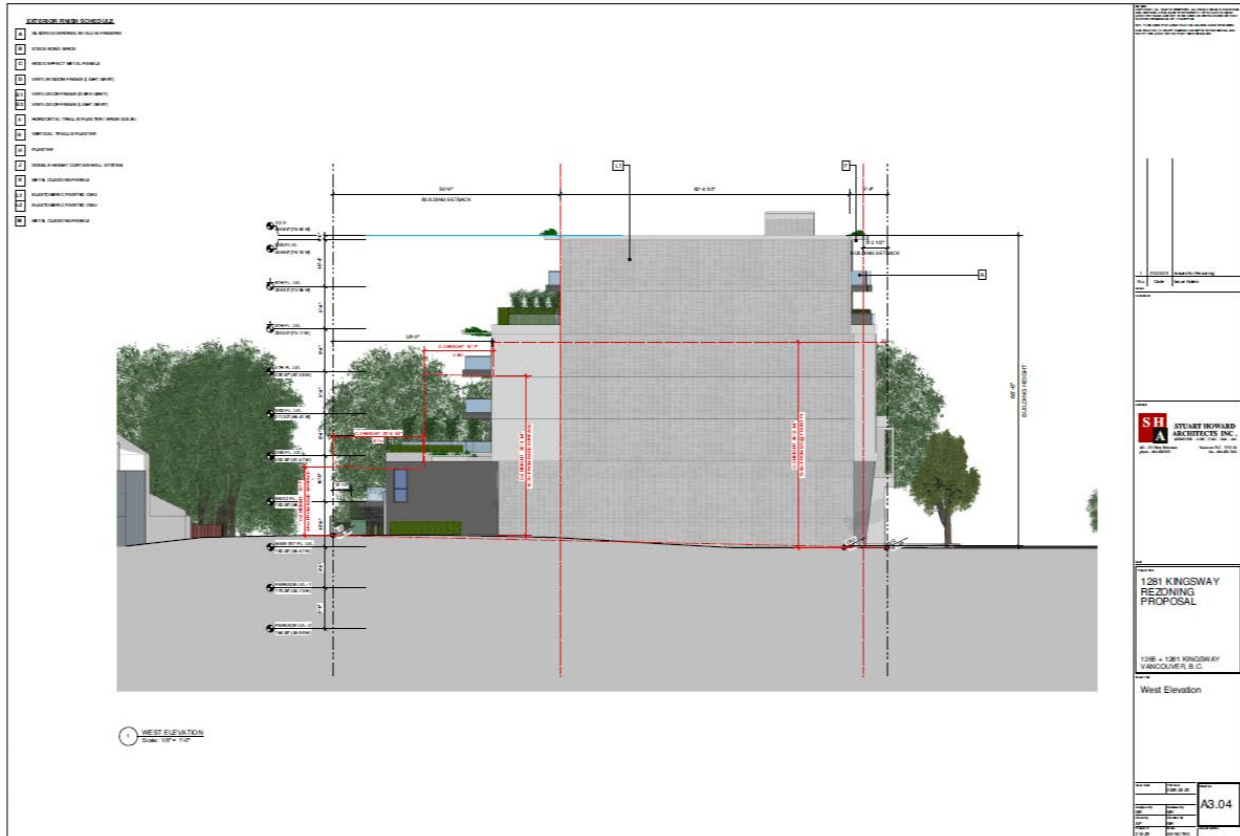
North Elevation (Lane)



