



REFERRAL REPORT

Report Date: September 24, 2024
Contact: Bryan Wong
Contact No.: 604.707.5420
RTS No.: 16559
VanRIMS No.: 08-2000-20
Meeting Date: October 8, 2024

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 701 Kingsway

RECOMMENDATION TO REFER

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Qualex-Landmark Living Inc., on behalf of Qualex-Landmark Fraser Holdings Inc., the registered owner of the lands located at 701 Kingsway:

- *PID 009-480-854; Lot 1 Block 102 District Lot 301 Plan 2466,*
- *PID 009-480-285; Lot 1 Except Portions in Explanatory Plan 16798 and Reference Plan 3452, Now Road Block 102 District Lot 301 Plan 187, and*
- *PID 009-480-331; Lot 2 Except Portions in Plan 2466 and Reference Plan 1102 Block 102 District Lot 301 Plan 187,*

to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 3.5 to 8.5 and the maximum building height from 22.0 m (72 ft.) to 84.6 m (278 ft.) with additional height for the portion with rooftop amenity, to permit the

development of a 24-storey mixed-use residential building containing 201 rental units, of which 20% of the residential floor area will be for below-market rental units, with commercial space on the ground floor and on level two, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by RWA Group Architecture, received January 5, 2024, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, 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 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 application proposes to rezone 701 Kingsway to a CD-1 (Comprehensive Development) District for a 24-storey mixed-use residential building containing 201 rental units, of which 20% of the residential floor area will be below-market rental units, with commercial space over two levels. Staff have assessed the application and conclude that it meets the intent of the *Broadway Plan* (Plan).

Staff recommend that the application be referred to 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

- Vancouver Plan (2022)
- Broadway Plan (2022)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Community Amenity Contributions for Rezoning (1999, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Public Art Policy and Procedures for Rezoned Developments (1994, last amended 2014)
- Green Buildings Policy for Rezoning (2010, last amended 2023)
- Urban Forest Strategy (2014, last amended 2018)
- Latecomer Policy (2021)

REPORT

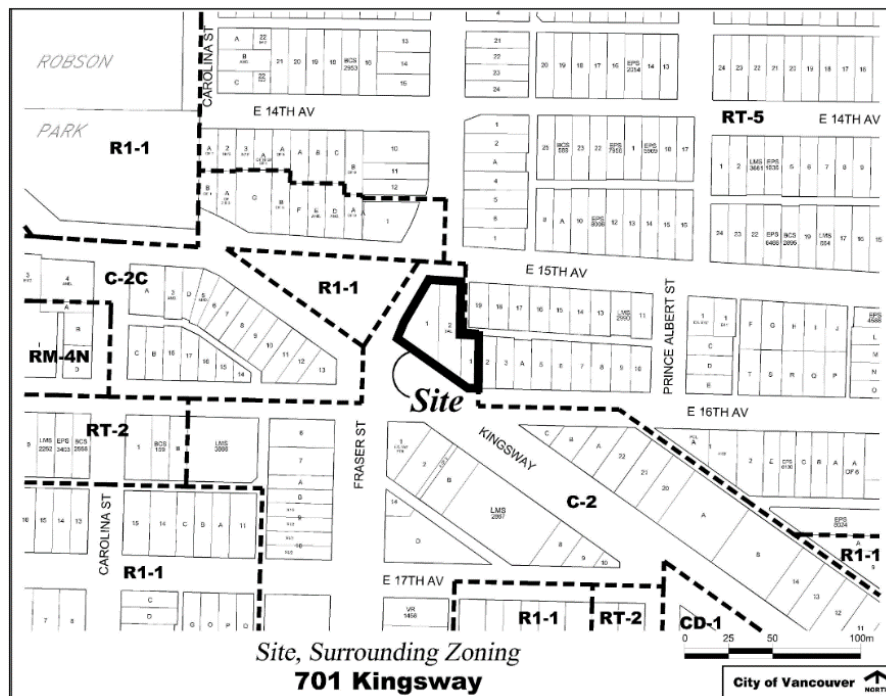
Background/Context

1. Site and Context

The subject site is zoned C-2 and located on the northeast corner of Kingsway and Fraser Street (Figure 1). The property consists of a three-lot assembly, with a frontage of 49.2 m (161 ft.) along Kingsway and a depth of 37.8 m (124 ft.) along Fraser Street. The property is irregular shaped, flanked by an off-angle irregular intersection at Fraser Street and Kingsway. The total site area is 1,670.0 sq. m (17,976 sq. ft.) and is developed with a one-storey commercial building constructed in 1987. There are no existing residential tenants on site.

The surrounding area contains a mix of uses. Across Fraser Street is McAuley Park and a collection of early commercial buildings referred to in the Plan as a heritage village. Further west along Kingsway are Robson Park and Mount Saint Joseph Hospital, and spanning northeast and southwest are RT and R1 (Residential) District lots.

Figure 1: Location Map – Site and Context



Neighbourhood Amenities – The following amenities are within close proximity:

- **Parks:** McAuley Park (66 m), Robson Park (160 m), Sunnyside Park (700 m), Tea Swamp Park (750 m), and Sahalli Park (800 m).
- **Cultural/Community Spaces:** Mount Pleasant Neighbourhood House (800 m), Heritage Hall (900 m), St. Michael's Hall (1 km), Mount Pleasant Community Centre and Library (1.2 km), and Vancouver Community College (1.4 km).
- **Childcare:** Dickens Out Of School Care (550 m), Mount Pleasant Neighbourhood House (800 m), Florence Nightingale Elementary Before and After School Care (700 m), Emma's Early Learning and Care Centre (850 m), and Mount Pleasant Child Care Centre (1.2 km).

Local School Capacity – The site is within the catchment area of Charles Dickens Elementary School and Sir Charles Tupper Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, Charles Dickens Elementary and Sir Charles Tupper Secondary will be operating under capacity in the coming years, with a capacity utilization rate at 81% and 67% respectively by 2031.

The City coordinates with the VSB to inform decision-making and reduce enrolment pressure, recognizing that some schools are full, but there is overall surplus capacity within their system. The VSB continues to monitor development and work with City staff to help plan for future growth.

2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The approved Plan will serve as a framework with further implementation planning work to follow over the next two to four years. The site is located within the Broadway Plan area which is generally in alignment with the Vancouver Plan.

Broadway Plan – The Plan is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway.

The site is within the “Mount Pleasant Centre – Area C (MCEC)” neighbourhood of the Plan. Subsection 10.12.1 considers rezoning for a mixed-use residential building up to 25 storeys and a floor space ratio (FSR) up to 8.5, containing rental and below-market rental units.

Housing Needs Report – On April 27, 2022, Council resolved at a public meeting to receive a [Housing Needs Report](#) (HNR) prepared by staff. Further to the BC Provincial government's requirement, Council must consider the most recent HNR when creating a development plan, or when amending a development plan in relation to Council's housing policies respecting affordable housing, rental housing and special needs housing.

This zoning amendment would facilitate the delivery of rental housing including a component of below-market rental units and address the data and findings within the HNR.

Housing Vancouver Strategy – Housing Vancouver focuses on the right supply of new homes, including rental, to meet a continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 30,000 purpose-built market rental units and 5,500 purpose-built below-market rental units. This rezoning will contribute towards targets for purpose-built market and below-market rental housing units.

Strategic Analysis

1. Proposal

The rezoning proposal is to permit a 24-storey mixed-use residential building containing 201 rental units, of which 20% of the residential floor area will be below-market rental units. Commercial space is located on the ground floor and on level two (Figure 2). The building height is 84.6 m (278 ft.) with a total floor area of 14,195.0 sq. m (152,794 sq. ft.), and a floor space ratio (FSR) of 8.5. Loading and underground parking access are from the lane.

2. Land Use

The proposed residential and commercial uses are consistent with the Plan.

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

In assessing urban design performance, staff considered the built form expectations of the Plan.

The unique character of Kingsway such as its orientation, geometry, and irregular lot patterns presents unique opportunities for creativity. Through initial studies, staff and the applicant team were able to accommodate the appropriate form of development and public realm specific to Kingsway and its future high-density character.

The site has a strategic location at the corner of two arterials, Kingsway and Fraser Street, and is situated in the view axis of Fraser Street. To the west of the site are Robson and McAuley Parks, and the heritage village. The site contains an irregular geometry and is shallow in depth. To address the unique site conditions and its specific context, the form of development is customized to ensure a contextual fit and placemaking attributes.

Figure 2: Perspective from Kingsway and Fraser Street Looking Northeast



Form of Development – The Plan anticipates a general form of development comprised of a 25-storey tower and a four-storey podium. The 24-storey tower and two-storey pavilion are separated by a publicly accessible retail courtyard. The tower is placed towards the north end of the site to mitigate shadow impacts onto McAuley Park and to be framed within the view axis of Fraser Street. The tower floor plates are shaped to reflect the irregular geometry of the site. The two-storey pavilion respects the neighbouring heritage village and is used as a placemaking element to mark this unique node in the neighbourhood context. The retail courtyard provides a soft transition between the tower and the pavilion and provides visual connection to McAuley Park to the west. Staff support the form of development as it meets the intent of the Plan, including the new high-density character of the Mount Pleasant Center, Kingsway Neighbourhood.

