



REFERRAL REPORT

Report Date: May 4, 2021
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 14465
VanRIMS No.: 08-2000-20
Meeting Date: May 18, 2021

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 2725-2751 Kingsway

RECOMMENDATION

- A. THAT the application by GBL Architects, on behalf of Coromandel Kingsway Development BT Ltd., the registered owner of the land at 2725-2751 Kingsway [Lots 30 to 32 Except the North 10 Feet Now Lane and Except Part Now Kingsway See Reference Plan 2407 of Lot A Blocks 1 to 4 District Lot 37 Plan 2421, PIDs 006-714-021, 006-714-081 and 006-714-170 respectively; Lots 33 and 34 Except Part Now Kingsway See Reference Plan 2407 and Except Part in Explanatory Plan 6149 of Lot A Blocks 1 to 4 District Lot 37 Plan 2421, PIDs 006-714-404 and 006-714-510 respectively; and PID 017-721-253, Lot F of Lot A Blocks 1 to 4 District Lot 37 Plan LMP3715] to rezone the land from C-2 (Commercial) and RS-1 (Residential) to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.5 to 3.8 and the building height from 13.8 m (45 ft.) to 34.6 m (114 ft.) to permit the development of a mixed-use building with two 10-storey towers connected by an L-shaped podium element of four to five storeys, with commercial uses at-grade and 219 strata-titled residential units, be referred to a Public Hearing, together with:
- (i) plans prepared by GBL Architects received June 19, 2019;
 - (ii) draft CD-1 By-law provisions, generally as set out in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B;

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

- B. THAT if the application is referred to 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 Sign By-law amendment, generally as set out in Appendix C, for consideration at the Public Hearing.

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

FURTHER THAT the Director of Legal Services be instructed to prepare the amendment to the Noise Control By-law, generally as set out in Appendix C, at the time of enactment of the CD-1 By-law.

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

FURTHER THAT the Director of Legal Services be instructed to prepare the amendment to the Subdivision By-law, generally as set out in Appendix C, at the time of enactment of the CD-1 By-law.

- E. THAT Recommendations A to 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 2725-2751 Kingsway from C-2 (Commercial) District and RS-1 (Residential) District to CD-1 (Comprehensive Development) District to permit the development of a mixed-use building with two 10-storey towers connected by an L-shaped podium element of four to five storeys, with commercial uses at-grade and 219 strata-titled residential units. A height of 34.6 m (114 ft.) and an FSR of 3.8 are proposed.

Staff have assessed the application and conclude that it meets the intent of the *Norquay Village Neighbourhood Centre Plan*. Staff support the application, subject to design development and other conditions. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies and guidelines for this site include:

- Norquay Village Neighbourhood Centre Plan (2010)
- Norquay Village Public Realm Plan (2016)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992)
- Green Buildings Policy for Rezoning (2010, last amended 2018)
- Community Amenity Contributions – Through Rezoning (1999, last amended 2018)
- Urban Forest Strategy (2014)

REPORT

Background/Context

1. Site and Context

The subject site is located on the northwest corner of Kingsway and Earles Street (see Figure 1), within the *Norquay Village Neighbourhood Centre Plan* (the “Plan”) boundary. The site is comprised of six legal parcels with a total site size of 4,635.2 sq. m (49,894 sq. ft.). The irregular L-shaped site has a combined frontage of approximately 97 m (320 ft.) on Kingsway and 70 m (230 ft.) on Earles Street. The site is currently zoned C-2 (Commercial) and RS-1 (Residential), and is developed with an auto repair shop, a two-storey former furniture store and a surface parking lot.

The block across the rear lane to the northwest is zoned RM-9A, which allows for four-storey apartments or stacked townhouses. The block across Duke Street to the northeast is zoned RM-7, which allows for stacked townhouses or rowhouses. The site across Earles Street to the east, which currently contains a Purdy’s chocolate factory, is identified within the *Plan* as a large site for a mixed-use development up to 14 storeys with ground-floor retail and a large public plaza.

Kingsway is a primary arterial street and part of the Metro Vancouver frequent transit service network and the site is well-served by regular transit.

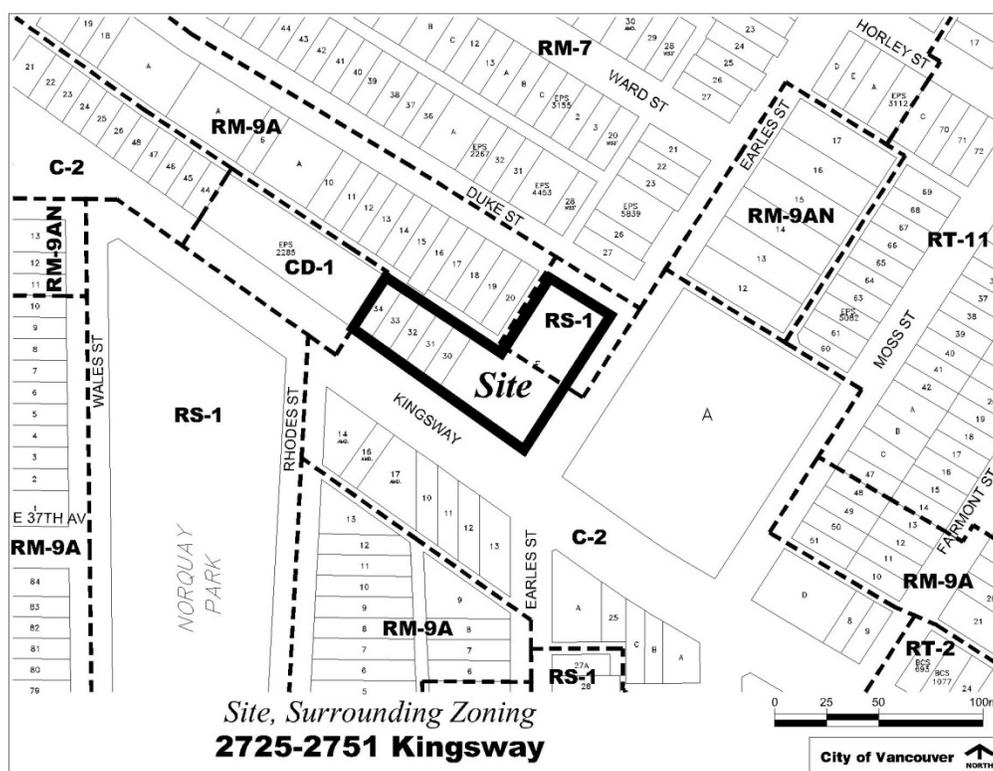
Local School Capacity – The site is located within the catchment area of John Norquay Elementary School (4710 Slocan Street), a 10-minute walk to the northwest and Windermere Secondary School (3155 East 27th Avenue), a 20-minute walk to the northeast. According to the Vancouver School Board (VSB)’s *2020 Long Range Facilities Plan* approved on January 25, 2021, both John Norquay Elementary School and Windermere Secondary School will be

operating under capacity in the coming years, with a capacity utilization for each school of 79% and 75% respectively by 2029.

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

- Public Parks – Norquay Park is located 100 m to the southwest of the site while Earles Park, Slocan Park and Collingwood Park are all located within 1 km of the site.
- Cultural/Community Spaces – Collingwood Library is located approximately 500 m to the east and Collingwood Neighbourhood House is about 1 km to the east.
- Childcare Facilities – Four licensed group childcare facilities are currently located within 1 km of the site for children aged infant to school age.

Figure 1: Surrounding Zoning and Context



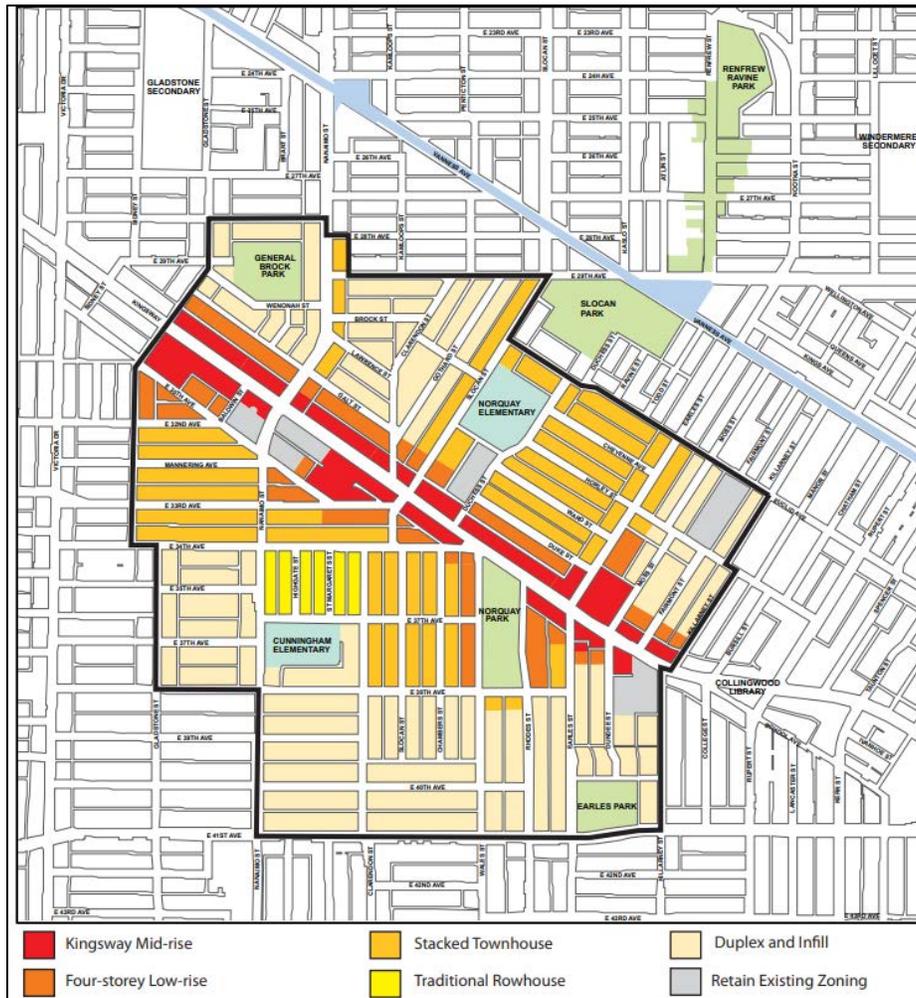
2. Policy Context

The subject site is located within the Kingsway Rezoning Area of the *Norquay Village Neighbourhood Centre Plan*, which was approved in November 2010.

