

September 10, 2013

Dear Sir and/or Madam:

**RE: 2220 Kingsway (at Gladstone Street)
Development Application Number DE416814**

Please refer to my post card of June 25, 2013, regarding the application from Henriquez Partners Architects to develop this site with three 14-storey towers with 4 and 5 storey low-rise portions over a commercial podium and 1-storey townhomes.

As an interested party, you are advised that this application has been approved by the Director of Planning, subject to a number of conditions. A Development Permit will be issued, once the applicant has fully satisfied all of these conditions. For your information, attached is a copy of our letter outlining the conditions to be met.

If you have any questions or require additional details on any of the information contained in this correspondence, please contact me at 604.871.6702 during normal business hours.

Yours truly,



Michelle Au
Project Facilitator
michelle.au@vancouver.ca
Phone: 604.871.6702

MA/aok

Attachment

September 9, 2013

Mr. Gregory Henriquez
Henriquez Partners Architects
402 West Pender Street
Vancouver, BC
V6B 1T6

Dear Mr. Henriquez:

**RE: 2220 Kingsway
Development Application Number DE416814**

On behalf of the Director of Planning, your application has been approved to develop this site with three 14-storey buildings and a five storey building containing 410 residential dwelling units, over a commercial podium consisting of Retail Store(s) and Grocery Store all over three levels of underground parking having vehicular access from the lane.

A permit may be issued upon the completion of the revisions and conditions noted below under items 1.0 to 2.15 of this "prior-to permit issuance" letter.

IMPORTANT!!! HOW TO SUBMIT YOUR REVISIONS

Arrange a meeting by calling at least two days in advance of your drawings being ready for submission. Partial submissions will not be accepted. You may contact Michelle Au at 604.871.6702, 8:30 a.m. to 5:00 p.m., Monday to Friday. Please do not mail, drop-off or courier your response because this will delay the processing of your application. The purpose of the meeting will be to complete a preliminary review of your submission which must include your revised drawings and a written explanation describing how you have addressed each of the conditions.

- 1.0 Prior to the issuance of the Development Permit, five (5) sets of revised drawings shall be submitted, to the satisfaction of the Director of Planning, clearly indicating:

Urban Design and Development Planning Centre Conditions:

- 1.1 significant design development to the public green space located on the southwest corner to increase the amount of outdoor floor area that can be occupied and used by the public;

(Note to Applicant: Since a significant portion of this area has been relegated to private patio use by the proposed restaurant, the remainder of this space should maximize use by the public. The following design considerations are suggested:

- a. Converting the triangular-shaped portion at the extreme southwest corner of the property from soft landscaped groundcover to a more flexible space that is primarily paved;
 - b. A portion of the resulting area may be used to expand the tai-chi area;
 - c. The proposed fruit trees may be rearranged and cultivated to also perform as shading trees over a publicly-used area;
 - d. A redesign of the proposed exhaust shafts to incorporate public seating opportunities to replace the proposed northeast-facing band of public seating, (also see Engineering Condition 1.23);
 - e. Providing a cluster of 2 or 3 chess tables with appropriate seating would result in a greater potential for public space animation;
- 1.2 provision of continuous weather protection over the public realm against the Kingsway frontage, extending over the sidewalk a minimum depth of 8 feet from the front face of the building;

(Note to Applicant: The general design of the proposed glass and metal canopy is acceptable but will require some redesign to meet the design criteria of this condition.)

- 1.3 design development to incorporate an 18" high architectural concrete upstand with the proposed bollard lighting, where the planted boulevard is replaced by the curb cutback, for added pedestrian comfort against occasional truck manoeuvring;

(Note to Applicant: An alternative material may be used provided that it is of a very durable material and construction.)