Height – The Plan anticipates a height of 25 storeys. The proposed height of 24 storeys is within the Plan's permitted maximum height. The CD-1 By-law includes additional height to

accommodate a potential partial-storey rooftop amenity as per the Plan. The partial storey would be set back to limit its visibility.

Density – The Plan anticipates a density of up to 8.5 FSR. The proposal meets the FSR limit with a density of 8.5 FSR.

Shadowing – The proposal casts minimal shadow impacts on the southeast corner of Robson Park from 10:00 am to 10:20 am during the Fall and Spring Equinoxes. The southeast corner of Robson Park includes a public washroom and interfaces with private properties that already currently shadow the park. Conditions of Approvals have been provided in Appendix B to address the shadow impacts, such as reducing floor-to-floor ceiling heights to minimize the building bulk.

Public Realm and Interface – The Plan recommends Privately Owned Public Spaces (POPS) on retail streets to ensure successful retail spaces and an enhanced public realm. The proposal includes a retail courtyard (POPS) connecting McAuley Park to the rear lane and provides outdoor space adjacent to retail (Figure 3).

Figure 3: Perspective from McAuley Park Looking into Retail Courtyard (POPS)



Private Amenity Space – The development offers generous on-site common indoor and outdoor amenities atop the pavilion and the tower. The amenity located in the pavilion is connected to the tower through a bridge element.

Urban Design Panel – The Urban Design Panel reviewed the project on March 27, 2024, and supported this application with recommendations to enhance the animation of the pavilion, further consideration of the water feature in the courtyard, to increase the number of shared balconies to every other floor, and to provide shading devices for units with full glass façades (see Appendix E).

Staff reviewed the recommendations of the Urban Design Panel, as well as the site-specific conditions, and have concluded that the proposal reflects the Plan’s built form, height, and density and is appropriate for the context. Staff support the application subject to the urban design conditions in Appendix B.

4. Housing

The *Housing Vancouver Strategy* (Strategy) seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add approximately 201 units, including 160 market rental units and 41 below-market rental units, to the City’s inventory of rental housing, which would contribute to the targets set out in the Strategy (see Figure 4).

Figure 4: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of June 30, 2024

Housing Type	Category	10-Year Targets ¹	Units Approved Towards Targets ²
Purpose-Built Market Rental Housing Units	Market Rental	30,000	3,087 (10%)
	Developer-Owned Below Market Rental	5,500	353 (6%)
	Total	35,500	3,440 (9%)

¹New 10-year targets were adopted in 2024, with tracking starting from January 1, 2024.

²Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking starting in 2017. As of December 31, 2023, 87% of the previous targets had been reached.

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

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Mount Pleasant area, which this site is located, is 0.5%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The Plan requires a minimum of 35% family units, including a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms in the market rental/below-market rental portion, which must be achieved without rounding up. This application proposes 35.32% family units in a mix of 25.37% two-bedroom and 9.95% three-bedroom units, thereby not meeting this policy. A condition of approval and a provision in the CD-1 By-law has been included to ensure the Plan requirement for a minimum of 25% two-bedroom units and minimum of 10% three-bedroom units is met separately in both the market rental and below-market portions, without rounding up. All family units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 5 below shows starting rents for below-market units, set at 10% below the city-wide average market rent for 2023. If approved, starting rents for the below-market units will be 10% less the city-wide average market rents at

the time of initial occupancy. On unit turnover, rents in the below-market units may be reindexed to 10% less the city-wide average market rent by unit type current at the time of unit turnover.

Average market rents in newer rental buildings on the eastside are also shown in the middle two columns in Figure 5. The market rental housing component will provide options that are more affordable than home ownership, as illustrated in Figures 5.

Figure 5: Below-Market Unit Average Rents, Market Rents in Newer Buildings, Cost of Ownership and Household Incomes Served

	Below-Market Rental Units ¹		Newer Rental Buildings Eastside		Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
	Average Starting Rents (2023) ¹	Average Household Income Served	Average Market Rent(CMHC, 2023) ²	Average Household Income Served	Monthly Costs of Ownership (BC Assessment 2021) ³	Average Household Income Served	Down-payment at 20%
Studio	\$1,376	\$55,044	\$1,776	\$71,040	\$2,200	\$88,000	\$79,550
1-bed	\$1,607	\$64,296	\$2,116	\$84,640	\$2,885	\$115,400	\$108,000
2-bed	\$2,215	\$88,596	\$2,839	\$113,560	\$3,809	\$152,360	\$141,300
3-bed	\$2,695	\$107,784	\$3,245	\$129,800	\$5,565	\$222,600	\$213,000

1. Starting rents shown are calculated based on a 10 per cent discount to city-wide average market rents as published by CMHC in the fall 2023 Rental Market Report.

2. Data from October 2023 CMHC Rental Market Survey for buildings completed in 2014 or later on the Eastside of Vancouver

3. Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Eastside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, \$250-\$350 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2021 assessments and property tax rate).

To qualify for a below-market rental unit, a household's gross annual income cannot exceed the maximum income requirements for the unit type (see Figure 5), with at least one household member per bedroom. Policy 12.2.17 of the *Plan* specifies that below-market rental units will be subject to tenant income testing and monitoring requirements that apply under the *Secured Rental Policy*, as described in the *Rental Incentive Programs Bulletin*. All residents will have equal access to common indoor and outdoor amenities and facilities shown in Appendix B.

Security of Tenure – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 201 units in the proposal would be secured through a Housing Agreement and Section 219 Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

The Housing Agreement will secure not less than 20% of the residential floor area that is counted in the calculation of the floor space ratio for below-market units to be rented at rates targeted to meet the affordability needs of moderate-income households. Between tenancies, the rent for a below-market rental unit will be re-indexed to the current CMHC average rent by unit type, applying the same discount rate as was secured at the time of occupancy permit issuance. Rent increases during each tenancy are capped at the Residential Tenancy Act (RTA) annual allowable rental increase. Conditions for securing the units are in Appendix B.

Existing Tenants – The site does not have existing rental residential uses and there are no eligible tenants as defined under the City’s *Tenant Relocation and Protection Policy* (TRPP).

If any eligible tenants are identified through the City’s regulatory approvals process, the applicant will be required to provide a Tenant Relocation Plan that meets the TRPP.

5. Transportation and Parking

The site is well-served by transit, located 1.2 km southeast of the future Mount Pleasant Broadway Subway station with bus service along Kingsway and Fraser Street. Nearby bikeways are the Windsor and Prince Edward bikeways which connect to the 10th Avenue, 14th Avenue, and Hillcrest bikeways.

Vehicle and bicycle parking is provided over two levels of underground parking, accessed from the lane. The application proposes 61 vehicle spaces, 386 bicycle spaces, and three loading spaces. Parking and loading are to meet the Parking By-law at the development permit stage. Engineering conditions require public realm improvements including statutory right-of-ways along Kingsway and Fraser Street to improve pedestrian connections, new street upgrades, intersection lighting, and dedications to widen the lane, as set out in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning*s requires that rezoning applications satisfy the green and resilient building conditions. The applicant has submitted preliminary modelling analysis detailing design and construction strategies to meet the anticipated energy and emissions and embodied carbon targets in the Building By-law, a summary of the resilient building measures, and a commitment to fulfil energy system sub-metering and enhanced commissioning requirements.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver’s urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

The site contains three on- and off-site trees, with all three trees proposed for removal due to poor condition and conflict with the building footprint. A total of 64 new trees are proposed with removal of trees subject to a landscape plan and arborist report during the development permit process. See Appendix B for landscape and tree conditions.

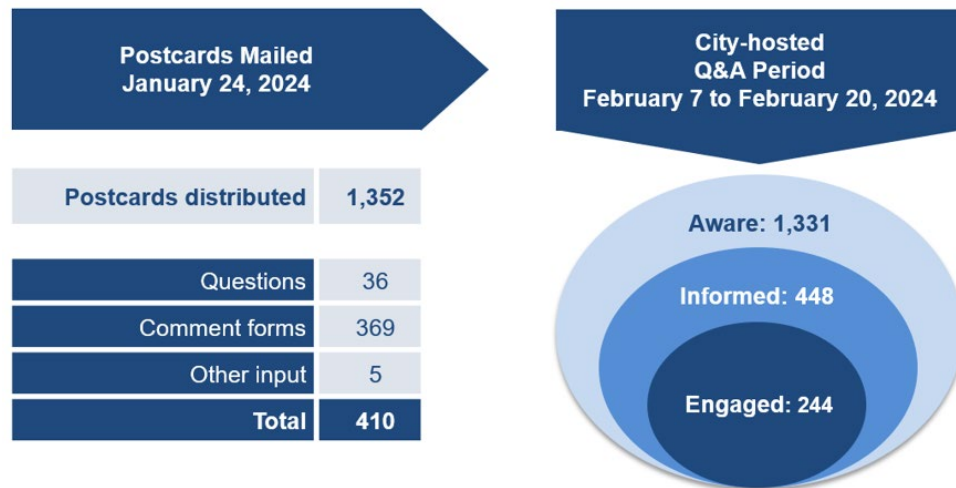
7. Public Input

Public Notification – A site sign was installed on January 24, 2024. Approximately 1,352 postcards were distributed within the neighbouring area on or about January 24, 2024. Application information and an online comment form was provided on the City’s *Shape Your City* platform.