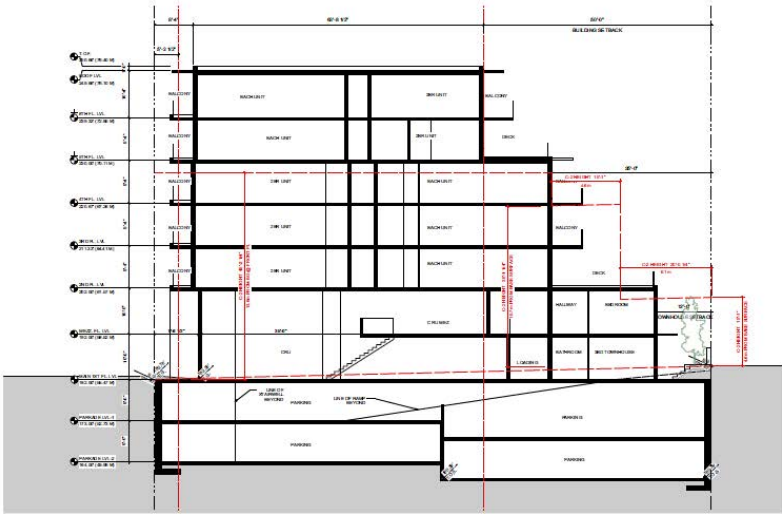
East Elevation



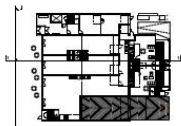
West Elevation



Section - North-South

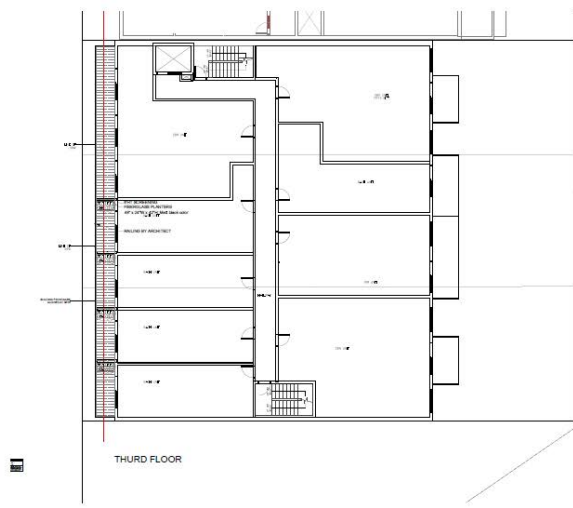


SECTION 1.1
Scale: 1/8" = 1'-0"



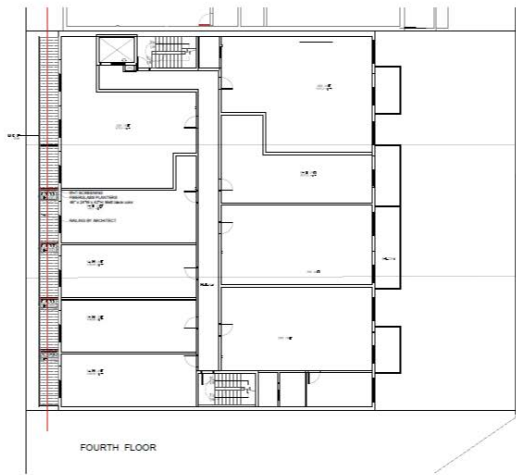
KEY PLAN
Scale: 1/8" = 1'-0"

1281 KINGSWAY REZONING PROPOSAL		
1281 + 1281 KINGSWAY VANCOUVER, B.C.		
Building Sections		
DATE	BY	REV
12/15/2011	SH	1
12/15/2011	SH	2
12/15/2011	SH	3
12/15/2011	SH	4
12/15/2011	SH	5
12/15/2011	SH	6
12/15/2011	SH	7
12/15/2011	SH	8
12/15/2011	SH	9
12/15/2011	SH	10
12/15/2011	SH	11
12/15/2011	SH	12
12/15/2011	SH	13
12/15/2011	SH	14
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12/15/2011	SH	87
12/15/2011	SH	88
12/15/2011	SH	89
12/15/2011	SH	90
12/15/2011	SH	91
12/15/2011	SH	92
12/15/2011	SH	93
12/15/2011	SH	94
12/15/2011	SH	95
12/15/2011	SH	96
12/15/2011	SH	97
12/15/2011	SH	98
12/15/2011	SH	99
12/15/2011	SH	100



PLANT SCHEDULE-Third floor		
SYMBOL	COMMON NAME	PLANT SIZE / COMMENTS
1	THAIS MEDIA HEDGE	1.2M B&B
2	CAREX MORROWAE AUSTRALIS	1.2M B&B
3	IMPATIENS BALSAMICA	1.2M B&B
4	STREPTOCARPUS	1.2M B&B

Fourth floor landscape plan



PLANT SCHEDULE-Fifth floor		
SYMBOL	COMMON NAME	PLANT SIZE / COMMENTS
1	THAIS MEDIA HEDGE	1.2M B&B
2	CAREX MORROWAE AUSTRALIS	1.2M B&B
3	IMPATIENS BALSAMICA	1.2M B&B
4	STREPTOCARPUS	1.2M B&B