- 1.4 design development to provide a minimum of one exhaust shaft for each proposed commercial retail unit to address the possible future needs for kitchen exhaust conveyance to above the roof of the podium level;
- 1.5 large-scaled detail drawings of the proposed bench seating that is integrated with the shopfront design along Kingsway;

Crime Prevention through Ergonomic Design (CPTED) Conditions:

- 1.6 further design development to all elevated exhausts from the underground parking garage on the ground plane to:
- a. Discourage activities such as sleeping upon the grates;

- b. Incorporate public seating and edge landscaping off the projecting side walls.
- 1.7 increase the amount of casual surveillance opportunities onto the commercial lane/pedestrian mews by the following:
- a. Maximizing the amount of glazing along the lane-facing wall from the residential lobby of the northeast tower, including the wall adjacent the proposed car-share space;
 - b. Introduction of lane-facing windows from the bedroom and den of the southeast townhouse dwelling unit.
- 1.8 consideration to further supplement the bollard lighting in the commercial lane/pedestrian mews to create a more inviting and visible space during nighttime hours;

Processing Centre - Development Conditions:

- 1.9 compliance with Horizontal Angle of Daylight, of the Draft CD-1 By-law of the Zoning and Development By-law;

(Note to Applicant: There are habitable rooms throughout the towers that do not meet this regulation. Also show that remaining rooms do meet this regulation on plan.)

- 1.10 compliance with Sections 4.8.1 and 4.8.4 - Disability Spaces, of the Parking By-law, to the satisfaction of the General Manager of Engineering Services;

(Note to Applicant: A total of 15 disability spaces for the residential parking area and three disability spaces for the commercial parking area are required.)

- 1.11 confirmation that the "Mechanical Compounds" on the roof are OPEN and not enclosed;

(Note to Applicant: If enclosed these areas will be counted in Floor Space.)

- 1.12 renaming the "CRU" on main floor to an approved use in the CD-1 by-law;

- 1.13 revision to the statistics table to include updated information;

(Note to Applicant: Please see Project Coordinator for more information regarding this condition.)

- 1.14 provision of a minimum of 5.7 m³ (200 cu. ft.) of useable storage space for each dwelling;

(Note to Applicant: This space is for the storage of bulky items, [e.g., winter tires, ski and barbecue equipment, excess furniture, etc.] The storage area[s] may be below grade with individual lockers in a common space; Laundry facilities should not be located inside such storage areas. Refer to Bulk Storage - Residential Development bulletin for more information.)

- 1.15 provision of existing and finished grades at corners of building on elevation plans;
- 1.16 confirmation that at least 20 percent of all off-street parking spaces will be available for charging of electric vehicles;

(Note to Applicant: Although this is a Building By-law requirement under Part 13 of the Vancouver Building By-law, the Director of Planning is seeking acknowledgement that this condition can be met during the Building review of this development. For more information, refer to the website link: <http://vancouver.ca/sustainability/EVcharging.htm>)

- 1.17 written confirmation shall be submitted by the applicant that:
- the acoustical measures will be incorporated into the final design and construction, based on the consultant's recommendations;
 - adequate and effective acoustic separation will be provided between the commercial and residential portions of the building; and
 - mechanical (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact on the neighbourhood and to comply with Noise By-law #6555;
- 1.18 deletion of all references to the proposed signage, or notation on plans confirming that: "All signage is shown for reference only and is not approved under this Development Permit. Signage is regulated by the Sign By-law and requires separate approvals. The owner assumes responsibility to achieve compliance with the Sign By-law and to obtain the required sign permits.";

(Note to Applicant: The Sign By-law Coordinator should be contacted at 604.871.6714 for further information.)

Landscape Review Conditions:

- 1.19 design development to the vents along Gladstone and East 30th Avenue to increase the pedestrian interest and function;

(Note to Applicant: Where the vents are adjacent a walkway or common area, they should have secondary function such as edge seating and decorative grates and surface materials. Grates may have an artistic pattern or texture related to the site or neighborhood character themes. Details should be provided.)

- 1.20 provision of large scale, detailed plan and sections through the plaza at the south west corner;

(Note to Applicant: A large scale plan should indicate elevations and materials for all walkways, retaining walls, raised vents, raised surfaces and common areas. Sections should demonstrate a highly functional, pedestrian friendly space. Detailed elevations of the childcare play equipment and related plaza furniture should also be provided.)

- 1.21 provision of a detailed cross section and planting specification for street tree planting;

(Note to Applicant: To satisfy long term planning objectives for healthy street trees, soil and growing conditions should be optimised. Each street tree should be provided with a minimum of 1000 cubic feet of continuous soil. Further coordination with Engineering Services will be needed for public realm design details, and the Park Board for supervision at the installation phase.)