Question and Answer Period – A Question and Answer Period was held from February 7 to February 20, 2024 on the *Shape Your City* platform. The Question and Answer Period consisted of an open-question online event where questions were submitted and posted with a response over a period of one week. The webpage received a total of 1,331 visitors during this period. A digital model was posted for online viewing. (Figure 6).

Public Response – Input was received via online questions, comment forms, by email and phone. A total of 410 submissions were received. Below is a summary of feedback and a detailed summary in Appendix D.

Figure 6: Overview of Notification and Engagement



Generally, comments of support fell within the following areas:

- *Housing*: The proposed development would contribute to Vancouver’s housing stock by adding rental housing and affordable housing.
- *Density*: The proposed density is appropriate to this neighbourhood.
- *Neighbourhood revitalization*: The neighbourhood will be impacted positively by this development.
- *Business and commerce*: The inclusion of commercial spaces is supported here. The development will enhance existing local business.
- *Location*: The development is well served by transit and sustainable modes of travel.

Generally, comments of concern fell within the following areas:

- *Height, neighbourhood character, and shadows*: The height of the proposal would be too tall for an area with only low-rise and mid-rise buildings. A lower or mid-rise building would be preferred. The building is out of character with the rest of the neighbourhood. The building will block access to sunlight and shadow adjacent buildings and parks.
- *Traffic and parking*: The development will negatively impact traffic by increasing congestion and reducing safety. The streets will need to be upgraded. There is insufficient vehicle parking proposed and parking in the surrounding area will worsen.
- *Business and commerce*: There are concerns about loss of retail space and that existing commercial tenants and businesses will be displaced.
- *Density*: There is a lack of existing amenities and infrastructure to accommodate the proposed density.

Response to Public Comments

Height, neighbourhood character, and shadows: The proposal meets the Plan’s expectations with a building height of 24 storeys and the two-storey pavilion harmonizes with the

neighbouring heritage village and is a placemaking element to mark this unique node in the neighbourhood context.

Traffic and parking: Rezoning conditions require improvements that will address safety for all road users. This includes intersection upgrades along Kingsway and Fraser Street including accessible pedestrian signals and street lighting, sidewalk and curb ramp improvements, and the installation of parking signage on streets. The Parking By-law does not require minimum parking requirements, city wide, except for accessible parking, visitor spaces, and bike parking.

Business and commerce: New commercial is proposed over two levels in the new development, offering opportunities for businesses to serve the community. While there is no commercial tenant relocation policy, staff have developed resource guides to assist commercial tenants with real estate decision making and relocation planning. Staff have recommended that the applicant share these resource guides with the existing commercial tenants.

Density: The proposal meets the Plan's density limit of 8.5 FSR.

8. Public Benefits

Community Amenity Contributions (CAC) – This application is subject to a negotiated CAC *under the Community Amenity Contributions Policy for Rezonings*. Real Estate Services staff reviewed the application and the cost of securing the rental housing units including the 20% of the residential floor area at below-market rents and have determined no additional CAC is expected.

Development Cost Levies (DCL) – 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.

In accordance with the provisions of Section 3.1A(d) of the Vancouver DCL By-law the applicant has requested a 100% waiver of the City-wide DCLs attributed to the residential floor area qualifying as Class A “for-profit affordable rental housing”. Class A means rental housing where a minimum 20% of the residential floor area is secured as below-market rental units with maximum average rents for each type of unit that do not exceed the rates set out in the DCL By-laws.

Based on rates in effect as of September 30, 2024 and the proposed 13,577.1 sq. m (146,143 sq. ft.) of residential, the value of the DCL waivers for the residential floor area is estimated to be \$3,451,435. The value of the Utilities DCL for the proposed residential floor area is estimated to be \$2,162,969. Compliance with DCL waiver requirements will continue to be assessed through the development permit stage up to occupancy permit issuance at which point the applicant will be required to submit a rent roll that sets out the initial monthly rents for each unit.

The DCLs on the proposed 617.9 sq. m (6,651 sq. ft.) of commercial floor area cannot be waived, which is estimated to be \$206,292. 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 a public art contribution estimated at \$302,531. The final contribution will be calculated based on the rate in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget).

A summary of public benefits associated with this application is included in Appendix G.

Financial Implications

As noted in the Public Benefits section this project is expected to provide 201 rental units, of which 20% of the residential floor area will be secured at below-market rents, DCLs and public art contribution. See Appendix G for additional details.

CONCLUSION

Staff review of the application has concluded that it is consistent with the objectives of the Broadway Plan. Staff further conclude that the recommended form of development represents an appropriate urban design response to the site and its 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. Staff recommend that the by-law 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 F.

* * * * *

**701 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 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 amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Designation of CD-1 District

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

Definitions

3. Words in this CD-1 by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) for the purposes of calculating the total dwelling unit area for section 5.1 of this by-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.4 of this by-law; and
 - (b) "Below-market Rental Housing Units" means dwelling units that meet the requirements of approved Council policies and guidelines for below-market rental housing, as secured by a housing agreement registered on title to the property.

Uses

4. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this by-law or in a development permit, the only uses permitted within this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Mixed-Use Residential Building;
 - (c) Institutional Uses;

- (d) Live-Work Use
- (e) Manufacturing Uses;
- (f) Office Uses;
- (g) Retail Uses;
- (h) Services Uses;
- (i) Utility and Communication Uses; and
- (j) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.
- 5.2 The design and layout of at least 35% of the total number of below-market rental housing units and at least 35% of the total number of other dwelling units must:
 - (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be 2-bedroom units, and
 - (ii) at least 10% of the total dwelling units must be 3-bedroom units.
- 5.3 No portion of the first storey of a building, may be used for residential purposes except for entrances to the residential portion.
- 5.4 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
 - (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share;
 - (e) restaurant; and
 - (f) outdoor eating area in combination with retail store,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the

Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,670.0 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 6.2 The maximum floor space ratio for all uses combined is 8.5.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit area must exclude:
 - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total floor area of these 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 decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.

- 6.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.
- 6.6 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

Building Height

- 7.1 Building height must not exceed 84.6 m.
- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with permitted common rooftop amenity space or mechanical appurtenances must not exceed 90.7 m.

Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purpose of section 8.1 above, habitable room means any room except a bathroom or a kitchen.
- 8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.
- 8.5 An obstruction referred to in section 8.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement, if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines and:
- (a) the minimum distance of unobstructed view is at least 3.7 m; or
 - (b) the habitable room is within a unit assigned to below-market rental housing units containing a minimum of 3 bedrooms, where the horizontal angle of daylight requirement is varied for no greater than 1 of the habitable rooms in the unit.

**701 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 FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by RWA Group Architecture, received on January 5, 2024, 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 reduce the building height;

Note to Applicant: The intent of this condition is to minimize and mitigate new shadowing on Robson Park by containing the additional shadows on the park within the already impacted east interface of the park. This can be achieved by reducing the floor-to-floor height to minimize the impact to 10:00 am to 10:20 am on the Spring and Fall Equinoxes. Refer also to Park Board condition 1.17.

- 1.2 Design development to improve the interface of the building with the adjacent pedestrian-realm and address CPTED considerations to ensure high level of perceived safety and pedestrian comfort at all hours by the following:

- (a) At the proposed courtyard / Privately Owned Public Space (POPS) located at the intersection of Kingsway and Fraser Street:

- (i) Ensure that the plaza is inclusive and accessible, supports a diversity of activities and users, and has clear, welcoming and intuitive wayfinding and signage from Kingsway and Fraser Street; and

Note to Applicant: Refer to the *Broadway Plan*, Sections 15.2.14 to 15.2.18.

- (ii) Provision of high-quality landscape design strategies to include a mix of hard-scape and landscaped areas with extensive planting contributing to urban forest and biodiversity goals;

- (b) At the residential entrance along East 15th Avenue:

- (i) Provision of high-quality landscape design strategy to soften this interface; and
- (ii) Provision of an enhanced lighting strategy to provide for visually-appealing and active illumination of the public realm.

- 1.3 Design development to enhance the form and expression of the southern pavilion to mark this important node in the Kingsway neighbourhood.

Note to Applicant: This can be achieved by differentiating the expression language of the pavilion from the tower through sharp colours, different materiality, and building details such as a bold cornice.

- 1.4 Consideration to provide the shared balconies on every other floor.

Crime Prevention through Environmental Design (CPTED)

- 1.5 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 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.

Landscape

- 1.6 Provision of a detailed landscape plan illustrating soft and hard landscaping for the complete site, including rooftops (where applicable).

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

- 1.7 Provision of detailed architectural and landscape cross sections (minimum 1/4-inch scale) through common open spaces, semi-private patio areas and planters.

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.

- 1.8 Provision of a vegetative cover calculation sheet, included with the landscape plans.

Note to Applicant: Include a comparison of the percentage vegetative cover as a ratio of the overall site and a separate calculation of the ratio of vegetative coverage to total building roof area.

- 1.9 Provision of a soil depth overlay sheet, included with the landscape plans.

- 1.10 Provision of an outdoor lighting plan.

Note to Applicant: Refer to Dark Night Design Principles.
<https://vancouver.ca/files/cov/outdoor-lighting-design-tips.pdf>. Provide dimmers and timers for lights where feasible.

- 1.11 Provision of high efficiency automatic irrigation system for all planted areas.