In the Kingsway Rezoning Area, Kingsway is envisioned to continue its role as the primary local shopping street and location for higher-density development within the Neighbourhood Centre, while emphasizing improvements to the pedestrian quality of the street. A mix of mid-rise development opportunities with strategic public realm investments will evolve the character of the street in line with a changing neighbourhood – filling in gaps, supporting a vital community and providing goods and services of daily life.

For larger sites on Kingsway with greater than 150 feet of street frontage, variation in height between four and 10 storeys is envisioned, with density up to 3.8 FSR. It is intended that new developments promote a pedestrian-oriented public realm, with the inclusion of smaller commercial retail units at grade and significant building setbacks to achieve a wider sidewalk area.

Figure 2. Norquay Village Neighbourhood Centre Land Use Map



STRATEGIC ANALYSIS

1. Proposal

This application proposes to rezone the site from C-2 (Commercial) District and RS-1 (Residential) District to CD-1 (Comprehensive Development) District to allow the development of a mixed-use building consisting of two 10-storey towers connected by an L-shaped podium element at four and five storeys (see Figure 3). There are 219 strata-titled residential units proposed with commercial space provided at grade. The overall proposed density is 3.8 FSR and the maximum building height is 34.6 m (114 ft.).

Figure 3. Proposed Building Looking Northwest at Kingsway and Earles Street

Residential entries are located on Kingsway and Earles Street. Along Earles Street, there are ground-floor residential units that have access both from the interior corridor as well as from the street. All ground-floor units have a patio with direct access to either Earles Street or Duke Street.

Common private outdoor amenity space is located on Level 5 of the northeast podium and on Level 6 of the southwest podium connected to an indoor amenity room. Three full levels of underground parking are provided, with vehicular access from the rear lane.

2. Land Use

The application proposes a mixed-use development with 219 strata-titled residential units and 1,685 sq. m. (18,137 sq. ft.) of commercial space at grade along Kingsway. This is consistent with the direction in the Kingsway Rezoning Area under the *Plan*, which anticipates the introduction of new housing in the neighbourhood while providing a continuous ground-floor retail space for shopping along Kingsway.

3. Height, Density and Form of Development

In assessing urban design performance, staff take into consideration the built form guidance within the Kingsway Rezoning Area of the *Norquay Village Neighbourhood Centre Plan* and the *Norquay Village Public Realm Plan*. The *Plan* envisions that Kingsway will continue its role as the primary local shopping street and location for higher-density development within the

Neighbourhood Centre. The proposal is consistent with the density, height, and urban design guidelines set out in the *Plan*.

Form of Development – The Kingsway Rezoning Area anticipates mixed-use buildings at heights of eight to 10 storeys in this location. A continuous street wall with local-serving retail uses is anticipated. For sites with frontages over 150 feet, variation in height is encouraged such as a mix of four and 10 storeys.

The proposal has a frontage of approximately 320 feet along Kingsway and 230 feet along Earles Street. It meets the expectations of the *Plan* by providing two midrise tower forms at 10 storeys connected by podium elements of four and five storeys. The provision of slim midrise towers over a lower podium helps to reduce the building massing and serves to mitigate shadow impacts to the properties across the lane. The east tower at the corner of Kingsway and Earles Street also emphasizes the prominent street corner, noting a major public plaza will be located across the street to the east at the Purdy's site. The *Plan* anticipates that building elements above a six-storey datum line are to be setback a minimum of 5.0 feet from the building frontage. Since the proposed building setback significantly exceeds the minimum front yard setback, the tower is not required to be further set back.

The two towers have similar forms and materials with different architectural treatments, which provides façade variation, as well as balance and cohesion. Staff have prepared a design development condition to the ground-oriented storefront to further enhance pedestrian interest.

The form of development is illustrated in Appendix E and the development statistics are summarized in Appendix H.

Public Realm – The *Plan* envisions the revitalization of Kingsway to expand the variety of local shops and services, accommodate higher density housing, and support social interaction in a vibrant, walkable neighbourhood. A key public realm goal for Norquay Village is to improve the public experience along Kingsway, strengthening it as the neighbourhood “heart” and “high street”.

Currently, Kingsway is not a pedestrian-friendly street. The relatively narrow sidewalks and the lack of buffers from nearby traffic of the busy arterial are not conducive to pedestrian activity. A primary goal of the *Plan* is to achieve wider sidewalks through increased building setbacks providing almost double the 12 to 25 foot width of existing sidewalks. These wider sidewalks provide greater pedestrian comfort and relief from the proximity of fast vehicular traffic. Wider sidewalks also allow for more outdoor seating, patios and the display of merchandise for the retail and services, and further activate street life.

The application proposes a sidewalk of 30 to 35 feet, more than the 25 feet minimum required by the *Plan* to support the objective of an improved public realm. In particular, this larger setback at the eastern corner will accommodate a small public plaza and the public realm improvements noted above. It also responds to a future major pedestrian plaza called for on the Purdy's development site across the street at 2777 Kingsway.

Density – An FSR up to 3.8 is anticipated for this site under the *Plan*, with a minimum of 0.35 FSR required for commercial use. This application proposes a density of 3.8 FSR, including 0.36 FSR for commercial use, and is consistent with the density and built form guidance in the *Plan*.

Private Amenity Space – The development offers several on-site amenities for the residents with common indoor and outdoor amenity spaces located atop the podium on the fifth and sixth level, as expected by the *Plan*. Staff have prepared a condition to further expand and enhance the functionality and quality of the common amenity spaces.

Urban Design Panel – The Urban Design Panel reviewed and supported this application on October 16, 2019 (see Appendix D).

Staff reviewed the recommendations of the Urban Design Panel, as well as the site-specific conditions, and have concluded that the proposal is aligned with the density, height and built form of the *Norquay Village Neighbourhood Centre Plan* and is appropriate for the context. Staff support the application subject to modifications outlined above and provided in the Urban Design conditions detailed in Appendix B.

4. Housing

This application proposes a development with 219 strata-titled residential units.

Housing Mix – For strata residential, the *Family Room: Housing Mix Policy for Rezoning Projects* requires that a minimum of 25% of the units contain two bedrooms and a minimum of 10% of the units have three bedrooms or more, for a combined total of at least 35% of all units being suitable for families.

As submitted, the proposed dwelling unit mix includes one studio and 118 one-bedroom units (54%), 78 two-bedroom units (36%) and 22 three-bedroom units (10%). The application as proposed is consistent with the Family Room policy requirements.

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

5. Transportation and Parking

The site is well-served by transit with frequent bus service available on both Kingsway and Earles Street.

Parking access is proposed from the lane between Kingsway and Duke Street accessed from either Duke Street or Duchess Street. Three levels of underground parking are proposed providing a total of 259 parking spaces for the residential and retail uses. A further 415 Class A bicycle spaces, 18 Class B bicycle spaces, three Class B loading spaces, and three Class A passenger spaces are proposed. The proposed parking spaces meet the requirements of the Parking By-law.

6. Environmental Sustainability

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

This application is pursuing 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 modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets. Additionally, all developments will need to meet rainwater management requirements for retention, rate control, cleaning, and safe conveyance. Conditions are included in Appendix B.

Natural Assets — The *Urban Forest Strategy* was developed to find ways to help preserve, protect and strengthen Vancouver’s urban forest and tree canopy for the future. The Protection of Trees By-law (the “Tree By-law”) aims to maintain a healthy urban forest by requiring permission be sought 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 regulated by the Tree By-law has a trunk diameter of 20 cm or greater and the by-law requires a tree permit when such a tree is proposed to be removed. There are no trees subject to the Tree By-law on site and 11 City street trees are located near the edges of the site. The application proposes that nine City street trees be protected and retained, 10 new City trees be planted on the boulevards in front of Kingsway and Earles Street, and 61 new trees be planted on site. Some of the on-site trees and landscaping features are partially located within dedication areas or public statutory rights-of-way designated for pedestrians. As a condition of approval, the applicant will need to ensure any proposed on-site trees or landscaping are located fully on private property. This may require the deletion of some of the proposed trees or exploring options to locate smaller trees in planters on site.

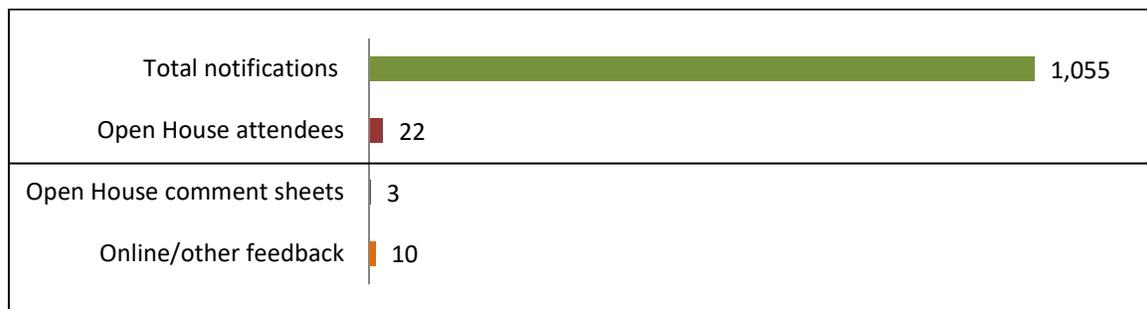
PUBLIC INPUT

Pre-Application Community Consultation – The applicant held a pre-application open house on June 21, 2017 at George T. Cunningham Elementary School (2330 East 37th Avenue). Approximately four people attended and two written comments were received. The comments expressed support for the family-oriented units and the overall design and expressed a preference for including street-facing entrances for ground-level units.

Public Notification – A rezoning information sign was installed on the site on July 22, 2019. Approximately 1,055 notification letters were distributed within the neighbouring area on or about September 5, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Public Open House – A community open house was held from 5:00-7:30 pm on September 24, 2019, at the First Lutheran Church Vancouver located at 5745 Wales Street. Staff, the applicant team, and a total of approximately 24 people attended the open house.

Public Response – In response to the public consultation process, approximately 13 pieces of feedback were received, including open house comment sheets, emails, letters and additional written submissions (see Figure 4). A summary of the feedback is provided below.