Fifth floor landscape plan

pmg LANDSCAPE ARCHITECTS
1205 - 1281 KINGSTOWN
VANCOUVER, BC V6A 1K1
TEL: 604-681-1111
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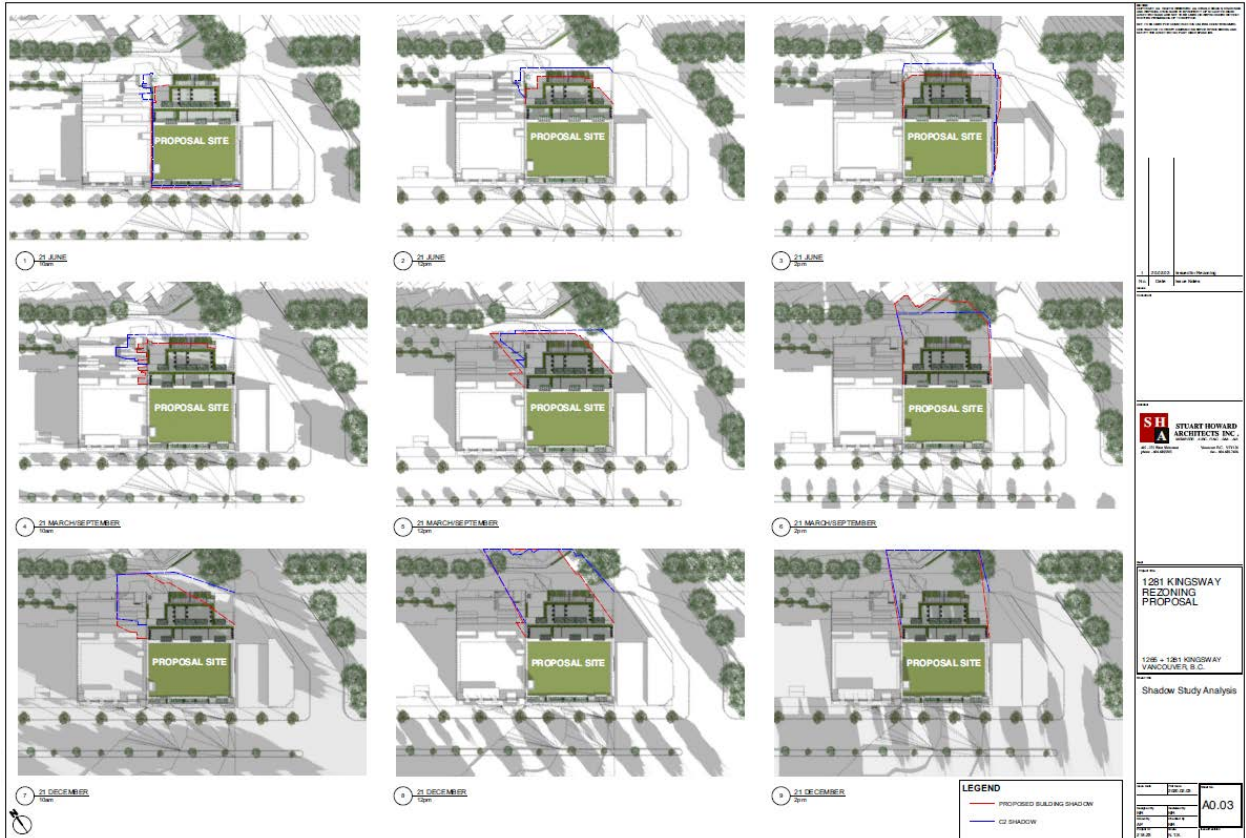
PROJECT: 6-STORY APARTMENT BUILDING
1205 - 1281 KINGSTOWN
VANCOUVER

DATE: 10/10/2018
DRAWN BY: L3
CHECKED BY: L3
DATE: 10/10/2018
PROJECT NUMBER: 13-108

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1265-1281 Kingsway
DEVELOPMENT COST LEVY WAIVER ANALYSIS

To qualify for any 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	20	42 sq. m (452 sq. ft.)	39.6 sq. m (426 sq. ft.)
1-bedroom	5	56 sq. m (603 sq. ft.)	57.5 sq. m (619 sq. ft.)*
2-bedroom	16	77 sq. m (829 sq. ft.)	78.7 sq. m (847 sq. ft.)*
3-bedroom	2	97 sq. m (1,044 sq. ft.)	101.3 sq. m (1,090 sq. ft.)*

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

Unit Type	No. units proposed	DCL By-law maximum average unit rent
Studio	20	\$1,641
1-bedroom	5	\$1,942
2-bedroom	16	\$2,611
3-bedroom	2	\$2,977

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.