Note to Applicant: Provide a partial irrigation plan demonstrating intent, including notations, legend and symbols to confirm stub out and hose bib locations. Hose bibs to be provided for large private patios (sized 100 sq. ft. or larger). Any limitations to the installation of hose bibs on private decks to be brought to the attention of staff in the written response.

- 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. Refer to:
<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

- 1.13 Coordination for the provision of new street trees, and any proposed removals and/or canopy pruning of City-owned tree adjacent to the development site with Park Board Urban Forestry.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587 or email pbdevelopment.trees@vancouver.ca) for tree species selection and planting requirements. Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

Urban Forestry

- 1.14 Contact the Parks Board at pbdevelopment.trees@vancouver.ca to obtain permission for the removal of City trees. Complete removal processes such as compensating Park Board for the appraised value of the trees.
- 1.15 Show the proposed soil volume for street trees on the Landscape Plans. Provide soil volume for large trees as per Engineering Design Manual section 9.3.3.2. Structural soil is to be used under sidewalks and is considered 50% growing medium by volume.
- 1.16 City tree species to be Amur maackia along East 15th Avenue and Eucommia ulmoides on Fraser Street and Kingsway. Show on the landscape plans. Insert note to confirm the City tree species with the Park Board at pbdevelopment.trees@vancouver.ca prior to tree planting.

Park Board

- 1.17 Minimize shadowing of Robson Park and McAuley Park by:
 - (a) Limiting net new tower shadow impact cast by the development on Robson Park to a maximum of 100 sq. m at 10:00 am, and no net new shadow impact on the park by 10:20 am on March 21st using DST, and
 - (b) Limiting new net tower shadow impact cast by the development on McAuley Park to a maximum of 350 sq m. at 10:00 am on March 21st using DST.

Note to Applicant: Refer to Urban Design condition 1.1.

Sustainability

- 1.18 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended July 25, 2023) located here: <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>.

Note to Applicant: Refer to the most recent bulletin *Green Buildings Policy for Rezoning*s – *Process and Requirements*.

Housing

- 1.19 The proposed mix, including 62 studio units (30.85%), 68 one-bedroom units (33.83%), 51 two-bedroom units (25.37%) and 20 three-bedroom units (9.95%) is to be revised in the development permit drawings to achieve at least 10% three-bedroom units and 25% two-bedroom units, separately in both the market rental and below-market portions.

Note to Applicant: Any changes in the unit mix from the rezoning application may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the market rental units and 35% of the below-market rental units, designed to be suitable for families with children, of which at least 25% must be two-bedroom units and at least 10% must be three-bedroom units, without rounding up.

- 1.20 The below-market units should be designed to the same standards of livability as the market rental units.

Note to Applicant: Clearly label the proposed below-market units and market rental units on the architectural drawings.

- 1.21 The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture appropriate in size for the scale of the project and situated to maximize sunlight access (Section 3.3.2, 3.4.3);
 - (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (Section 4.4.2);
 - (c) A multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (Section 3.7.3); and
 - (d) A balcony for each unit with 1.8 by 2.7 m minimum dimensions (Section 4.3.2).

Engineering

- 1.22 Provision of a Construction Management Plan submitted directly to Translink (MRN@translink.ca) with a copy of the correspondence provided to the City of Vancouver a minimum 8 weeks prior to the start of any construction activity.

Note to Applicant: The City of Vancouver and Translink have authority over construction works carried out on a City street that is designated as part of the Major Road Network (MRN). This development site has been identified as being adjacent the MRN, as defined under the South Coast British Columbia Transportation Authority Act (<https://www.translink.ca/plans-and-projects/projects/roads-bridges-and-goods-movement>), on one or more frontages. Potential impacts to the road network due to site specific construction activity must be reviewed and approved for all sites proposing street use outside of currently regulated zone limitations.

<https://vancouver.ca/streets-transportation/traffic-management-for-construction-and-special-events.aspx>

- 1.23 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (City of Vancouver Design Guidelines, Construction Standards and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site prior to Building Permit issuance.

Note to Applicant: 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 Occupancy

Permit issuance. Please contact Engineering Services at shoringreview@vancouver.ca for details.

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

<https://vancouver.ca/home-property-development/construction-street-use-permits.aspx#shoring-and-excavation>

- 1.24 The owner or representative is advised to contact Engineering Services at StreetUseReview@vancouver.ca to acquire the project's permissible street use after Building Permit issuance.

Note to Applicant: 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-day lead time is required for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.

<https://vancouver.ca/home-property-development/construction-street-use-permits.aspx>

- 1.25 Submission of letter prior to Development Permit issuance confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information.

Note to Applicant: Please contact the City of Vancouver Rapid Transit Office (rapidtransitoffice@vancouver.ca) for more information on impacts to access and street use for your project.

<https://vancouver.ca/streets-transportation/ubc-line-rapid-transit-study.aspx>

- 1.26 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.
- 1.27 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.28 Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation or undergrounding if vehicle access to the site cannot be relocated.

Note to Applicant: Vehicle access to the site must be unobstructed. Pole relocation or undergrounding proposals must include submitted letters from the appropriate public utility companies confirming that relocation or undergrounding is possible.

- 1.29 Highlight proposed furniture adjacent to commercial retail unit(s) and label as:

“Patio Permits are separate applications that occur after building occupancy.”

Note to Applicant: Tenants of commercial retail units require a valid business licence to apply a patio permit. Patio permit type applied for depends on whether the patio is on

private property, City property or a combination of the two. Review the links below to verify which type of permit(s) apply.

[Get a patio permit for a restaurant or cafe | City of Vancouver](#)
[Private patio permit | City of Vancouver](#)

- 1.30 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines.
- 1.31 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Draw and label container outlines. Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.

Per staff calculation, depending on collection frequency the weekly waste generation volume in the residential units may exceed the capacity of the residential waste room. Pending information on the planned collection frequency of each waste stream, staff may recommend that the developer consider either:

- (a) An increase to the size of the residential waste room and the number or capacity of containers; or
- (b) An increase in collection frequency;

Address the following:

- (c) The total area of each waste room should equate to at least 2 to 2.5 times the physical footprint of the containers; and
- (d) Number of containers for each stream to meet the capacity of each use type.

Refer to the *Garbage and Recycling Facility Storage Amenity Design Supplement* for more information. [Guidelines: Garbage and Recycling Storage Facility Design \(vancouver.ca\)](#).

- 1.32 Provision of a waste management plan at the development permit application stage, which includes:
- (a) Types of waste streams to be provided;
 - (b) Number and size of containers to be provided for each stream;
 - (c) Collection frequency for each stream; and
 - (d) Clear description of how the waste containers are to be transported to the designated staging area, including who will be responsible for transporting the bins.

- 1.33 Provision of outdoor waste or recycling bins in public open spaces on site, and a maintenance plan to maintain litter-free environment in exterior areas (e.g., sidewalks and paths).
- 1.34 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including demonstration of:
- (a) Display of the following note(s):
- (i) “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 and Major Projects and/or your Engineering, Building Site Inspector for details”;
- (ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion”;
- (iii) “The required Green Infrastructure improvements on 701 Kingsway will be as per City-issued design.”; and
- Note to Applicant: Callouts must be included along with the note. For further information, contact Green Infrastructure Implementation Branch, ESRGGIDL@vancouver.ca
- (iv) “Off-site assets are to be constructed to the satisfaction of the General Manager of Engineering Services and as per the approved City geometric design, with the final design and location to be determined once the City geometric is received.”;
- Note to Applicant: Drawings submitted as part of the Development Permit application will be preliminary with appropriate placeholders, and the final off-site geometric design will be provided by the City of Vancouver.
- (b) Existing locations of:
- (i) Street furniture; and
- (ii) Poles and guy wires;

Note to Applicant: Poles and guywires that are to be removed or relocated must be called out and the existing and proposed locations shown.

(c) Deletion of:

- (i) Street furniture encroachments from the street right-of-way;

Note to Applicant: A separate application to the City Street Furniture Coordinator is required.

- (ii) The driveway proposed on Kingsway at the southeast corner of the site;

Note to Applicant: City does not support the installation of a new driveway crossing on Kingsway that is required solely for maintenance activities that are expected to occur infrequently.

- (iii) Non-standard sidewalk treatments proposed on City property along East 15th Avenue as shown on sheet L1.01;

- (iv) Proposed pavers from the City boulevard along East 15th Avenue;

Note to Applicant: Surface treatments in hardscape areas of the boulevard and plaza are to be in standard concrete only.

- (v) Proposed curb and other encroachments from the lane; and

Note to Applicant: Surface treatment in the lane is to be standard asphalt only.

- (vi) The at-grade mechanical vent proposed within the Statutory Right-of-Way (SRW) area along Fraser Street and relocation to outside of any pedestrian SRW area;

- (d) Streetscape designed in compliance with the "Mount Pleasant" Streetscape Design Guidelines on Kingsway and the "All other City areas" on Fraser Street.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards.

- 1.35 Highlight the proposed public art in the Statutory Right-of-Way and note that:

"Public art proposals are a separate application. Please contact Public Art Staff at publicart@vancouver.ca."

- 1.36 Provision of a [Transportation Demand Management \(TDM\) Plan](#).

Note to Applicant: Amendments to the Parking Bylaw and the *Transportation Demand Management (TDM) Administrative Bulletin* were approved by Council on

November 15th, 2023. New requirements came into effect January 1st, 2024, and apply to all development permits received after this date.