Figure 4: Notification and Public Response

* Note that all reported numbers above are approximate

Note:

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

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

Support for the proposal cited the following:

- Building design
- Building height
- Alignment with Community Plan
- The proposal relates well to the future plaza on the Purdy's site
- Project could help increase foot traffic for businesses in the area

Concerns expressed by respondents included the following:

- Traffic Increase
- Impact on parking
- The proposed number of parking spaces is too high
- Inability to maintain landscaping
- Privacy and shadowing impacts on neighbouring buildings

A detailed summary of public comments in response to the rezoning application can be found in Appendix D.

Response to Public Comments

Street parking and traffic – A total of 259 off-street parking spaces are proposed in the underground parkade and 201 are required under the Parking By-law. Staff conclude that the site is well served by off-street parking and that the applicant may provide parking in excess of the minimum required parking under the by-law. Traffic frequency will likely increase with the development as proposed but this would be commensurate with development occurring over time in the area. In addition to street improvements along Kingsway and Earles Street, the applicant will be required to fund \$20,000 towards measures to address neighbourhood traffic impacts as a condition of by-law enactment.

Inability to maintain landscaping – The project will be subject to all City requirements with regards to standards of maintenance, and the landscape maintenance will be supported and overseen by a large strata corporation.

Privacy and shadowing impacts on neighbouring buildings – Staff note that the proposed building complies with the *Norquay Village Neighbourhood Centre Plan* in terms of housing tenure, building height and density. Setbacks above the third storey in the rear and distribution of massing between two towers with a podium in between minimizes shadowing impacts on neighbouring properties.

PUBLIC BENEFITS

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

The site is subject to the City-wide DCL and Utilities DCL, which will be calculated on the floor area proposed at the development permit stage. Based on rates in effect as of September 30, 2020 and the proposed 171,544 sq. ft. of residential and 18,137 sq. ft. of commercial floor area, the DCLs are estimated to be \$5,179,643.

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.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget), which must be discussed with Public Art staff before by-law enactment.

The public art budget will be calculated on the floor area proposed at the development permit stage. Based on the current (2016) rate, the public art budget is estimated to be \$375,568 (or \$300,455 (80%) cash in lieu). As a condition of by-law enactment, a legal agreement is required to be registered on title to specify and define all obligations with respect to the elected option.

Community Amenity Contribution – 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 applicant has offered a cash CAC of \$2,600,000 which will be directed to support delivery of the *Norquay Village Plan Public Benefits Strategy*. Real Estate Services staff have reviewed the applicant's pro forma and concluded that the total CAC value offered by the applicant is appropriate and recommend that the offer be accepted.

Norquay Village Plan Public Benefits Strategy – The *Norquay Village Public Benefits Strategy* identifies public benefits and infrastructure to support growth in the area, including both short-term and long-term priorities in and around the *Plan* area. To monitor and track progress towards the achievement of community amenities in accordance with the *Norquay Village Neighbourhood Centre Plan*, a summary of public benefits and progress to date is provided in Appendix F.

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

FINANCIAL IMPLICATIONS

Based on rates in effect as of September 30, 2020, total DCLs of approximately \$5,179,643 would be expected from this development.

If the rezoning application is approved, the applicant will be required to provide new public art on site at an estimated value of \$375,568, or make a cash contribution to the City for off-site public art for 80% of that amount.

The applicant has offered a cash CAC of \$2,600,000, which will be allocated towards the delivery of the *Norquay Village Public Benefits Strategy*.

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget.

CONCLUSION

Staff review of the application has concluded that the proposed land use, housing mix, form of development and public benefits are consistent with the intent of *Norquay Village Neighbourhood Centre Plan*. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with the draft CD-1 By-law provisions generally shown in Appendix A with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

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**2725-2751 Kingsway
PROPOSED CD-1 BY-LAW PROVISIONS**

Note: A by-law to rezone an area to CD-1 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

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

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to a 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 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;
 - (c) Office Uses;
 - (d) Retail Uses;
 - (e) Service Uses; and
 - (f) Accessory Uses, customarily ancillary to the uses permitted in this Section.

Conditions of use

- 4.1 No portion of the first storey of a building to a depth of 10.7 m from the front wall of the building facing Kingsway and extending across its full width shall be used for residential purposes except for entrances to the residential portion.

- 4.2 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:
- (a) Farmers' Market;
 - (b) Neighbourhood Public House;
 - (c) Public Bike Share;
 - (d) Restaurant;
 - (e) Retail Store; and
 - (f) 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, of which:
 - (i) at least 25% of the total dwelling units must be two-bedroom units; and
 - (ii) at least 10% of the total dwelling units must be three-bedroom units; and
 - (c) comply with all conditions, guidelines and policies adopted by Council.

Floor Area and Density

- 5.1 Computation of floor space ratio must assume that the site area is 4,635.2 m², being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 5.2 The floor space ratio for all uses combined must not exceed 3.8.
- 5.3 The total floor area for commercial uses must be a minimum of 1,684 m².
- 5.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below base surface, measured to the extreme outer limits of the building.
- 5.5 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 floor area of all such exclusions must not exceed 12% of the permitted residential floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;

- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if 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.
- 5.6 Computation of floor area may exclude amenity areas, recreation facilities and meeting rooms accessory to a residential use, to a maximum total of 10% of the total permitted floor area.
- 5.7 The use of floor area excluded under sections 5.5 and 5.6 must not include any use other than that which justified the exclusion.

Building Height

6. Building height, measured from the base surface, must not exceed 34.6 m.

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 requires evidence in the form of a report and recommendations prepared by a registered professional acoustical engineer, demonstrating that the noise levels in those portions of the dwelling units listed below, do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

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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**2725-2751 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 public hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by GBL Architects, received June 19, 2019, 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 of the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest along Kingsway and Earles Street frontages by:
 - (a) Enhancing pedestrian interest and scale for ground level retail unit entries; and

Note to Applicant: This may be achieved by providing more distinct and prominent entries and entry definition through robust detailing, colour, use of lighting, and/or texture.
 - (b) Providing durable and high-quality materials at building base.
- 1.2 Design development to provide improvements to the public realm interface at lane.

Note to Applicant: This may be achieved by:
 - (a) Minimizing large blank walls by using window openings, detailing, materials, colour, wall articulation or landscaping to enliven them and reduce their scale;
 - (b) Providing high quality paving treatment for surface parking; and
 - (c) Consideration to provide trellis over surface parking to support planting growth and maximize pedestrian interest.
- 1.3 Design development to improve the livability of the dwelling units at the lane and unit B4A.

Note to Applicant: This may be achieved by providing substantial setback and sufficient landscape screening between loading spaces and the dwelling units. All units should meet the horizontal angle of daylight requirements.

- 1.4 Design development to enhance the quality of the public space and plaza along Earles Street.

Note to Applicant: Kingsway is strongly automobile oriented and may not be optimal for seating on sidewalk until further development of the Norquay Village Public Realm has occurred. The enhanced plaza would create a stronger connection to the future public plaza on the opposite site currently in use by Purdy's Chocolates and allow for additional area for seating (refer to Landscape condition 1.7).

- 1.5 Consideration to improve the residential amenity room to better accommodate the number of residents on site.

- 1.6 Provision of any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Landscape Design

- 1.7 Design development to improve the Earles Street plaza by:

- (a) Ensuring that the outdoor dining area is enjoyable and buffered from both pedestrian flow and traffic noise from Kingsway; and

Note to Applicant: this can be achieved by re-arranging the outdoor dining area and large planter on the south end of Earles Street, so that the majority of the outdoor dining area is placed on the Earles Street side. Explore opportunities to increase the setback along Earles Street at the south end to allow for additional space for outdoor dining. Refer to Urban Design condition 1.4.

- (b) Using linear planters to frame the plaza while creating a buffer between the bus stop and any remaining outdoor seating elements.

- 1.8 Design development to improve laneway interface by providing a stronger landscape buffer.

Note to Applicant: This can be achieved by increasing the width of the proposed planter and providing tree plantings to filter views for the upper level units. Refer to Urban Design condition 1.2.

- 1.9 Design development to the front yard planting beds for units facing Earles Street.

Note to Applicant: Rearrange the second row of trees and shrub plantings proposed within the dedication area to fully locate on private property. Refer to Engineering Condition 2.3.

- 1.10 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:
- (a) a soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones; and
 - (b) an overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

- 1.11 Design development to the landscape treatment to increase the volume of soil, tree canopy cover and planting on slab.

Note to Applicant: Wherever possible, planted landscapes on slab should be designed to maximize soil depths. This will require integration of the landscape design and the structural plan. Soil depths should exceed Canadian Landscape Standards. At the perimeter of the building, the slab can be angled downward (1 m across and 1.2 m down) to maximize contiguous soil volumes. Landscape sections with detailed dimensions and any relevant architectural sections should be provided to verify soil volume.

- 1.12 Provision of landscape features intended to create bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of landscape features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <https://guidelines.vancouver.ca/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

- 1.13 Design development to respond to CPTED principles, having particular regards for:
- (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

Sustainability

- 1.14 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).

Engineering

- 1.15 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 and 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.
- 1.16 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.
- 1.17 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.
- 1.18 Design development to ensure gates/doors are not to swing more than 0.30 m (1 ft.) over the property lines or into the SRW area.
- 1.19 Provision of generous and continuous weather protection adjacent the CRUs on all frontages.
- 1.20 Provision of a finalized Transportation Assessment and Management Study (TAMS), including the following updates:
 - (a) Update the trip generation and associated analyses to reflect the land uses and density being proposed. For the proposed commercial retail units, the ITE Shopping Centre (LU 820) should be applied.
 - (b) Include in the main body of the report the 95th percentile queues as part of the intersection analysis results.
 - (c) Provide the intersection capacity analyses with the proposed mitigation of a protected-permissive eastbound left turn at the intersection of Kingsway and Earles Street for the opening day post-development horizon.

- (d) Update the swept path analyses on the revised architectural plans. The criteria for the analyses are as follows:
- (i) A minimum of 0.5 m offset should be allowed between the vehicular envelope and edge of pavement, and maintain a minimum of 0.3 m offset to centerline of street;
 - (ii) Street parking and existing curb lines must be shown;
 - (iii) Utility poles and guy wires to be retained and/or relocated should be clearly labeled;
 - (iv) A minimum 1 m clearance between the vehicle envelope and utility poles, guy wires or pad mounted transformers; and
 - (v) Dimensions at the tightest points

Note to Applicant:

- Design where vehicles conflict with utilities, building envelopes, parking, road side infrastructure, etc., will not be acceptable.
- Additional building setback might be required to accommodate vehicle maneuvering at the bend of the lane.