Engineering Services Conditions:

- 1.22 modifications to the pedestrian connection through the plaza at the southwest corner of the site to connect with the sidewalk on the west side of Gladstone;

(Note to Applicant: A detailed geometric design for the new separated bicycle facility on Gladstone showing the pedestrian connection will be provided by the City. For more information contact Dave Kim at 604.871.6279.)

- 1.23 deletion of the proposed "patio plan" area furnished with patio tables hugging the entire length of building face within the required SRW for expanded sidewalk use adjacent to Kingsway (A0.02);

- 1.24 deletion of the pylon/blade sign proposed inside the north property line (w/o the lane) within the required SRW for expanded sidewalk use (A1.04, Elev.- A3.04);

- 1.25 deletion of the wall or linear seating shown encroaching over the south property line at the park in the SW corner of the site (A0.02);

- 1.26 compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services;

(Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- provision of an improved plan showing the maneuvering for the largest truck to and from the loading bay to Kingsway;

(Note to Applicant: Additional width of the north-south lane may be required at Kingsway to accommodate semi-trailers turning south with northbound vehicles waiting at the signal.)

- provision of 6.4m stall length for the parallel carshare stall in the north-south lane;
- provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints to be able to calculate slopes and cross falls;

(Note to Applicant: Provide elevations on sections drawings.)

- provision of 9'x9' (2.7mx2.7m) corner cuts at the bottom of the main ramp to improve visibility and 2-way flow;

(Note to Applicant: Corner cuts are required at the top and bottom of ramps to provide adequate radii for continuous two-way traffic flow where 200 or more vehicles are being served.)

- provision of reflective markings to increase the visibility of the 2 large columns located within the maneuvering aisle, in front of stalls 297-308 on P2;
- provision of parking curbs for stalls 297 to 308;

(Note to Applicant: Please contact Dave Kim of the Neighbourhood parking and Transportation Branch at 604.871.6279 for more information.)

- 1.27 provision of a bicycle wheel ramp for the stairs located at gridline O-12/O-J on drawing A1.03;
- 1.28 revision to building grades reflecting the final geometric road and lane design;
- 1.29 provision of design elevations along the property line adjacent all entrances;
- 1.30 provision of standard pedestrian crossings of Kingsway at Gladstone and the Pedestrian Mews mid-block crossing;
- 1.31 provision of the location of the proposed bicycle amenities that are clearly visible and accessible from Gladstone Street;

(Note to Applicant: While the applicant has alluded to bicycle amenities in their Public Park Space Program they need to be located on the plan. Drinking fountain needs to be on city property.)

- 1.32 provision of an updated landscape plan to reflect the provision of the Norquay Public realm and Transportation Improvement plan and final geometric design as follows and submit a copy of the landscape plan directly to Engineering Services for review:

- Reduce width of rear boulevard on 30th Avenue and Gladstone to 0.5m;

(Note to Applicant: Increase sidewalk width and adjust plantings accordingly.)

- Locate fruit trees proposed in the sidewalk plaza such that they won't interfere with the functioning of the primary sidewalks (ie - fruit dropping and low branches at pedestrian level);
- Delete note referring to bulge planting at the southwest corner of Kingsway and Gladstone;
- Offsite planting of the proposed yew hedge, located on the 300mm wide strip of the neighbor's property between the sidewalk and the neighboring building to the east, although supportable by staff, is subject to a letter of consent from neighboring property owner;

- Provision of a 300mm wide lawn strip between landscape on back boulevards and the sidewalk;

(Note to Applicant: Back boulevards that are adjacent to and an extension of landscape on private property could be landscaped and maintained by the property owner without an agreement.)
- All City outside boulevards, including those in the lane should be 'lawn' instead of 'low shrubs' as indicated for City landscape maintenance purposes;

(Note to Applicant: Alternatively, a Landscape Encroachment Agreement can be considered for maintenance of these low shrubs by owners.)
- Provision of adequate space at the southwest corner of the site to provide adequate room for a sidewalk curb ramp (this may require set back of the parking vent), please refer to the Street Restoration Manual (SRM) for design details;