- 1.37 Provision of vehicle spaces, per [Parking By-law Section 4](#) and the [Design Supplement](#), including:

(a) Provision of the first accessible space as a van accessible parking space.

Note to Applicant: Reference Sections 4.8.1 and 4.8.4 of the Parking By-law.

- 1.38 Provision of Loading spaces, per the [Parking By-law Section 5](#) and the [Design Supplement](#).

Note to Applicant: Council approved amendments to loading rates and design requirements in the Parking By-law. These requirements will apply to site development permits following this rezoning.

- 1.39 Provision of bicycle spaces, per [Parking By-law Section 6](#), including:

(a) An elevator accommodating two people with two bicycles for access to residential spaces located within the parkade. A separate bicycle call button is to be provided on all floors requiring bicycle access to allow users to call the bicycle elevator directly;

Note to Applicant: Provide doors on both ends to allow bicycles to easily roll in and out. The elevator shall be a freight style elevator with durable finishes and minimum interior dimensions of 1.7 m (5.5 ft.) x 2.0 m (6.7 ft.) and 1.1 m (3.5 ft.) wide doors. Identify use of the residential elevator for bicycle access if required.

(b) Class B bicycle spaces positioned to minimize encroachment into pedestrian SRW areas; and

(c) Minimum 0.6 m (2 ft.) x 1.8 m (6 ft.) dimensions for each Class B bicycle space.

- 1.40 Provision of passenger space(s), per [Parking By-law Section 7](#) and the [Design Supplement](#), including:

(a) Minimum 4.0 m (13.1 ft.) width for the first Class A passenger space.

- 1.41 Provision of the following general revisions to architectural plans, including:

(a) All types of parking, loading, bicycle, end-of-trip facilities, and passenger loading spaces individually numbered and labelled on the drawings;

(b) Dimension columns and column encroachments into parking spaces; and

(c) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projections and built obstructions.

- 1.42 Provision of on-site rainwater management in accordance with Building By-law requirements (Book II, Division B, Article 2.4.2.5) in effect in January 2024.

Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the Building Permit application stage. See vancouver.ca/rainwater for more information.

- 1.43 Provision of an updated Final Hydrogeological Study, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:

(a) An updated Impact Assessment which achieves the following objective:

- (i) Analysis to confirm that there are no significant risks from groundwater extraction/diversion.

- 1.44 Provision of immediate notification to the City of any changes that may be material to the City's review of the submitted final hydrogeological study (e.g., if the proposed excavation depth increases).

Note to Applicant: Email the City at groundwater@vancouver.ca.

- 1.45 Submission of the anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct the hydrogeological discharge flow monitoring prior to Building Permit issuance for excavation.

Note to Applicant: The monitoring must include daily average flow rates and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.

- 1.46 Provision of the Developer's Engineer is to submit a sewer abandonment plan that details the following:

- (a) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site; and
- (b) The abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

- 1.47 Provision of the Developer's Engineer to submit sewer design brief, calculations and/or model, and design drawings to the City Engineer prior to Building Permit issuance.

Note to Applicant: All submittals, including Issued for Construction (IFC) drawings, are required to be reviewed and accepted by the City.

- 1.48 Provision of all third-party utility services (e.g., BC Hydro, Telus, and Shaw) to be underground. BC Hydro service to the site shall be primary, and all required electrical plants to be provided within private property.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features.

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

- 1.49 A Key Plan shall be submitted by the applicant and approved by the City prior to any third-party utility drawing submissions, and third-party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:

- (a) 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/engineering-design-manual.PDF>; and
- (b) All third-party service lines to the development are to be shown on the plan (e.g., BC Hydro, Telus, and Shaw, etc.) and the applicant is to provide documented acceptance from the third-party utilities prior to submitting to the City.

Note to Applicant: It is highly recommended that the applicant submits a Key Plan to the City for review as part of the Building Permit application.

Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the City well in advanced of construction. Requests will be reviewed on a case-by-case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

<https://vancouver.ca/files/cov/Key%20Plan%20Process%20and%20Requirements.pdf>

- 1.50 Show all City supplied building grades (BGs) and entranceway design elevations (DEs) on the architectural and landscape plans, while ensuring any topographic survey used for design purposes is derived from a benchmark with elevations consistent with those denoted on the City issued building grade plan.

Note to Applicant: When providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan. Building Grade design is in the preliminary state. Finalized building grades are required prior to Development Permit application.

For more information, please contact Engineering, Streets Design Branch at building.grades@vancouver.ca or call 604-871-6373.

<https://vancouver.ca/home-property-development/building-grades-for-sidewalk-and-street-elevation.aspx>.

- 1.51 Provision of three preconstruction surveys submitted to Streets Design over a period of three months, prior to Building Permit issuance.

Note to Applicant: The proposed development is in a peat region. The surveys are to include survey data from the proposed development site to a distance of 100 m radius, in 25 m increments. Provision of further monitoring surveys during and post construction will be required as necessary. Additional surveys maybe required at or during construction as determined by the City Engineer.

Prior to and during construction activities, the existing infrastructure at and adjacent to the development site shall be monitored to ensure the functionality of the existing infrastructure meets current City standards.

For further information contact Streets.Design@vancouver.ca.

- 1.52 Provision of a \$30,000 cash security deposit prior to Building Permit issuance, for protection, relocation and/or delivery of bus stop amenities adjacent to the site.

Note to Applicant: All supply, removal and relocation of street furniture shall be by the City's street furniture contractor, and coordinated with the City of Vancouver Street Furniture Coordinator.

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, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Urban Design

- 2.1 Arrangements are to be made to the satisfaction of the Director of Planning and the Director of Legal Services for a Statutory Right of Way (SRW) for public life use over the proposed privately owned public space (POPs).

Note to Applicant: The final dimensions are to be determined through the Development Permit process but should be consistent with this Rezoning Application. Refer to Urban Design Condition 1.2(a).

Engineering

- 2.2 Provision of a statutory right-of-way (SRW) for public pedestrian use over a portion of the site, adjacent to Kingsway and Fraser Street, to achieve a 5.5 m offset distance from the back of the existing curbs to the building face. The SRW will be free of any encumbrance such as structure, stairs, planter walls, and mechanical vents at grade and is to accommodate the underground parking structure within the SRW agreement.
- 2.3 Provision of a statutory right-of-way (SRW) for public pedestrian use over an additional portion of the site at the corner of Kingsway and Fraser Street. The extents of this SRW shall be at a line drawn from a point that is 13.5 m along the property line adjacent to Fraser Street, and 8.2 m along the property line adjacent to Kingsway, both measured

from the intersection of the property lines at this corner. The SRW will be free of any encumbrance such as structure, stairs, planter walls, and mechanical vents at grade and is to accommodate the underground parking structure within the SRW agreement.

2.4 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of:

- (a) Lot 1 Block 102 District Lot 301 Plan 2466 (“Lot 1 Plan 2466”),
- (b) Lot 1 Except Portions in Explanatory Plan 16798 and Reference Plan 3452, Now Road Block 102 District Lot 301 Plan 187 (“Lot 1 Plan 187”), and
- (c) Lot 2 Except Portions in Plan 2466 and Reference Plan 1102 Block 102 District Lot 301 Plan 187 (“Lot 2 Plan 187”),

to create a single parcel and subdivision of the site to result in the dedication of the East 2 feet of Lot 2 Plan 187, the North 3 feet of Lot 1 Plan 2466 and adjacent North 3 feet of Lot 2 Plan 187 for lane purposes.

2.5 Provision of a Services Agreement to detail the on- 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 Conditions 2.6(a) and 2.6(b) the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

Note to Applicant: For general Latecomer Policy information refer to the website at <https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect>

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

Note to Applicant: Based on the confirmed Fire Underwriter’s Survey Required Fire Flows and domestic flows submitted by Binnie dated October 31, 2023, no water main upgrades are required to service the development.

The main servicing the proposed development is 300 mm. The maximum water service connection size is 300 mm.

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

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project, and to maintain acceptable sewer flow conditions, implementation of development(s) at 701 Kingsway require:

- (i) Off-site Servicing Upgrade:
 - (1) Separate 101.57 m of existing 300 mm COMB main to 675 mm STM and 300 mm SAN in East 15th Avenue from MH_400174 fronting 506 East 15th Avenue to MH_400173 fronting 460 East 15th Avenue;
 - (2) Separate 5.49 m of existing 450 mm COMB main to 675 STM and 450 mm SAN in East 15th Avenue from MH_700173 fronting 460 East 15th Avenue to MH_400178 fronting 442 East 15th Avenue;
 - (3) Separate 94.18 m of existing 450 mm COMB main to 750 mm STM and 450 mm SAN in East 15th Avenue from MH_400178 fronting 442 East 15th Avenue to MH_400179 fronting 3150 Prince Edward Street;
 - (4) Separate 5.18 m of existing 600 mm COMB main to 750 mm STM and 600 mm SAN in East 15th Avenue from MH_400179 fronting 3150 Prince Edward Street to MH_400182 at East 15th Avenue and Prince Edward Street; and
 - (5) Provide storm overflow to St. George Street combined sewer system on manhole MH_400174 fronting 506 East 15th Avenue/at East 15th Avenue and St. George Street intersection;

Note to Applicant: The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

Note to Applicant: The Sewer servicing plan for this area is under development. Developer to contact City Engineer prior to commencing design or analysis of sewer system as the upgrade requirement may be modified based on servicing plan (requirement will be approximately equivalent to the above condition).