1.21 Provide dimensions of the required right-of-way to accommodate truck turning at the corner of the lane.

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

- (a) Provide a convenient, internal, stair-free loading access to/from all the residential and commercial land uses on-site.
- (b) Provide a standard widened loading throat to facilitate maneuvering for the residential loading.
- (c) Provide additional loading bay width for the second and subsequent loading spaces.
- (d) Provide a clear unloading area or raised rear dock, minimum 1.8 m wide, with suitable access to facilitate goods loading/unloading for both residential and commercial loading bays.

Note to Applicant: Direct internal stair-free access from the proposed loading bays to individual residential dwelling and commercial retail unit is required.

1.23 Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:

- (a) Provision of improved two-way flow for vehicles on the ramp and in the parking areas. Updated swept path analyses should have a minimum of 0.5 m offset between the vehicular envelope and edge of pavement and 0.3 m offset to the centerline of the ramp.

Note to Applicant: Corner cuts, column relocation, convex mirrors may be required.

- (b) Provision of additional 0.2 m (8 in.) stall width for the proposed accessible parking against a wall (Stall 11).
- (c) Locations of accesses, existing utility poles, and guy wires in the lane should be clearly shown on the architectural plans. The design requirements for the proposed vehicles and loading accesses are as follows:
 - (i) A minimum clearance of 1 m is required from the vehicle envelope.
 - (ii) If the minimum clearance cannot be achieved with the current proposed design, the applicant is required to either relocate the accesses or the conflicting utilities.
 - (iii) Utility poles and guy wires to be retained and/or relocated to be clearly labeled in the drawing set.

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

- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
- (b) Dimensions of additional setbacks for parking spaces due to columns and walls.
- (c) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
- (d) Section drawings showing elevations and minimum vertical clearances for loading bays and security gates. These clearances must consider mechanical projections and built obstructions.
- (e) Areas of minimum vertical clearances labelled on parking levels.
- (f) Proposed stair-free internal access routes as follows:
 - (i) Class A bicycle spaces to reach the outside.
 - (ii) Loading bays to the individual land use unit.
 - (iii) Passenger spaces to the individual land use unit.
- (g) Existing street furniture including bus stops, benches etc. to be shown on plans.

- (h) The location of all poles and guy wires to be shown on the site plan.
- 1.25 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.*
- 1.26 Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note that pick-up operations should not rely on bins being stored on the street or lane for pick up; bins are to be returned to storage areas immediately after emptying.
- 1.27 Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Parking By-Law.

Green Infrastructure

- 1.28 Provision of a final Rainwater Management Plan (RWMP), which includes a written report, supporting calculations, computer models and drawings to the satisfaction of Engineering Services prior to Building Permit Stage 2 issuance. It is acknowledged that not all design components are advanced prior to the Development Permit issuance and are therefore required prior to Building Permit Stage 2 issuance.
- 1.29 Provision of a Section 219 Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services restricting the issuance of a Building Permit – Stage 2 until such time as the developer delivers a final Rainwater Management Plan (“RWMP”) acceptable to the City and has entered into an agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services providing for the construction or modification of a rainwater management system and attached the RWMP.

Note to Applicant: The applicant may schedule a meeting with Rainwater Management Review group prior to moving forward with the RWMP to address any concerns or questions related to the conditions or comments prior to resubmission with the development permit application. To schedule a meeting, contact rainwater@vancouver.ca.

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

- 2.1 Consolidation of Lots 30, 31 and 32, Except the North 10 Feet Now Lane and Except Part Now Kingsway (See Reference Plan 2407), Plan 2421; and Lots 33 and 34, Except Part Now Kingsway (See Reference Plan 2407) and Except Part in Explanatory Plan 6149, Plan 2421; and Lot F, Plan LMP3715; All of Lot A, Blocks 1 to 4, District Lot 37 to create a single parcel and subdivision of that site to result in the dedication of the easterly 7 Feet for road purposes.

A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at:
<http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

- 2.2 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement & Indemnity Agreements 32974M (see 96448L), 185904M (see 212260) and 247231M (see 123389L) – all support agreements, and 366507M and 393165M (both for commercial crossings) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

- 2.3 Provision of a 7.32 m (24 ft.) offset distance measured from the back of the existing curb for widened sidewalks along Kingsway to be achieved through building setback and a 4.27 m (14 ft.) statutory right of way (SRW) for public pedestrian use over a portion of the site measured from the back of existing curb and an additional 3.05 m (10 ft.) SRW for public life use over a portion of the site measured from the edge of the 4.27 m (14 ft.) SRW to the building face. These SRWs will be free of any permanent encumbrance such as structure, mechanical vents, stairs, and planter walls (and are to accommodate the underground parking structure within the SRW agreements).

Note to Applicant: This 7.32 m (24 ft.) offset distance is intended to provide the following, measured from the back of the existing curb: 1.22 m (4 ft.) wide front boulevard, 3.05 m (10 ft.) wide pedestrian sidewalk (clear of all encumbrances) and a 3.05 m (10 ft.) wide public life zone as described in the Norquay Plan.

- 2.4 Provision of an adequate statutory right-of-way (SRW) along the lane frontage for vehicle turning at the corner of the lane.

Note to Applicant: This SRW is required for service trucks to negotiate the corner in the lane safety and smoothly. The size of SRW is to be determined by the applicant's consultant and to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

- 2.5 Provision of a Watercourse covenant is required based on the presence of an old stream.

- 2.6 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the Rezoning 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 all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.7(a) and 2.7(b), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

Based on the confirmed Fire Underwriter’s Survey Required Fire Flows submitted by Williams Engineering Canada Inc. on June 6, 2019, no water main upgrades are required to service the development.

Note to Applicant: This site can be serviced by the 300 mm main on Earles Street or by the 200 mm main along Kingsway.

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 Waterworks Engineer is required for re-evaluation of the Water System.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Note to Applicant: Development to be serviced to the existing 200 mm SAN and 250 mm STM sewers in Kingsway.

- (c) Developer to submit a Hydrogeological Study to be reviewed and accepted by a City Engineer. The Study shall include a Groundwater Management Plan and an Impact Assessment, respectively, to demonstrate that no groundwater is to be discharged to the City’s sewer network post construction, and that groundwater extraction/diversion shall have no significant negative impacts. The final Hydrogeological Study is required prior to rezoning enactment.
- (d) 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.

- (e) Provision of street improvements along Duke Street adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7 ft.) wide light broom finish saw-cut concrete sidewalk;
 - (ii) Curb bulge, including curb and gutter and any required road re-construction to current standards;
 - (iii) Curb ramps;
 - (iv) Relocation of the existing utility kiosk to allow for the widened sidewalk; and
 - (v) Adjustment to all existing infrastructure to accommodate the proposed street improvements.

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

- (f) Provision of street improvements along Earles Street adjacent to the site and appropriate transitions including the following:
 - (i) Minimum 1.83 m (6 ft.) wide front boulevard;
 - (ii) 2.44 m (8 ft.) wide light broom finish saw-cut concrete sidewalk;
 - (iii) Removal of the existing driveway crossing and reconstruction of the sidewalks and curb to current standards; and
 - (iv) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (g) Provision of street improvements along Kingsway adjacent to the site and appropriate transitions including the following:
 - (i) 1.22 m (4 ft.) wide hardscaped front boulevard with street trees where space permits;
 - (ii) Minimum 3.05 m (10 ft.) wide light broom finish saw-cut concrete sidewalk;
 - (iii) Removal of the existing driveway crossings and reconstruction of the sidewalks and curb to current standards;
 - (iv) New curb and gutter along Kingsway with extra 50 mm concrete thickness;

- (v) Installation of integral concrete bus pads at the bus stop on Kingsway;
and
- (vi) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (h) Provision of improvements at the intersection of Earles Street and Kingsway including:
 - (i) Upgrades to the existing traffic signal including accessible pedestrian signal; and
 - (ii) Installation of eastbound left turn arrow and associated enabling works to modify or relocate existing infrastructure.
 - (iii) Entire intersection lighting upgrades to current City standards and IESNA recommendations for the intersections of Earles Street and Kingsway and Earles and Duke Streets.
- (i) Provision of new single directional curb ramp at the southwest corner of Duke Street and Earles Street.
- (j) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (k) Provision of new pad mounted service cabinet/kiosk on Earles Street.
- (l) Provision of the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (m) Provision to rebuild existing lane south of Duke Street and west of Earles Street, along the property frontage, as per "Higher Zoned Lane". Install new catch basin(s) in the lane that connect to an adjacent storm main.
- (n) Provision of lane lighting on standalone poles with underground ducts adjacent to the site. The ducts bank should be connected to the existing City street light infrastructure.
- (o) Provision of a new standard concrete lane crossing, new lane returns and lane ramps (on both sides of the lane) at the lane crossing on Duke Street.
- (p) Provision of speed humps on the lane between Duchess and Duke Streets.
- (q) Funding of \$20,000 towards measures to address neighbourhood traffic impacts from the rezoning.

Note to Applicant: Appropriate measures are to be determined at a later date within five years of occupancy. The amount above includes funding for transportation analysis to assess potential requirements. This contribution may be used for neighbourhood traffic calming and/or traffic signal improvements.

Improvements delivered and timing will be at the sole discretion of the City Engineer.

- (r) 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 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.

2.7 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

- (a) Improvements at the intersection of Earles Street and Kingsway per condition 2.6(h).

Note to Applicant: The benefitting area of these works is under review.

and for and only if the following works constitute excess and/or extended services;

- (b) A new pad mounted service cabinet/kiosk on Earles Street per condition 2.6(k).

Note to Applicant: The benefitting area of these works is under review.

2.8 Adjustment to all existing infrastructure to accommodate the proposed Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

In addition, there will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

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

Community Amenity Contribution

2.9 Pay to the City a cash Community Amenity Contribution of \$2,600,000 amount, which the applicant has offered to the City, to be allocated to support the delivery of the *Norquay Village Public Benefits Strategy*. Payment is to be made prior to enactment of the CD-1 By-law in the form of a bank draft, certified cheque or wire transfer, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services.

Public Art

- 2.10 Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Head of Public Art (a checklist will be provided).

Note to applicant: Please call Eric Fredericksen, Head of Public Art, 604-871-6002, to discuss your application.

Sustainability

- 2.11 Enter into such agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary that require the owner to report energy use data, on an aggregated basis, for the building as a whole and for certain common areas and building systems. Such agreement or agreements will also provide for the hiring of a qualified service provider to assist the owner for a minimum of three years in collecting and submitting energy use data to the City.