High Density Housing for Families with Children Guidelines conditions:

- 1.33 design development to the proposed L2 amenity room washrooms to add a baby change table;
- 1.34 clarification of plans and/or design development to ensure the swimming area is designed to be secure, preventing children from accessing it without adult supervision;
- 1.35 design development to the children's play area on Level 2, to substitute all or some of the play equipment with natural landscape/play features which encourage creative play and motor skills development;

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

Urban Agriculture Guidelines Condition:

- 1.36 design development to include the infrastructure necessary to support urban agricultural activity by residents, including, accessible garden plots, tool storage, a potting bench, a compost bin for yard waste, and clarification of hosebib locations;

2.0 Conditions to be met prior to the issuance of the Development Permit:

Processing Centre - Development Conditions:

- 2.1 the pending CD-1 By-law can and does become enacted by City Council;

- 2.2 the proposed form of development can and does become approved by City Council;
- 2.3 an Acoustical Consultant's Report shall be submitted which assesses noise impacts on the site and recommends noise mitigation measures in order to achieve noise criteria.
- 2.4 a Letter of Assurance that the required number of ginkgo trees will be available for planting during the late construction phase for this project.

(Note to Applicant: Staff have recently been informed that the supply of Ginkgo trees is currently low amongst local nurseries. Pre-ordering these street trees is recommended.)

Engineering Services conditions:

- 2.5 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the dedication for lane purposes of the east 7 feet of the site adjacent to the existing city lane, and the east 27 feet of the site north of this lane to form an ultimate 27' uniform width dedicated lane running between Kingsway and East 30th Avenue;

(Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required to effect the dedication.)

- 2.6 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for a 3 foot wide surface Statutory Right of Way for lane purposes adjacent to the required lane dedication;

(Note to Applicant: The parkade structure will be located below this 3 foot wide SRW area.)

- 2.7 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement & Indemnity Agreement 303395M (crossing agreement) prior to building occupancy;

(Note to Applicant: Arrangements are to be secured prior to issuance of the development permit, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition at the DP stage.)

- 2.8 Make arrangements to the satisfaction of the General Manager of Engineering Services, Director of Planning and the Director of Legal Services for one or more surface statutory rights of way for public pedestrian access over:

- a. the Kingsway portion of the site from the north property line to the north building face,
- b. the plaza at the northwest corner of the site,
- c. the open space at the southwest corner of the site.

- 2.9 Arrangements to the satisfaction of the General Manager of Engineering Services and the director of Legal services for any speciality treatments in the lane.

(Note to Applicant: This should include all elements including landscape, trees, lighting, concrete paving, special stone inlay, ornamental drains etc.)

- 2.10 Arrangements to the satisfaction of the General Manager of Engineering Services for the approval and construction of geometric changes around the site;

(Note to Applicant: This includes changes to Kingsway, Gladstone, 30th Avenue and the new north-south lane, east of Gladstone. Provide a geometric design for the new north-south lane to the City for approval. Update site and landscape plans to reflect final geometric design. For more information contact Dave Kim at 604.871.6279.)

- 2.11 Provision of a Sustainable Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site;

- 2.12 Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex;

(Note to Applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.)

Environmental Protection Conditions:

- 2.13 Arrangements for a release from the Ministry of Environment for demolition, zoning, subdivision and development permit applications;

- 2.14 Arrangements that the property owner shall, as required by the Manager of the Environmental Contamination Team 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.

- 2.15 Arrangements to the satisfaction of the Environmental Protection team that the property owner will enter into a remediation agreement for the remediation of the site and any contaminants which have migrated there from on terms and conditions satisfactory to the Manager of the Environmental Contamination Team, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this development, until a Certificate of Compliance(s) or such other instrument, determination or approval satisfactory to the City has been issued by the Ministry of Environment ("MoE") which confirms that the on-site and off-site contamination, has been

remediated to levels or standards acceptable to the MoE for the on-site and acceptable to the MoE and the City for the off-site contamination.

3.0 Conditions of the Development Permit:

3.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

3.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

(Note to Applicant: In cases where it is not practical, due to adverse weather conditions or other mitigating factors, to complete the landscaping prior to occupancy of a building, the City will accept an Irrevocable Letter of Credit [amount to be determined by the City] as a guarantee for completion of the work by an agreed upon date.)