Development to be serviced to the existing 200 mm SAN and 375 mm STM sewers in East 15th Avenue.

The City reserves the right to deliver the East 15th Avenue sewer separation upgrades as per the provisions under the Services Agreement at the applicant's cost. Prior to commencing any design work, the Applicant is to contact the Development Water Resources Management (DWRM) Branch at utilities.servicing@vancouver.ca.

These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

- (c) Provision of street improvements with appropriate transitions, along Fraser Street adjacent to the site, including:
 - (i) Minimum 1.2 m wide hardscape front boulevard;

- (ii) Minimum 4.0 m wide broom finish saw-cut concrete sidewalk;
- (iii) Broom finish saw-cut concrete sidewalk within the SRW area at the corner of the intersection with Kingsway;
- (iv) Curb and gutter, including road reconstruction as required to accommodate the new curb and gutter;

Note to Applicant: Road reconstruction on Fraser Street to meet City “Bus Routes” standards.

- (v) Minimum 75 mm depth mill and inlay, from curb to median, along the site's frontage;
- (vi) Integral concrete curb and slab at the future bus stop on Fraser Street per City standards;
- (vii) Pedestrian curb ramps at the intersection of Fraser Street and Kingsway adjacent to the site; and
- (viii) Removal of existing driveway and replacement with full-height curb, boulevard, and sidewalk;

Note to Applicant: The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards. Confirm if your site is within a Streetscape Design Guideline area and follow the applicable guidelines.

- (d) Provision of street improvements with appropriate transitions, along Kingsway adjacent to the site, including:
 - (i) Minimum 1.2 m wide hardscape front boulevard;
 - (ii) Minimum 4.0 m wide broom finish saw-cut concrete sidewalk;
 - (iii) Broom finish saw-cut concrete sidewalk within the SRW area at the corner of the intersection with Fraser Street; and
 - (iv) Removal of existing driveway and replacement with full-height curb, boulevard, and sidewalk;

Note to Applicant: The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards. Confirm if your site is within a Streetscape Design Guideline area and follow the applicable guidelines.

- (e) Provision of street improvements with appropriate transitions, along both (north and south) sides of East 15th Avenue at the intersection of Fraser Street as required to normalize the east side of the intersection, including:

- (i) Minimum 1.8 m wide front boulevards;
- (ii) Minimum 2.4 m wide broom finish saw-cut concrete sidewalks;
- (iii) Corner curb ramps; and
- (iv) Curb and gutter for geometric changes, including curb bulges, relocation of the existing catch basins, removal of the slip lane, and road reconstruction as required to accommodate the geometric changes;

Note to Applicant: The City will provide a geometric design for all these street improvements. Final design of these street improvements should also follow the upcoming *Broadway Public Realm Plan*.

- (f) Provision of street improvements with appropriate transitions, along the Lane adjacent to the site, including:

- (i) Full depth pavement reconstruction;

Note to Applicant: Lane reconstruction to meet City “Higher-Zoned Lane” standards.

- (ii) Installation of one new catch basin at the northern extent of the lane; and
- (iii) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on East 15th Avenue;

Note to Applicant: Refer to the City design guidelines and construction standards.

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

- (g) Provision of speed humps in the lane east of Fraser Street between East 15th Avenue and lane south of East 15th Avenue;
- (h) Provision of speed humps in the lane south of Fraser Street between lane east of Fraser Street and Prince Albert Street;
- (i) Provision of improvements at the intersection of Fraser Street and Kingsway including:
 - (i) Upgrades to the existing traffic signal including accessible pedestrian signals (APS);

Note to Applicant: The City will provide geometric design for this intersection.

These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

- (j) Provision Green Infrastructure improvements to the satisfaction of the General Manager of Engineering Services, including:
- (i) Installation of a bioretention curb bulge system on North and South side of the west end of 15th Avenue to treat and retain 90% of average annual rainfall from the right-of-way (RoW) to the greatest extent practical;

Note to Applicant: These improvements generally include placement of plants, growing medium, and perforated pipe sub drain connected to the sewer system.

Note to Applicant: Green Infrastructure (GI) should be used to manage rainwater from the street right-of-way as required in the [Rain City Strategy](#). The retention standard for the right-of-way is to treat and retain 90% of average annual rainfall where possible. These design standards are applied to the prescribed GI measures listed above.

For further information, contact Green Infrastructure Implementation Branch, ESRGGIDL@vancouver.ca

- (k) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting to current City standards and IESNA recommendations;
- (l) Provision of Fraser Street/East 15th Avenue entire intersection street lighting upgrade to current City standards and IESNA recommendations;
- (m) Provision of new or replacement duct banks that meets current City standard;

Note to Applicant: Duct banks are to consist of electrical, communication ducts and cables, and connect to existing electrical and communication infrastructure.

Note to Applicant: A Development and Major Projects construction coordinator will contact the Applicant in the Development Permit stage and coordinate the submission of the detailed Electrical design. The detailed Electrical design is required prior to the start of any associated electrical work and is to conform with the current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code, and the Master Municipal Construction Documents.

- (n) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights are planned to be removed;

Note to Applicant: The ducts must be connected to the existing City street lighting grid.

- (o) Provision of new electrical service cabinet/kiosk on East 15th Avenue;

Note to Applicant: The kiosk shall be fed by BC Hydro underground grid. As such, a right-of-way (ROW) space shall be provided on-site to accommodate BC Hydro pad mounted transformer.

- (p) Provision of street trees where space permits, except along Fraser Street; and

Note to Applicant: 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. Installation of Engineered Soil under new sidewalks may be required to obtain appropriate soil volumes based on site conditions.

Fraser Street has been identified as a potential bus stop location and street trees in this location will not be required.

- (q) Installation of parking regulatory signage on streets adjacent to the site.

- 2.6 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) Off-site sewer upgrades per condition 2.5(b); and
(b) Fraser Street and Kingsway intersection improvements to the existing traffic signal including APS upgrade per condition 2.5(i).

Note to Applicant: The City will provide geometric design for this intersection.

Note to Applicant: The benefiting area for these works is under review.

An administrative recovery charge will be required from the applicant to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

For general Latecomer Policy information refer to the website at <https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect>

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 a Section 219 Covenant securing all residential units as class A for-profit affordable housing, excluding Senior's Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental dwelling housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units and in accordance with the requirements set out in the *Broadway Plan*, for a term equal to the longer of 60 years and life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate-sales covenant;
- (b) A no stratification covenant;
- (c) A provision that none of the units will be rented for less than one month at a time;
- (d) That the average initial starting monthly rents by unit type for the below-market rental housing dwelling units in the project will be at least 10% below the average market rent for private rental apartment units city-wide as published by the most recent Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;
- (e) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing dwelling units will be required prior issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;
- (f) Following initial occupancy, on a change in tenancy for a below-market rental housing dwelling unit, the starting rent for such new tenancy will be at least 10% below the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;
- (g) That the applicant will verify eligibility of new tenants for the below-market rental housing dwelling units, based on the following:
 - (i) For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit;
- (h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental housing dwelling units every five (5) years after initial occupancy:
 - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit;
- (i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below-market rental housing dwelling units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below-market rental housing dwelling units, and a summary of the results of eligibility testing for these units; and

- (j) Such other terms and conditions as the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services may require in their sole discretion.

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

Public Art

- 2.8 Execute an agreement satisfactory to the Director of Legal Services and the ACCS Deputy General Manager, Arts, Culture & Tourism (ACT) 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) Consult with the Head of Public Art regarding opportunities for investment in public spaces as per the *Broadway Plan*.
 - (b) Provide development details to the satisfaction of the Head of Public Art (a checklist will be provided) confirming the selection of Option A: Art on Site, or Option B: 80% cash-in-lieu of art.

Note to Applicant: Please contact Public Art staff at publicart@vancouver.ca to discuss your application.

Environmental Services

- 2.9 The following conditions must be met prior to enactment of the rezoning:
- (a) Submit a site disclosure statement to Environmental Services;
 - (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 constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

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 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 sites 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-law and 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.

* * * * *

701 Kingsway
PROPOSED CONSEQUENTIAL BY-LAW 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:

“701 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 #] 701 Kingsway”

* * * * *

701 KINGSWAY
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

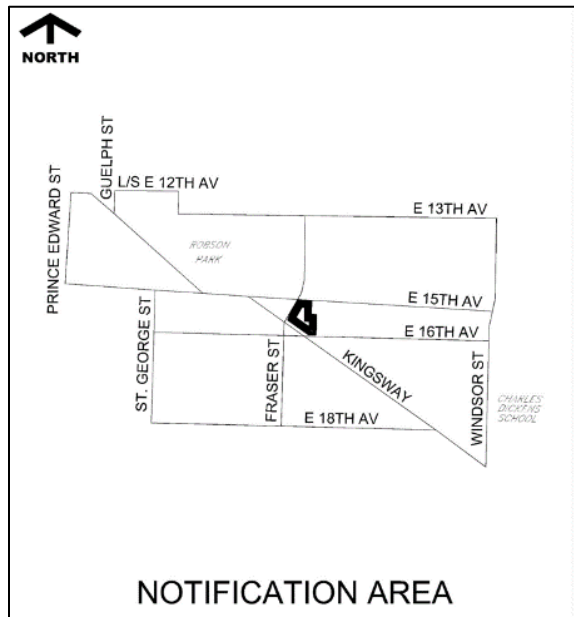
	Date	Results
Event		
Question and Answer Period (City-led)	February 7, 2024 – February 20, 2024	1,331 participants (aware)* <ul style="list-style-type: none"> • 448 informed • 244 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Q&A Period	February 5, 2024	1,352 notices mailed
Public Responses		
Online questions	February 7, 2024 – February 20, 2024	36 submittal
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	January 2024 – June 2024	369 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	January 2024 – June 2024	369 submittals <ul style="list-style-type: none"> • 171 responses • 164 responses • 34 responses
Other input	January 2024 – June 2024	5 submittal
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	January 2024 – June 2024	3,227 participants (aware)* <ul style="list-style-type: none"> • 1,032 informed • 378 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.