Environmental Contamination

- 2.12 As applicable:
- (a) Submit a site profile to the Environmental Protection Branch (EPB);
 - (b) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (c) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

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

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**2725-2751 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:

“2725-2751 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 #] 2715-2751 Kingsway”

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting *Lot F of Lot A, Blocks 1 to 4, District Lot 37, Plan LMP3715; PID:017-721-253* from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

**2725-2751 Kingsway
ADDITIONAL INFORMATION**

1. Urban Design Panel

The Urban Design Panel (UDP) reviewed this rezoning application package on October 16, 2019.

EVALUATION: SUPPORT (6-0)

Introduction: Rezoning Planner, Kent MacDougall, introduced the project as an application to rezone two parcels under the *Norquay Village Neighbourhood Centre Plan* (adopted by Council in November 2010) from RS-1 (Residential) District and C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a mixed-use building at 4, 5, and 10 storeys, with commercial at grade. The subject site is located on the northwest corner of Kingsway and Earles St. The site is an irregular L-shaped site currently occupied by a vacant two-storey commercial building with surface parking in the rear and a one-storey auto repair shop with parking in front. The site is 49,894 sq. ft. with frontages of 330 ft. on Kingsway and 253 ft. on Earles St.

The surrounding context includes existing C-2 zoned sites along Kingsway primarily consisting of one-storey commercial with surface parking. To the west of the site (immediately adjacent to the subject site) is the Skyway Tower development consisting of a 12-storey and 4-storey mixed-use buildings, separated by a pedestrian walkway, developed under the *Norquay Village Neighbourhood Centre Plan* at 3.8 FSR. To the east is the existing Purdy's site identified in the *Plan* for a large public plaza and development up to 14 storeys. Across the rear lane are single-family houses zoned RM-9A which are identified for 4-storey apartment buildings as a residential transition in the *Plan*. The subject site is approximately 50-100 m from Norquay Park, about 750 m (10-minute walk) from John Norquay Elementary School, and approximately 900 m (12-15 minute walk) to the 29th Avenue SkyTrain Expo Line station.

This rezoning application is considered under the *Norquay Village Neighbourhood Centre Plan*, which provides a vision and policy framework for a revitalized Kingsway and for new housing choices in the surrounding area. The basic building type proposed for Kingsway (through rezoning) is 8- to 10-storey mixed-use buildings with variations in the height being encouraged for an eclectic and varied streetscape. In the case of rezoning, the 8- to 10-storey basic building height can accommodate an increase in floor space up to 3.8 FSR. For building sites with greater than 150 ft. of street frontage, which the subject site is, a variation in height (i.e. a mix of 4 storeys and 10 storeys) is desired.

The proposal was reiterated as a rezoning from RS-1/C-2 to CD-1 to permit the development of a mixed-use building at 4-, 5-, and 10-storeys, with commercial at grade. An FSR of 3.8 is proposed with a total floor area of 189,681 sq. ft. (including 18,137 sq. ft. of commercial). The project consists of 219 strata-titled units with a unit mix including 46% 2+ beds (36% 2-bedroom and 10% 3-bedroom units). The maximum height is 10 storeys. The proposed development would be above three levels of underground parking.

Development Planner Paul McDonnell began by describing that this application generally conforms to the *Norquay Village Neighbourhood Centre Plan* in which the site is labeled as 'Kingsway Mid-rise.' The application consists of two 10-storey market residential towers and a

podium of 4 and 5 storeys. Commercial is proposed at grade along Kingsway with ground oriented residential at grade along Earles St. The *Plan* envisions a similar form of development along both sides of Kingsway as well as the large square site directly to the east, currently occupied by the Purdy's Chocolatier. Directly to the north, across the lane, the plan calls for four-storey low-rise form of development.

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

1. Does the panel support the additional height and density as proposed?
2. The application's proposal for a 5th storey, on the podium between the two towers, which deviates from the Norquay Village Neighbourhood Centre Plan which calls for a mix of 4 and 10 storeys.

Would the panel please comment on the level of support for the additional 5th podium story? If the panel does support a 5th story, should a 5th story setback be considered?

3. The Norquay Village Neighbourhood Centre Plan calls for large sidewalk setbacks (24 ft.) and pedestrian-oriented street fronts along Kingsway. The Plan also expects a public plaza at the site across Earles, at the northeast corner of Earles and Kingsway and grade-oriented residential development along Earles north of the corner. The application proposes generous additions to the public realm and streetscape in excess of the above setback (noted by the dashed light blue line on Plan L1.)

Can the panel please comment on the overall success of the public realm design along Kingsway, Earles and the treatment at the lane?

4. The application proposes two 10 storey towers that will be highly visible to travelers along Kingsway and the surrounding neighbourhood in general.

Would the panel please comment on the overall success of the tower design in terms of massing, impact on the surrounding neighbours and the manner in which the towers connect /interact with the adjacent podiums and ground plane?

Applicant's Introductory Comments: The applicant started by noting that the project was inspired to create an energy efficient massing. The development contains two towers connecting three podiums. The two towers are similar in form but show different characteristics. The building facing Kingsway recreates the Kingsway character. The east tower facing the new plaza creates a frame to reflect the plaza adjacent to the development.

There are planters and benches surrounding the development. The loading bay will be on the lane. On Earls Street, there are raised patio spaces that allow for a more private interface for the residents. There are communal (resident only) patio spaces on the top of the podiums.

The creative envelope creates an energy efficient building.

The applicant team then took questions from the panel.

Panel Consensus on Key Aspects Needing Improvement:

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

THAT the Panel SUPPORT the project with no additional recommendations.

Related Commentary:

- There was general support for the project, including height and density.
- Panel members support the landscape and public realm designs.
- Some panel members supported the canopies along Kingsway.
- Panel members supported the double rows of trees.
- Panel members support the sustainable factors of the development.
- Some panel members show concerns for the livability on the units near the lane.
- Panel members recommend further design development of the Kingsway façade to increase the texture.
- Panel members supported the proposed fifth storey podium along Kingsway, without the need for an additional fifth storey setback.
- Some panel members recommend further development of the ground plane connection towards the tower.
- Panel members recommend larger amenities rooms.
- Panel members recommend further design development of the lane façade.

Applicant's Response: The Applicant thanked the Panel members for their comments.

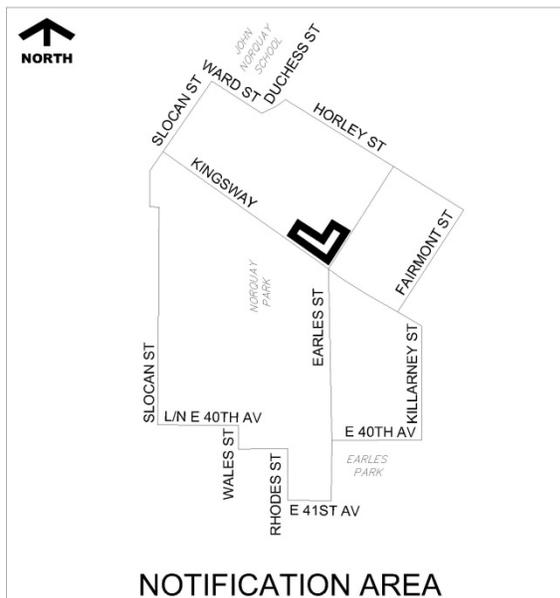
2. PUBLIC CONSULTATION SUMMARY

List of Engagement Events, Notification, and Responses

	Dates	Results
Events		
Community open house (City-led)	September 25, 2019	22 attendees
Public Notification		
Postcard distribution – Notice of community open house	July 3, 2020	1,055 notices mailed
Public Responses		
Open house comment forms	September 25, 2019	3 submittals
Online comment forms	July, 2019 – March, 2021	4 submittals
Other input	July, 2019 – March, 2021	8 submittals

Note: All reported numbers above are approximate.

1. Map of Notification Area



2. Analysis of All Comments Received

Below is an analysis of all public feedback by topic and ordered by frequency.

Generally, comments of support fell within the following areas:

- **Building height, density, massing:** Appreciate the proposed height, density, and massing, but would support further height increase.
- **Building design:** The building design would fit well with the neighbourhood character, with an overall appreciation for the balcony and lighting features.
- **Community Plan:** The proposed development aligns well with the Norquay Village Community Plan.

Generally, comments of concern fell within the following areas:

- **Traffic increase:** The project would increase traffic and impact, highlighting that cars are always speeding.
- **Pedestrian street and parking:** The pedestrian frontage on Earles Street is not vibrant, while noting that cars are often parked in front of streets where parking is not allowed. This results in local residents struggling to find street parking spaces. Issues of safety concerns for the sidewalk curbs at the intersection of Earls Street and Kingsway are raised.
- **Parking within the development:** The proposed number of parking stalls could be decreased to provide more ride sharing spaces. A resident also noted a concern for the underground parking entry and exit pathway and its impact on Duke Street traffic.
- **Landscape maintenance:** Landscaping of the proposed project could be improved by ensuring a continuous rain canopy along the frontage of Kingsway and more detailed landscaping needs on the ground level.