*Staff note that the proposed average unit size for one, two and three-bedroom units is higher than the DCL By-law waiver requirements. The applicant has been informed that these units do not currently qualify for the waiver. The applicant will determine whether they are taking the DCL waiver at the building permit stage by revising the average unit size, or proceeding as shown and paying the DCL.

* * * * *

1265-1281 Kingsway
SUMMARY OF TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	<ul style="list-style-type: none"> • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: <ul style="list-style-type: none"> ○ 4 months' rent for tenancies up to 5 years; and ○ 5 months' rent for tenancies over 5 years and up to 10 years ○ 6 months' rent for tenancies over 10 years and up to 20 years ○ 12 months' rent for tenancies over 20 years and up to 30 years ○ 18 months' rent for tenancies over 30 years and up to 40 years and ○ 24 months' rent for tenancies over 40 years
Notice to End Tenancies	<ul style="list-style-type: none"> • Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses (flat rate or arrangement of an insured moving company)	<ul style="list-style-type: none"> • Either moving company expense or a flat rate (\$750 for studio and 1-bedroom, \$1000 for 2-bedroom) will be provided to all eligible tenants.
Assistance in Finding Alternate Accommodation (3 options)	<ul style="list-style-type: none"> • Applicant distributed tenant needs assessment surveys and survey results will be used in relocation efforts and to identify tenants' needs and preferences. • Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	<ul style="list-style-type: none"> • For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant has committed to assisting in securing a permanent, suitable affordable housing option.
First Right of Refusal (Where starting rents are anticipated to be higher than what the tenant currently pays, provide a 20% discount off starting rents for any returning tenants)	<ul style="list-style-type: none"> • The applicant has committed to offering all current tenants who are named on leases, regardless of their TRP eligibility, the right of first refusal at a 20% discount off starting rents in similar units in the new development once completed. Any subsequent rent increases for returning tenants will be in line with the Residential Tenancy Act.

* * * * *

1265-1281 Kingsway
PUBLIC BENEFITS SUMMARY

Project Summary:

Six-storey, mixed-use building with 43 secured rental units and commercial uses at grade.

Public Benefit Summary:

The proposal would provide 43 secured rental housing units through a Housing Agreement for the life of the building or 60 years, whichever is longer. 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 = 1,071.5 sq. m. (11,534 sq. ft.))	2.5	3.74
Buildable Floor Space (sq. ft.)	22,683	43,080.9
Land Use	Mixed-use	Mixed-use

Summary of Development Contributions Expected under Proposed Zoning

City-Wide DCL ¹	\$103,884
City-Wide Utilities DCL ^{1,2}	\$398,799
Total	\$502,683

Other benefits (non-quantified): 43 rental housing units secured for the longer of 60 years and the life of the building.

¹ Based on rates in effect as of September 30, 2020; 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.

² Based on rates in effect as of September 30, 2020; however, under in-stream rate protection this project will remain eligible for the Utilities DCL waiver on qualifying rental residential floor area, provided that the corresponding building permit is issued before September 30, 2021 (within 12 months of the effective date of the Utilities DCL By-law change).

* * * * *

1265-1281 Kingsway
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Street Address	Property Identifier (PID)	Legal Description
1265-1281 Kingsway	015-633-977	Lot 9, Except Part in Ex Plan 3087, Block 38 District Lot 301 Plan 197
	015-633-951	Lot C (Ex Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 197
	011-221-810	Lot B (Ex Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187

APPLICANT INFORMATION

Applicant/Developer	Stuart Howard Architects Inc.
Property Owner	Song Xanh Holdings
Architect	Stuart Howard Architects Inc.

SITE STATISTICS

Site Area	1,071.5 sq. m (11,534 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	C-2	CD-1
Uses	Mixed-Use	Mixed-Use
Max. Density	2.5 FSR	3.74 FSR
Floor Area	2107.3 sq. m (22,683 sq. ft.)	4,002.3 sq. m (43,081 sq. ft.)
Maximum Height	13.8m (45.3 ft.)	21 m (68.9 ft.)
Unit Mix	N/A	Market Rental Studio 20 1-bed 5 2-bed 16 3-bed 2 <hr/> Total 43
Parking, Loading and Bicycle Spaces	Per Parking By-law	Vehicle Parking spaces – 52 Class A Bicycle spaces – 89 Class B Bicycle spaces – 0 Class B Loading Space – 1 Class A Loading Space – 0
Natural Assets	Existing: 0 on-site trees at grade 3 off-site City-owned trees	Proposed (including existing): 0 on-site trees at grade 3 off-site City-owned trees

* * * * *