3.3 In accordance with Protection of Trees By-law Number 9958, the removal and replacement of trees is permitted only as indicated on the approved Development Permit drawings.

3.4 The site shall be maintained in a neat and tidy condition.

3.5 Amenity areas/common residential storage spaces excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or commercial tenants of the building;

AND

Further, the amenity spaces and facilities approved as part of this Development Permit shall be provided and thereafter be permanently maintained for use by residents/users/tenants of this building complex.

3.6 No enclosure of balconies is permissible for the life of the building.

3.7 All approved street trees shall be planted in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

3.8 Waste Discharge Permit is required for any dewatering on the site.

- 3.9 A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work.
- 3.10 Environmental Reports must be submitted to the Environmental Protection branch prior to the issuance of the occupancy permit.
- 3.11 A Certificate of Compliance or Final Determination from the Ministry of Environment prior to issuance of the occupancy permit.
- 3.12 If the development is phased and construction is interrupted, the project will require an amendment, to the satisfaction of the Director of Planning, to address how the incomplete portions of the development will be treated.
- 3.13 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604.675.3800 or visit their offices located on the 12th floor of 601 West Broadway. Should compliance with the Health Acts necessitate changes to this permit and/or approved plans the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.

4.0 Notes to Applicant:

- 4.1 It should be noted that your Development Permit will be issued when you have complied with all the above conditions. However, if these conditions have not been complied with on, or before February 28, 2014, this Development Application may stand refused.
- 4.2 A new Development Application will be required for any significant changes. This approval is subject to any change in the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the by-law or regulations can be issued.
- 4.3 If this Development Application included a written notification of neighbouring property owners or other interested parties, a copy of this letter will be sent to all respondents advising them of the decision.
- 4.4 Prior to the Issuance of the Building Permit:
 - i. A draft of the supermarket tenant agreement that includes sufficient and satisfactory clauses to ensure waste heat recovery from the supermarkets refrigeration system will be pursued, must be submitted and approved by the General Manager of Engineering Services prior to issuance of building permit.
 - ii. Detailed mechanical and HVAC design must be submitted and approved by the General Manager of Engineering Services prior to issuance of building permit.

- 4.5 Please note that additional addresses will be required prior to issuance of the Building Permit. Unit numbers to be assigned for example 2nd storey (200 series), 3rd storey (300 series) etc. Floor layout plan including addressing and unit numbers to be submitted prior to Building Permit issuance and shown on drawings submitted with Building Permit application. For information please contact Bonnie Lee at 604.873.7986.
- 4.6 Erosion Sediment Control Plan is required at the Building application stage for Environmental Protection Branch's review and acceptance.
- 4.7 Any dedications required by Engineering will require the land to be provided to City standards.
- 4.8 The Canadian Electrical Code regulates high voltage overhead conductor clearances from structures and dielectric liquid-filled transformer clearances from combustible building surfaces, doors, windows and ventilation openings. All structures must have a horizontal distance of at least 3 m from existing BC Hydro high voltage overhead conductors. Combustible building surfaces, windows, doors and ventilation openings must be located at least 6 m from dielectric liquid-filled, pole-mounted BC Hydro transformers, unless an acceptable non-combustible barrier is constructed between these transformers and combustible building surfaces, doors, windows or ventilation openings.

If the building design cannot meet these requirements, modifications must be made. If you wish to discuss design options, please contact Electrical Inspections at 604.871.6401.

- 4.9 This site will be affected by a Development Cost Levy By-law. Levies will be required to be paid prior to issuance of Building Permits. For more information, please refer to the Development Cost Levies Information Bulletin, available at the Planning Department Reception Counter, or online at vancouver.ca/financegrowth.

Yours truly,



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Project Coordinator
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JB/cgl

cc: Central Property File
Paul Cheng, Development Planner
Lee Beaulieu, Landscape Development Specialist
Linda Kwan, Environmental Protection Group
Daniel Naundorf, Social Infrastructure Group
Terry Wilson, Engineering Services
Derek Pope, Engineering - NEU
Michelle Au, Project Facilitator