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

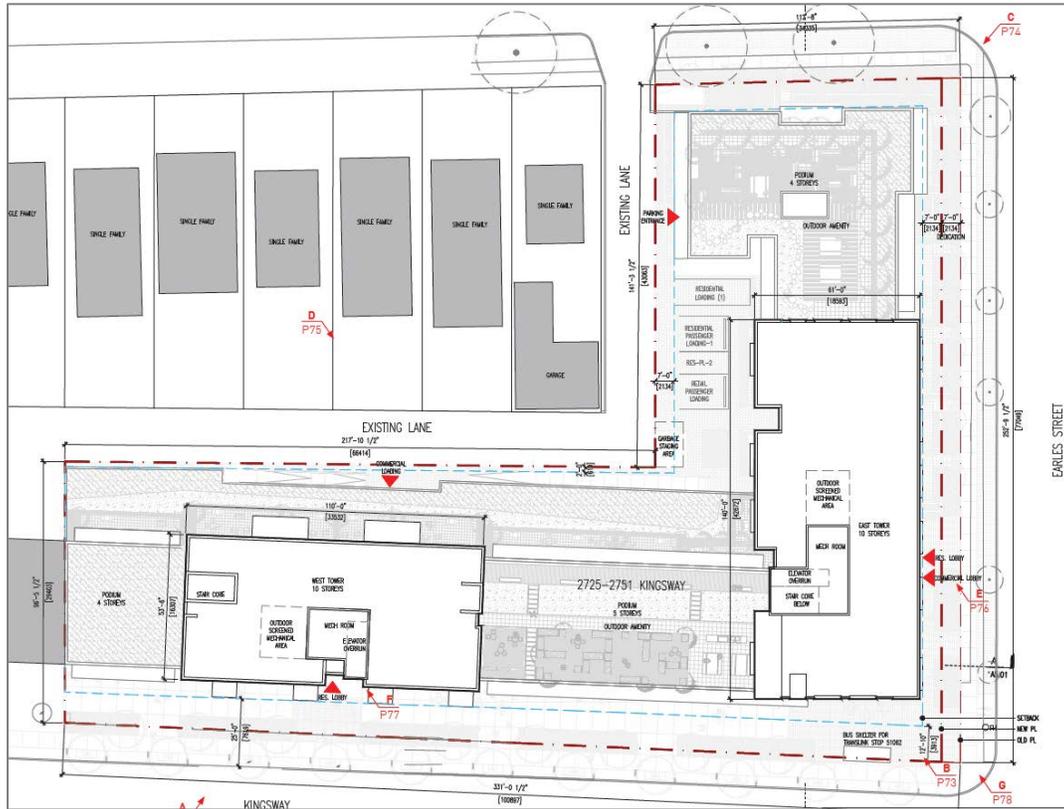
Neutral comments/suggestions/recommendations:

- Consider widening the sidewalk curbs at the intersections of Earls Street and Kingsway to make the intersection more pedestrian friendly.
- Speed bumps and stop signs should be installed to decrease car speed.
- Suggestion for landscape maintenance to be included in the by-laws.

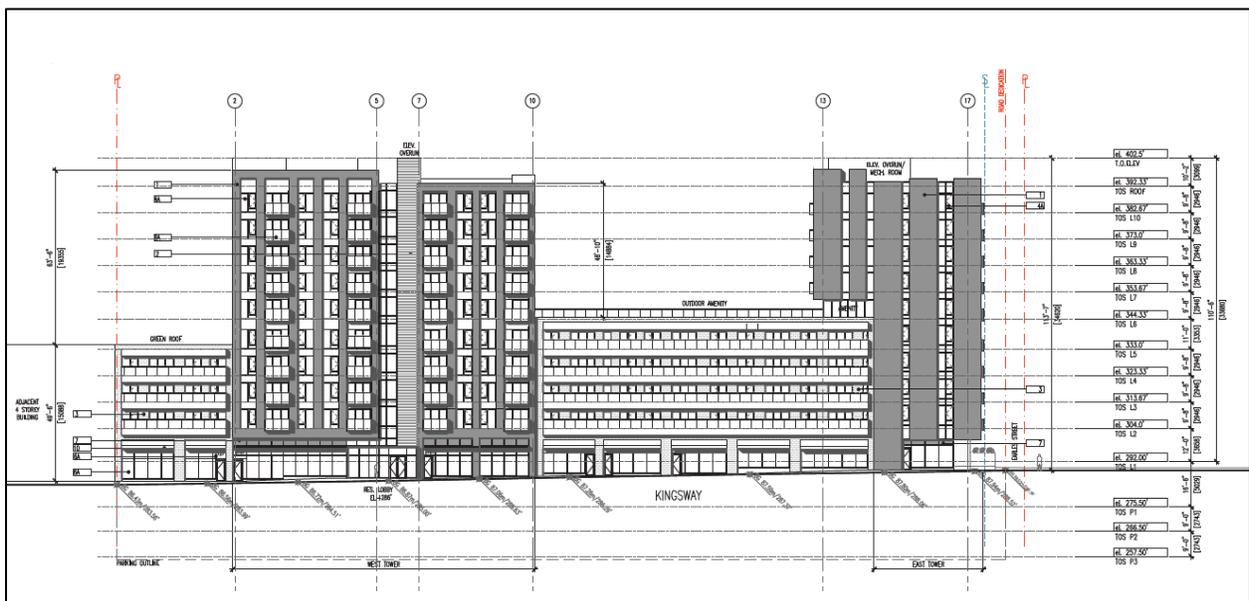
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2725-2751 Kingsway FORM OF DEVELOPMENT DRAWINGS

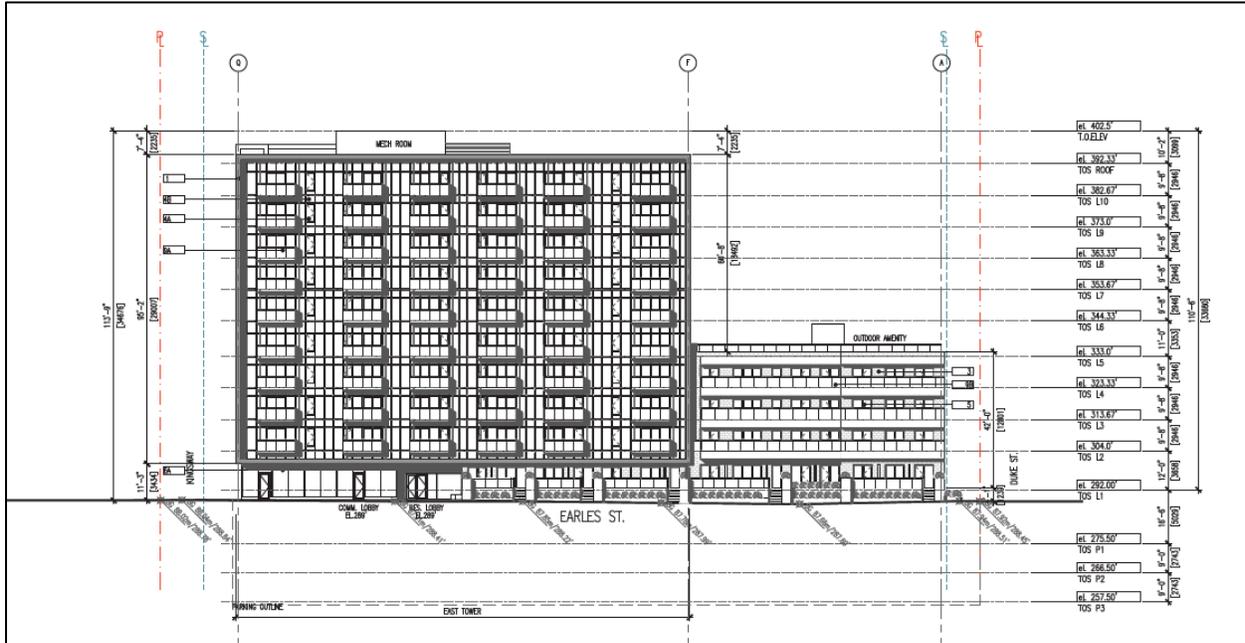
Site Plan



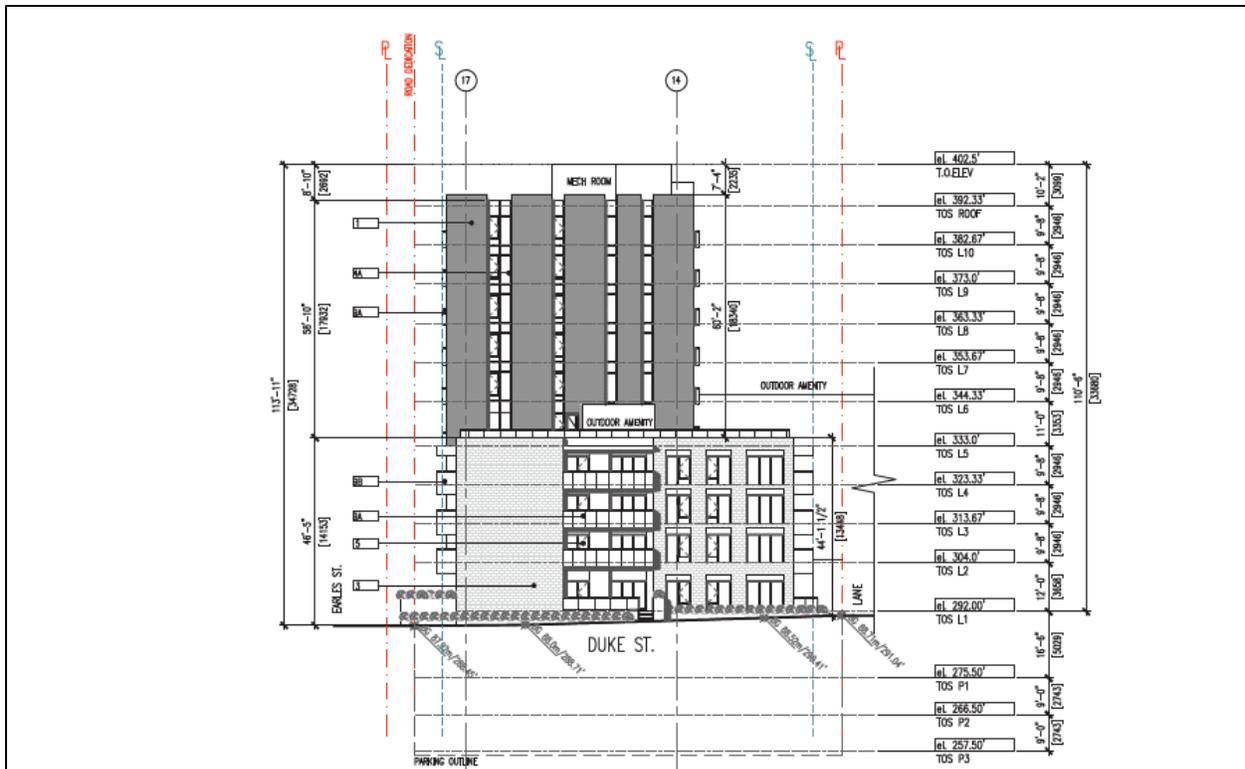
South Elevation (Kingsway)