2. Map of Notification Area



3. Analysis of All Comments Received

Below is an analysis of all public feedback.

Generally, comments of support fell within the following areas:

- **Housing:** The proposed development would contribute to Vancouver's housing stock by adding rental housing and affordable housing.
- **Density:** The proposed density is appropriate to this neighbourhood.
- **Neighbourhood revitalization:** The neighbourhood will be impacted positively by this development.
- **Business and commerce:** The inclusion of commercial spaces is supported here. The development will enhance existing local business.
- **Location:** The development is well served by transit and sustainable modes of travel.

Generally, comments of concern fell within the following areas:

- **Height:** The height of the proposal would be too tall for an area with only low-rise and mid-rise buildings. A lower or mid-rise building would be preferred.
- **Neighbourhood character:** The building is out of character with the rest of the neighbourhood.
- **Traffic:** The development will negatively impact traffic by increasing congestion and reducing safety. The streets will need to be upgraded.

- **Parking:** There is not enough vehicle parking proposed and parking in the surrounding area will worsen.
- **Business and commerce:** There are concerns about loss of retail space and that existing commercial tenants and businesses will be displaced.
- **Shadows:** The building will block access to sunlight and shadow adjacent buildings and parks.
- **Density:** There is a lack of existing amenities and infrastructure to accommodate the proposed density.

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

General comments of support:

- This project provides public amenity space/POPS.
- The building design is attractive.
- The building form, massing, and use is appropriate.

General comments of concern:

- There are not enough existing schools and daycares in the area to support the proposed density.
- Housing costs may be unaffordable.
- The development is not close enough to transit hubs.
- The development would be better suited elsewhere: for example, the other side of Kingsway.
- The building design is poor.
- There are concerns about how the Broadway Plan is being implemented for this rezoning.

Neutral comments/suggestions/recommendations:

- Development support is contingent on reducing the building height.
- The rezoning should be approved or expedited.
- Existing tenants should be provided opportunity to stay or return at same/subsidized rent.

* * * * *

701 Kingsway
URBAN DESIGN PANEL (UDP)

1. URBAN DESIGN PANEL MINUTES

The Urban Design Panel (UDP) reviewed this application on March 27, 2024. A summary of the decision is provided below. The full meeting minutes can be found [online](#):

EVALUATION: Support with Recommendations (6/0)

Introduction: Rezoning Planner, Bryan Wong, provided an overview of the policy for this site. Development Planner, Hamed Ghasemi, then gave an overview of the urban design considerations.

- 1) The density, height, and form of development.
- 2) The public realm and its interfaces with a special interest given to the design of the courtyard and the interface of the retail program with this outdoor area.
- 3) Further placemaking strategies for the site including landscape design and architectural expression of the tower and the pavilion.

The Applicant then gave an overview of their rezoning rationale for the proposal. Staff and Applicant team then took questions from the panel.

Panel's Consensus:

Having reviewed the project, it was moved by JON STOVELL and seconded by BOB LILY and was the decision of the Urban Design Panel:

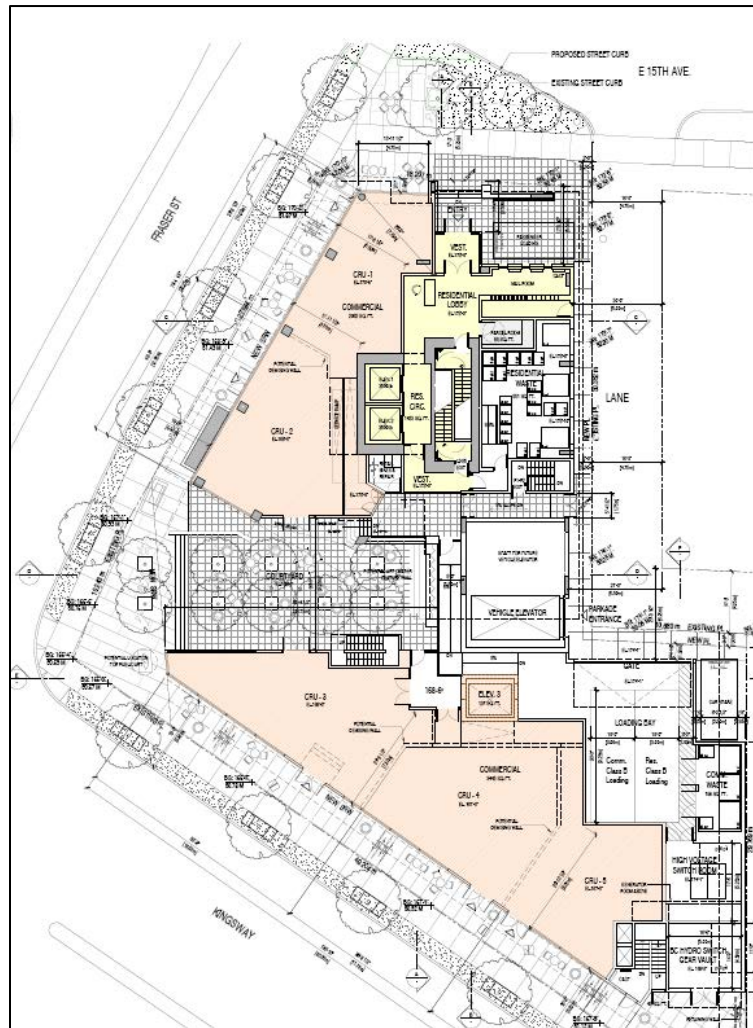
THAT the Panel Recommend Support with recommendations to the project with the following recommendations to be reviewed by City staff:

1. Consideration to improve the corner pavilion with emphasis on the waterfall elements; relocating the waterfall for the benefit of the public realm and the success of the courtyard.
2. Improvement to the vocabulary of the pavilion façade and coming up with a bold response including the material colour at the top of the pavilion.
3. Consideration to the common balcony area on every second floor.
4. Consideration to shading devices and improvements to the east and west façade with respect to sustainability, heat absorption and shading.

* * * * *

701 Kingsway
FORM OF DEVELOPMENT DRAWINGS

Ground Floor Plan



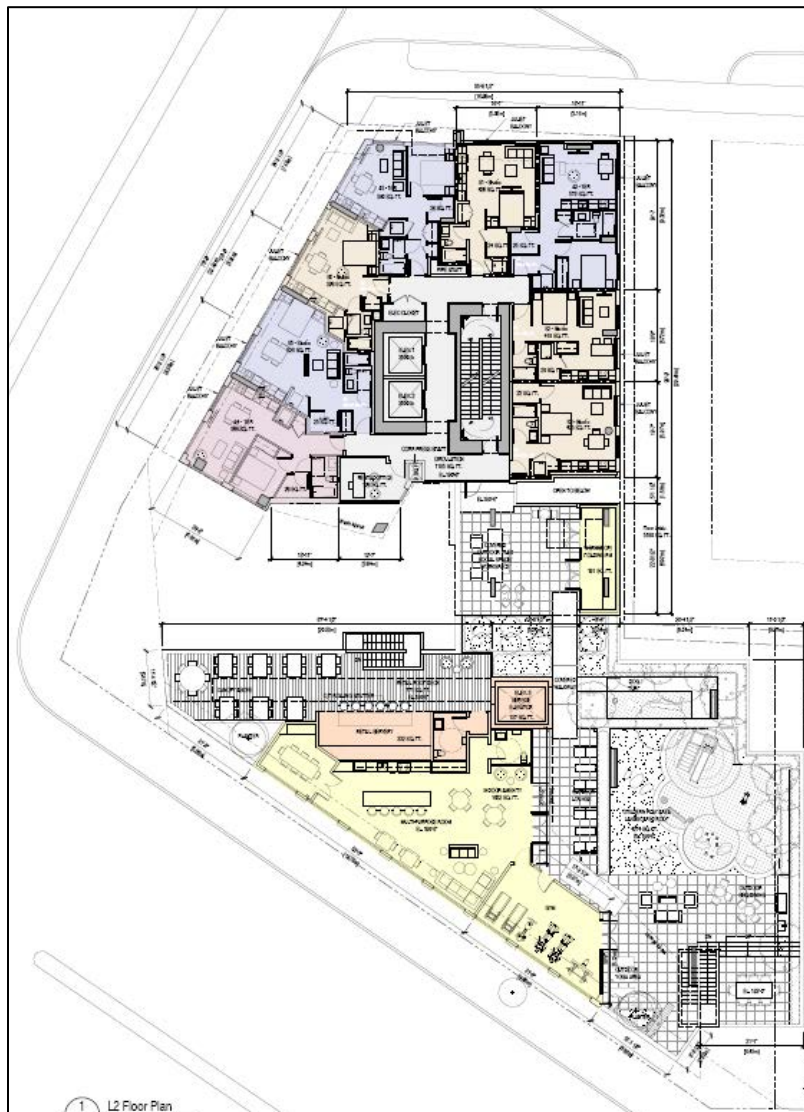
Perspective as Viewed from Fraser Street Looking South