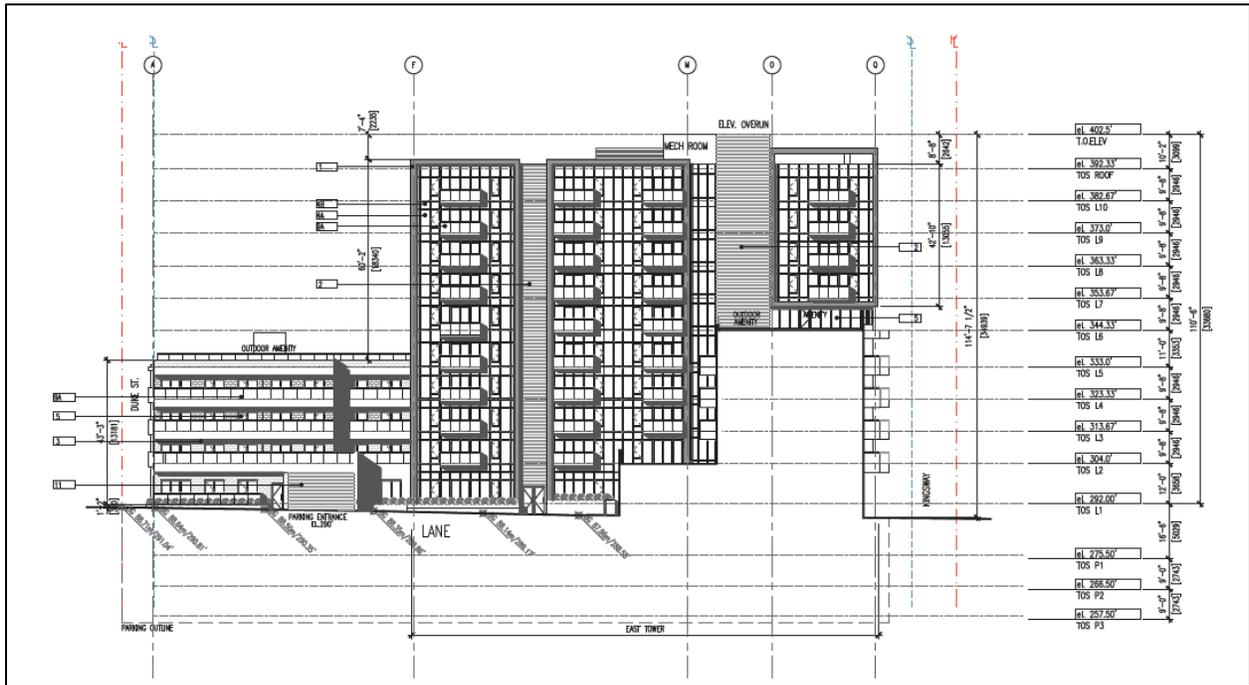
East Elevation (Earles Street)



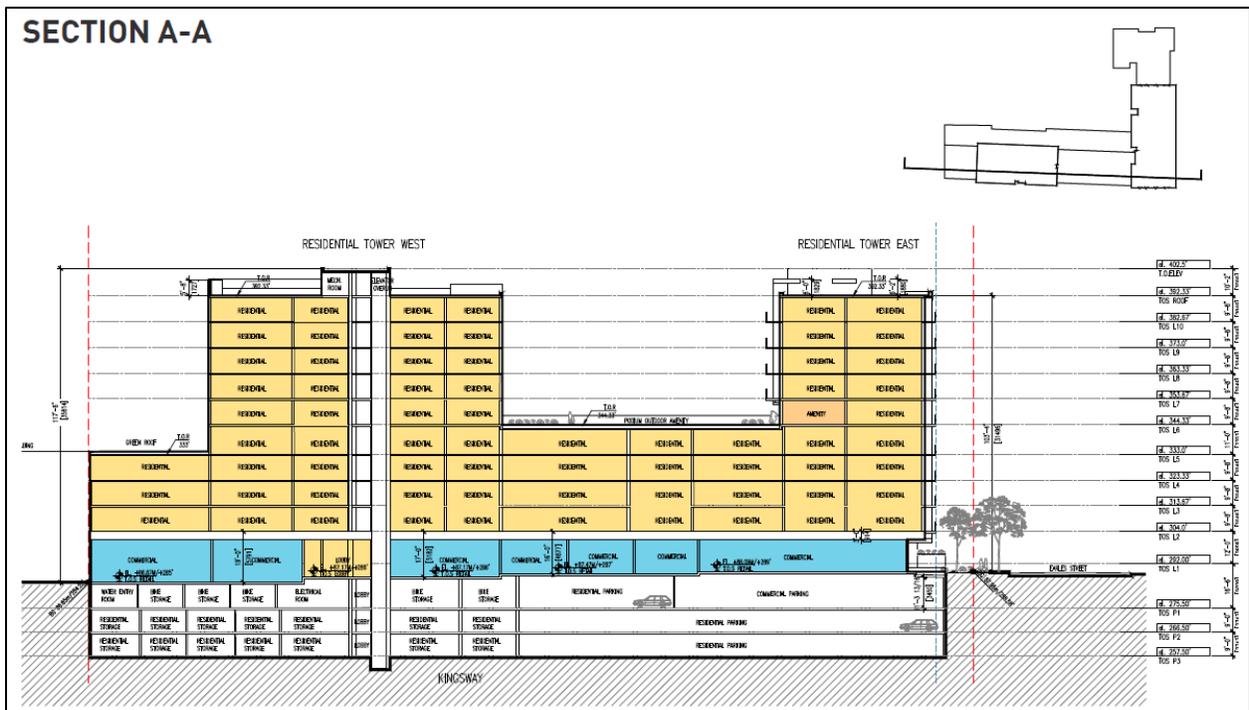
North Elevation (Duke Street)



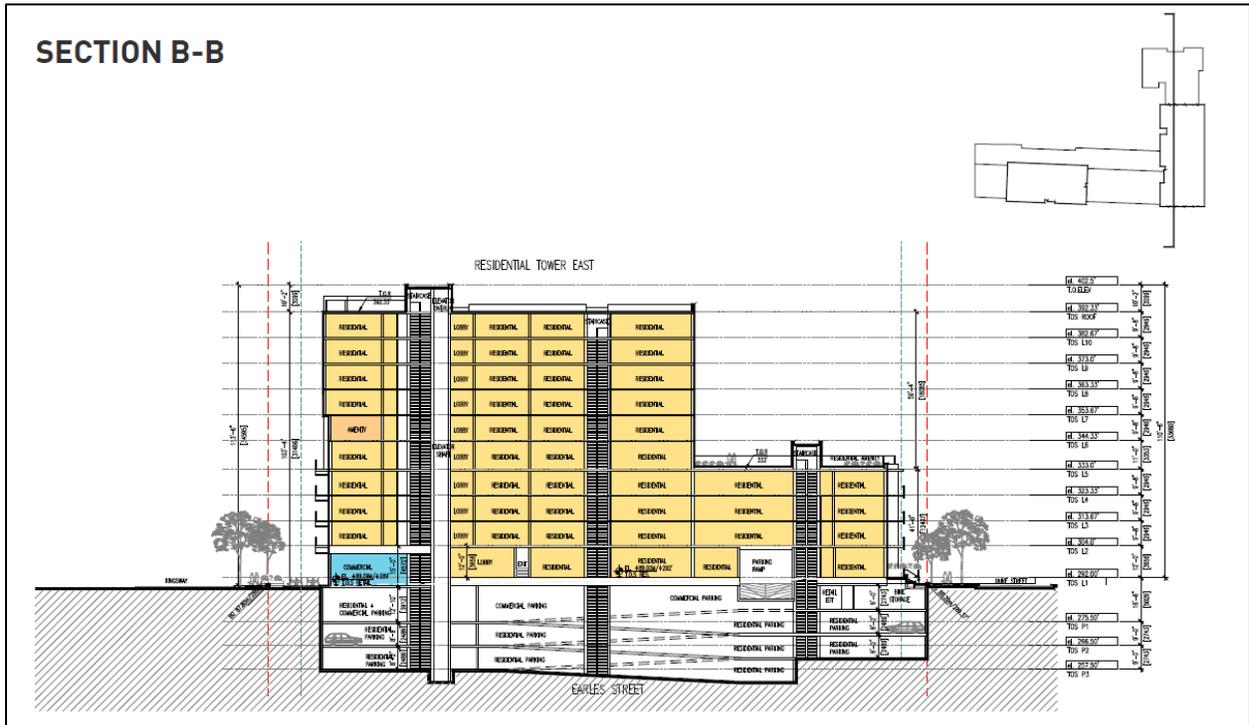
West Elevation (Rear Lane)



Section (East-West)



Section (North-South)



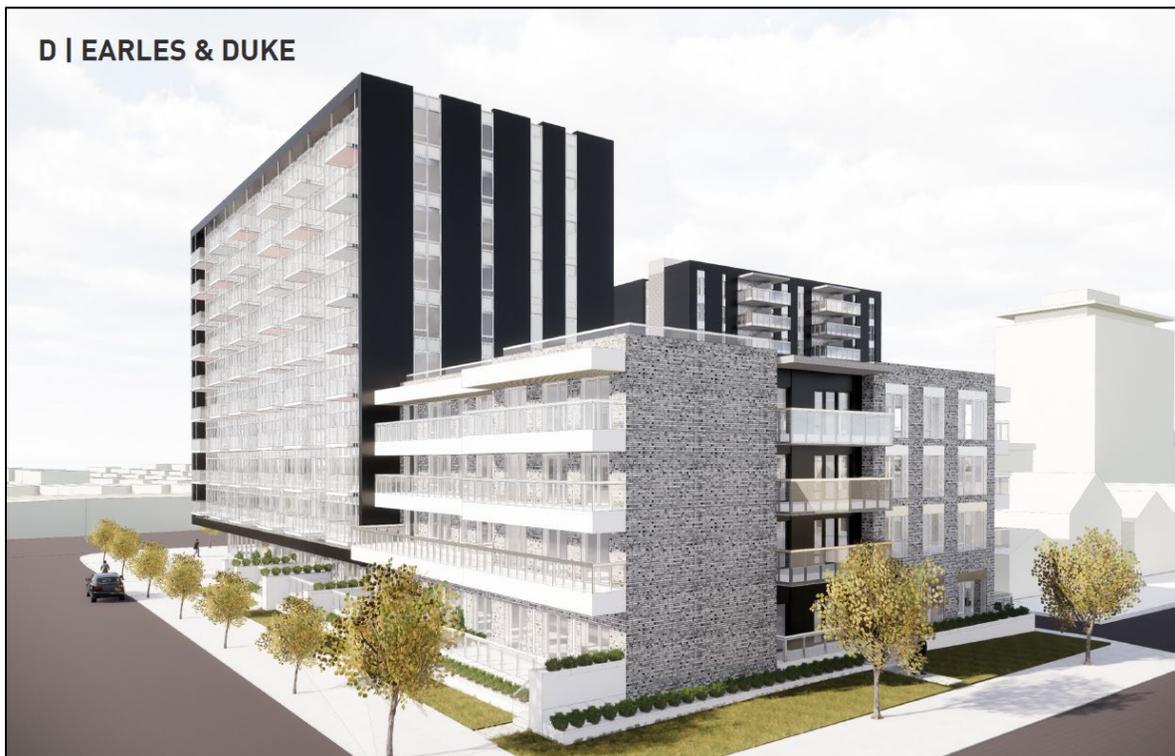
Perspective: Kingsway Facing Northeast



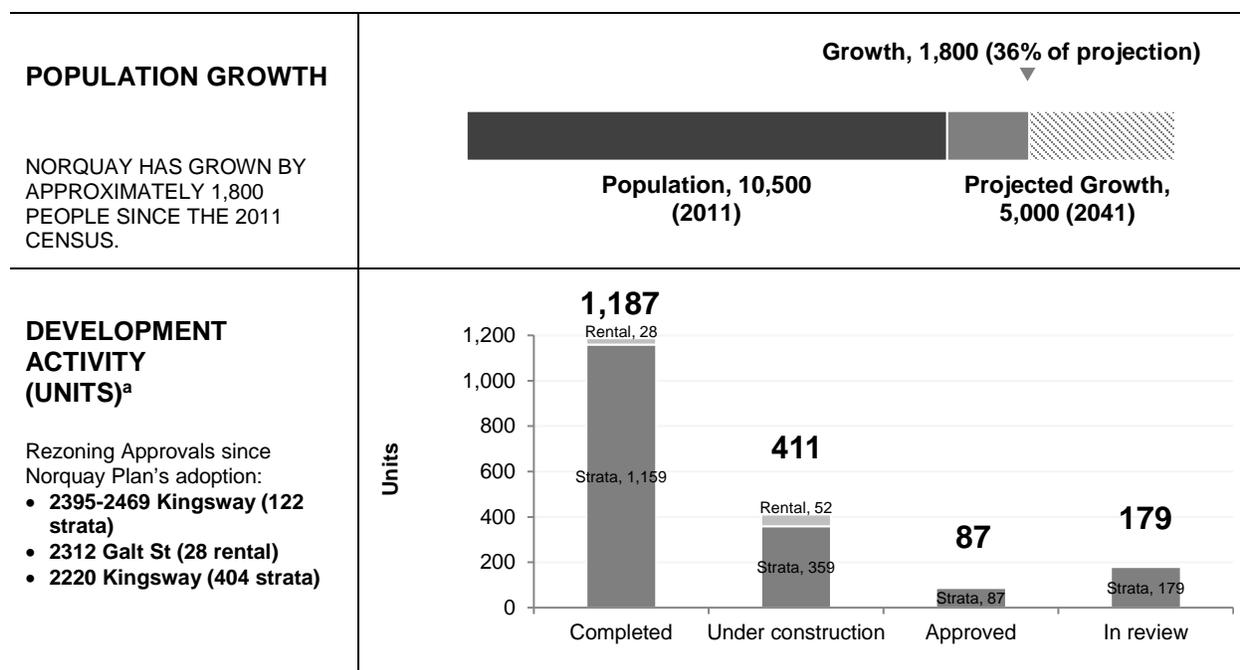
Perspective: Kingsway and Earles Facing Northwest



Perspective: Earles and Duke Facing Southwest



PUBLIC BENEFITS IMPLEMENTATION TRACKING
NORQUAY VILLAGE NEIGHBOURHOOD CENTRE PLAN (2010)
Updated Year-end 2020



PUBLIC BENEFITS ACHIEVED

Category	Anticipated Public Benefits (+) ^b	Completed (•) or In Progress (○)	% ^c
Housing ^a	+ Approx. 400 social housing units + Approx. 600 secured market rental units	• 28 secured rental units (completed) ○ 52 secured market rental units (under construction)	8%
Childcare	+ Approx. 100 spaces for children 0-4 + Approx. 200 spaces for children 5-12	• Norquay School Age Care (28 spaces for 5-12 year olds)	15%
Transportation/ Public Realm	+ Safety improvements for pedestrians + Clarendon connector	• Dundee St. community garden/pedestrian connection • Clarendon connector • Kingsway improvements ○ New sidewalk along Brock St. ○ Duchess Street pedestrian and bike improvements	40%
Culture	+ Public art from large site rezonings + 2400 Motel site may include flex space for production, display and arts performance	• Ravine St. Mural • Public art at 2220 Kingsway • Public art at 2667 Kingsway	5%
Civic/Community	+ Collingwood Library renewal and expansion + Collingwood Library and/or Cedar Cottage Neighbourhood House co-location within a new multi-use community space		
Heritage	+ N/A	• N/A	N/A
Social Facilities	+ Cedar Cottage Neighbourhood House renewal and expansion + Collingwood Library and/or Cedar Cottage Neighbourhood House co-location within a new multi-use community space		0%
Parks	+ General Brock, Slocan, and Earles Parks upgrades + Ravine Way Linear Park + Add/extend public space, including public plaza space as part of major new developments on Kingsway	• Land acquired for potential General Brock Park and Renfrew Ravine Park expansions • Norquay Park upgrades • New public open spaces at 2220 Kingsway, 2397 Kingsway, and 2667 Kingsway • Slocan Grass fields renewal ○ General Brock Park renewal, scoping	15%

EXPLANATORY NOTES

The Public Benefits Implementation Tracker assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries since Plan approval.

Population Growth

Base population is determined by the latest census year available when the Plan was approved. Projected growth numbers are determined by the numbers quoted in the Plan (if available). Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed since the latest census.

Development Activity

The Development Activity Chart tracks projects with three or more housing units and includes Development Permits, Building Permits, rezoning applications and enquiries:

- **“Completed” projects have achieved Building Permit completion.**
- **“Under Construction” projects have achieved Building Permit issuance, but have yet to be completed.**
- **“Approved” projects include rezoning applications approved by Council and Development Permits that have been approved by the City. Any rezoning applications approved by Council that advance into the Development Permit stage are still counted as “Approved” projects until it achieves Building Permit issuance.**
- **“In review” projects include any rezoning applications, enquiries, or Development Permits that are under review by the City.**

Recent rezoning approvals listed in this section reflect the last five rezonings (excluding minor text amendments) approved by Council within the last five years in the plan area.

Public Benefits Achieved

Public benefits that have either been completed or are under construction are included in this section. In addition, this tracker provides some insight on the progression of Major Projects or other City programs.

Other Notes

^a Gross numbers of units reported. In some instances, existing units may be demolished and replaced with new units. These numbers represent units that have been replaced and any additional units included as a part of new developments.

^b See the [Norquay Village Public Benefits Strategy](#) for detailed information about the City’s commitments to deliver public benefits in Norquay.

^c Percentages reflect estimated progress toward overall Public Benefits Strategy targets outlined in the [Norquay Village Public Benefits Strategy](#).

* * * * *

**2725-2751 Kingsway
PUBLIC BENEFITS SUMMARY**

Project Summary

A mixed-use building with two 10-storey towers connected by an L-shaped podium element of four to five storeys, with commercial uses at-grade and 219 strata-titled residential units.

Public Benefit Summary:

The project would generate a DCL payment and a CAC to be allocated toward the Norquay Village Public Benefits Strategy.

	Current Zoning	Proposed Zoning
Zoning District	RS-1 / C-2	CD-1
FSR (site area = 4,635.2 sq. m / 49,894 sq. ft.)	0.7 / 2.5	3.8
Floor Area (sq. ft.)	98,822	189,681
Land Use	Residential / Mixed-use	Mixed-use

Summary of development contributions expected under proposed zoning

City-wide DCL ¹	\$3,367,087
City-wide Utilities DCL ¹	\$1,812,556
Community Amenity Contribution	\$2,600,000
TOTAL	\$7,779,643

¹ Based on rates in effect as at 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.

* * * * *

2725-2751 Kingsway
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
2725 Kingsway	006-714-510	LOT 34 EXCEPT PART NOW KINGSWAY SEE REFERENCE PLAN 2407 AND EXCEPT PART IN EXPLANATORY PLAN 6149 OF LOT A BLOCKS 1 TO 4 DISTRICT LOT 37 PLAN 2421
	006-714-404	LOT 33 EXCEPT PART NOW KINGSWAY SEE REFERENCE PLAN 2407 AND EXCEPT PART IN EXPLANATORY PLAN 6149 OF LOT A BLOCKS 1 TO 4 DISTRICT LOT 37 PLAN 2421
	006-714-170	LOT 32 EXCEPT THE NORTH 10 FEET NOW LANE AND EXCEPT PART NOW KINGSWAY SEE REFERENCE PLAN 2407 OF LOT A BLOCKS 1 TO 4 DISTRICT LOT 37 PLAN 2421
	006-714-081	LOT 31 EXCEPT THE NORTH 10 FEET NOW LANE AND EXCEPT PART NOW KINGSWAY SEE REFERENCE PLAN 2407 OF LOT A BLOCKS 1 TO 4 DISTRICT LOT 37 PLAN 2421
	006-714-021	LOT 30 EXCEPT THE NORTH 10 FEET NOW LANE AND EXCEPT PART NOW KINGSWAY SEE REFERENCE PLAN 2407 OF LOT A BLOCKS 1 TO 4 DISTRICT LOT 37 PLAN 2421
2751 Kingsway	017-721-253	LOT F OF LOT A BLOCKS 1 TO 4 DISTRICT LOT 37 PLAN LMP3715

Applicant Information

Architect	GBL Architects
Developer/Property Owner	Coromandel Kingsway Development BT Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed Development
Zoning	RS-1 / C-2	CD-1
Site Area	4,635.2 sq. m (49,894 sq. ft.)	4,635.2 sq. m (49,894 sq. ft.)
Uses	Residential / Mixed-use	Mixed-use
Floor Area	9,180.9 sq. m (98,822 sq. ft.)	17,621,4 sq. m (189,681 sq. ft.)
Floor Space Ratio (FSR)	0.7 / 2.5 FSR	3.8 FSR
Height	13.8 (45.28 ft.)	34.6 m (114 ft.)

Unit Mix		Total units: 219 Studio units: 1 (0%) One-bedroom units: 118 (54%) Two-bedroom units: 78 (36%) Three-bedroom units: 22 (10%)
Parking, Loading And Bicycle Spaces	as per Parking By-law	259 parking spaces 415 Class A bicycle spaces 18 Class B bicycle spaces
Natural Assets	0 on-site by-law trees 11 city trees	61 on-site trees 19 City trees