Perspective as Viewed from Kingsway and Fraser Street Looking Northeast



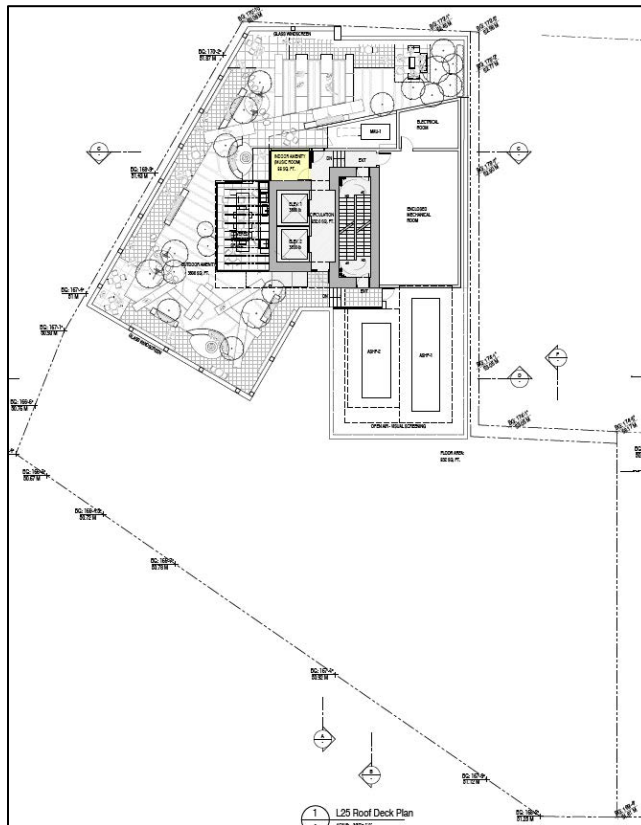
Level Two Floor Plan



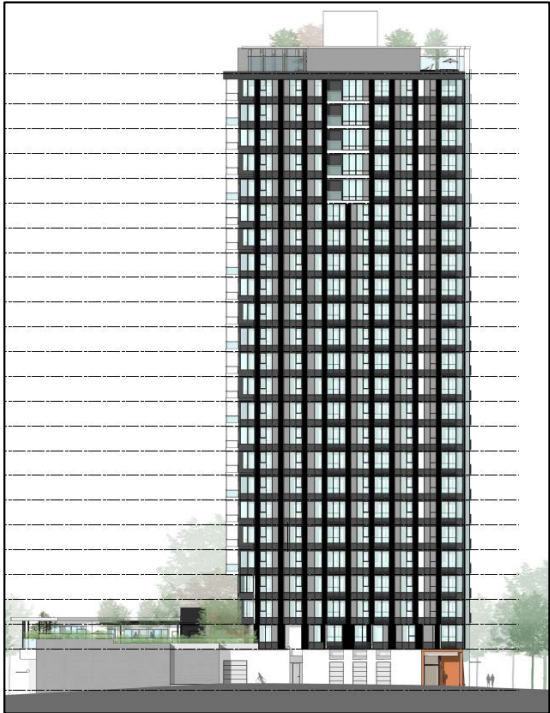
Typical Floor Plan – Tower



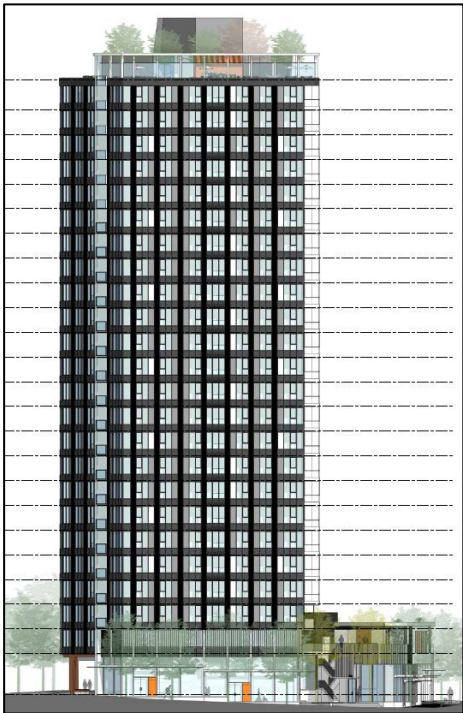
Roof Plan



East Elevation



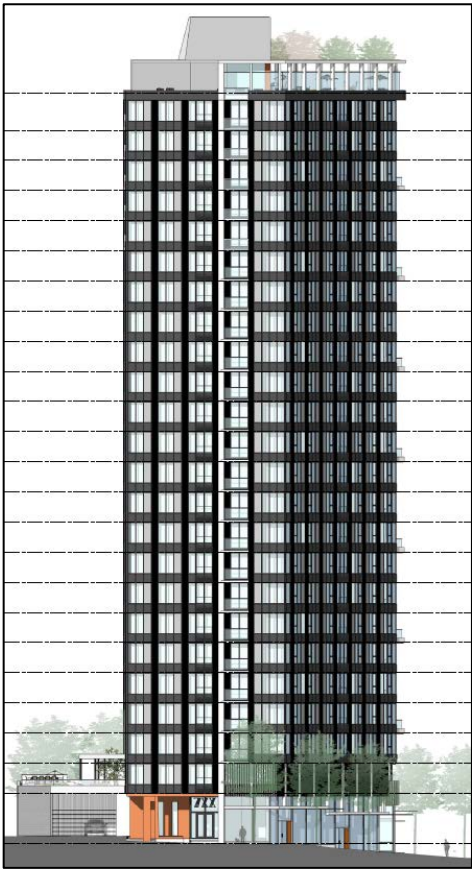
West Elevation



South Elevation



North Elevation



**701 Kingsway
PUBLIC BENEFITS SUMMARY**

Project Summary

A 24-storey mixed-use residential building containing 201 rental units, of which 20% of the residential floor area will be secured at below-market rents, and commercial space.

Public Benefit Summary:

201 rental units, of which 20% of the residential floor area will be at below-market rents, secured with a Housing Agreement for the greater of 60 years and the life of the building, a DCL payment, and a public art contribution.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area of 1,670.0 sq. m / 33,153 sq. ft.)	3.5	8.5
Buildable Floor Space	5,845.0 sq. m (62,915 sq. ft.)	14,195.0 sq. m (152,794 sq. ft.)
Land Use	Mixed-Use	Mixed-Use Residential

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL ^{1,2}	\$157,076
Utilities DCL ¹	\$2,211,912
Public Art ³	\$302,531
TOTAL	\$2,671,519

Other benefits (non-quantified): 201 rental units, of which 20% of the residential floor area would be rented at below-market rates, secured for the greater of 60 years and the life of the building.

¹ Based on by-laws in effect as of September 30, 2024; by-laws 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 more details.

² The applicant has requested a DCL waiver for the residential floor area of the proposal and will be subject to the maximum average rents by unit type for the below-market units, in accordance with the DCL By-law, as secured by an amendment to the Housing Agreement. The value of the City-wide DCL waiver on the residential floor area is approximately \$3,451,435.

³ Based on rates in effect as of 2016. Rates are subject to adjustments, see [Public Art Policy And Procedures For Rezoned Developments](#) for details.

**701 Kingsway
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Address	Property Identifiers (PIDs)	Legal Description
701 Kingsway	009-480-854	Lot 1 Block 102 District Lot 301 Plan 2466
	009-480-285	Lot 1 Except Portions in Explanatory Plan 16798 and Reference Plan 3452, Now Road Block 102 District Lot 301 Plan 187
	009-480-331	Lot 2 Except Portions in Plan 2466 and Reference Plan 1102 Block 102 District Lot 301 Plan 187

Applicant Information

Architect	RWA Group Architecture
Developer	Qualex-Landmark Living Inc.
Registered Owner	Qualex-Landmark Fraser Holdings Inc.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	C-2	CD-1
Site Area	1,670.0 sq. m (17,976 sq. ft.)	1,670.0 sq. m (17,976 sq. ft.)
Land Use	Mixed-Use	Mixed-Use Residential
Maximum Density	3.5 FSR	8.5 FSR
Floor Area	5,845.0 sq. m (62,915 sq. ft.)	14,195.0 sq. m (152,794 sq. ft.)
Maximum Height	22.0 m (72 ft.)	84.6 m (278 ft.) to the top of the roof parapet and 90.7 m (298 ft.) to the top of the rooftop amenity space and mechanical appurtenances
Parking, Loading and Bicycle Spaces	Per Parking By-law	Vehicle Parking 61 Bicycle Parking 386 Loading Spaces 3 To be confirmed at development permit stage
Natural Assets	1 existing on-site By-law trees and 2 City trees	0 City trees to be retained 1 on-site and 2 off-site trees to be removed 64 new on- and off-site trees To be confirmed at development permit stage

* * * * *