
138 E 8th Ave (COMPLETE APPLICATION)
DP-2017-00695- C-3A

JO/MC/LK/KI

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
C. Joseph, Engineering Services

Also Present:

J. Olinek, Urban Design & Development Planning
L. King, Development Services
K. Imani, Development Services
M. Cheng, Development Services

APPLICANT:

Saadat Enterprises Inc.
211- 828 Harbourside Drive
North Vancouver, BC
V7P 3R0

PROPERTY OWNER:

1071073 BC LTD
4445 10TH AVE W
VANCOUVER BC V6R 2H8

EXECUTIVE SUMMARY

- **Proposal:** To develop a six storey mixed-use building with retail on the ground floor and 18 dwelling units on levels 2 to 6 with 2 levels of underground parking accessed from the lane via a car elevator and requesting an increase in the Floor Space Ratio using a Heritage Density Transfer from a donor site at 12 Water Street (providing 1,683 sq. ft.).

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Building Review Branch comments

Appendix D Plans and Elevations

Appendix E Applicant's Design Rationale

● **Issues:**

1. Liveability of dwelling units - lightwell design and outdoor open space
2. Proposed height beyond suggested guidelines
3. Ground floor layout
4. Public Realm interface
5. Architectural character in an established context

- **Urban Design Panel: SUPPORT with Recommendations**
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DP-2017-00695 submitted, the plans and information forming a part thereof, thereby permitting the development of a six storey mixed-use building with retail on the ground floor and 18 market units on levels 2 to 6 with 2 levels of underground parking accessed from the lane via a car elevator and also requesting an increase in the Floor Space Ratio using a Heritage Density Transfer from a donor site at 12 Water Street (providing 1,683 sq. ft.), subject to the following conditions:

1.0 Prior to submission of a complete application and a final decision, the applicant is to carry out the following;

- 1.1 design development to improve access to natural light and views for the habitable rooms of dwelling units facing into the lightwell;

Note to Applicant: The intent is to ensure a high degree of liveability for dwelling units. The clear depth of the lightwell should be 4.6 m, measured to the property line, and have an approximate height to width ratio of 1.5:1.0. The stairwell should encroach into the lightwell no more than 2.7 m, as measured from building face to property line. Provide visually interesting near views with accomplished strategies such as intrinsically high-quality materials, patterns, green walls and planters.

- 1.2 design development of the ground floor of the building to improve circulation, function, spatial relationships, and public realm interface;

Note to Applicant: Revisions are recommended in five general areas:

- a) Provision of handicap accessible routes to all spaces on the ground floor. Refer to Appendix C - Building Comments;
- b) Provision of a more gracious residential entry vestibule and lobby;
- c) Provision of well-functioning commercial retail space that is a minimum 10.7 m (35ft) deep with independent access to loading, garbage, and recycling, without intervention of stairways;
- d) Provision of a large, more gracious indoor and outdoor amenity space. Opportunities for a larger children's play area are encouraged; and
- e) Locating the Class 'A' Bicycle Storage in a less conspicuous location and more easily accessed from the exterior;

- 1.3 design development to improve useable private outdoor open space for all dwelling units;

Note to Applicant: This can be achieved by providing 1.8 m (6 ft.) deep balconies with a minimum area of 4.6 m² (50 sq ft). Reductions to this depth may be considered by demonstrating the ability to provide useable outdoor open space accommodating elements such as table and seating for two. This may include detailed plan and section drawings demonstrating layout, sill details, and purposefully designed interior/exterior floor finishes.

- 1.4 design development to enhance the lane interface to maximize pedestrian interest with the following strategies:

- a) laneway lighting on the building face that responds to the Mount Pleasant Community Plan objectives for low level lighting to foster a sense of security and illumination of special places and features;

- b) additional depth at the outdoor residential entrance path to accommodate café seating;
- c) explore opportunities for residential amenity space to open visually, if not physically onto the lane;
- d) consideration to incorporate public art such as accommodating murals into the façade;
- e) consideration to provide an operable window wall system for the commercial space that faces east to the lane; and
- f) consideration to provide larger, more gracious class 'B' bicycle storage (see Standard Condition A.2.3);

- 1.5 provision of continuous weather protection running the length of the entire north frontage;

Note to Applicant: Refer to Standard Engineering Condition A.2.7 with respect to encroachment agreements and demountability. The recommended height to depth ratio for weather protection canopies is 10(ht) to 7(d).

- 1.6 design development to reinforce the streetwall and context; and

Note to Applicant: The intent is to reflect the neighbourhood character by referencing adjacent architectural expression including the two-storey Crosbie Block across the lane. This may be achieved with relief and shadow lines or cornices on the front façade as well as with variations in colour or materials.

- 1.7 provision of exterior details as necessary to sufficiently understand and evaluate the proposed architectural expression including: connection joints between modular units, canopies, flush sills at operable window walls, trellises, guard rails, fascias, parapets, trims and other typical envelope details.

Note to Applicant: The intent is to ensure the provision of high-quality materials and construction. Details should generally be in section, at a large scale such as 1:20 and include notes and dimensions. Wire glass is not considered a high quality material at the public realm interface. This condition may result in additional conditions.

- 2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.

- 3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

• **Technical Analysis (C-3A District Schedule):**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size			46.00 ft. x 122.00 ft.
Site Area			5,610 sq. ft.
Floor Area ¹	Outright: 5,610 sq.ft. Conditional: 16,830 sq.ft. 10% H.D.T.: 18,513 sq.ft.		Commercial 1,027 sq.ft. Residential 17,746 sq.ft. Total 18,773 sq.ft.
FSR ¹	Outright: 1.0 Conditional: 3.0 10% H.D.T.: 3.3		Commercial 0.18 Residential 3.16 Total 3.34
Balconies	1,420 sq.ft.		Open 588 sq.ft.
Amenity	3,702 sq.ft.		606 sq.ft.
Height ²	Outright: 30.18 ft. Conditional: Discretionary to D.P.B.		Top of Parapet 73.80 ft. Top of Elevator 74.90 ft.
Rear Yard ³		10.17 ft. 24.93 ft. (Res. Portion)	0 ft. 25.00 ft.
Parking	Non-Res. 2 Small Car (25% max.) 5	Non-Res. 1 Residential 18 Total 19 Disability (Res.) 1	Non-Res. Total: 1 Residential: Standard 19 Small Car 1 Disability 1 Residential Total 21 Total (Res+Non-Res.) 22 Spaces
Bicycle Parking		Class A Class B Non-Res. 0 0 Residential 23 0 Total 23 0	Class A Class B Non-Res. 0 0 Residential 23 6 Total 23 6
Loading		Class B Non-Res. 0	Class B Non-Res. 0
Uses			- Dwelling Units in Conjunction - Retail Store
Unit Type			One-bedroom 4 Two-bedroom 14 Total 18

¹ **Note on Floor Area/FSR:** As per Section 4.7.1- Floor Space Ratio of the C-3A District Schedule, the Development Permit Board may permit an increase to the maximum floor space ratio to any figure up to and including 3.00. Under Section 4.7.5 an additional 10 percent heritage density transfer [noted as H.D.T. in Technical Table above - maximum 3.3 FSR or 18,513 sq. ft.] may be considered by the Development Permit Board. See discussion on Pages 7-9. Standard Condition A.1.7 seeks compliance (a reduction of 260 sq. ft.) with Section 4.7 - Floor Space Ratio of the C-3A District Schedule of the Zoning and Development Bylaw.

² **Note on Height:** The height of the building is above the maximum permitted in the C-3A District Schedule. The Development Permit Board may permit an increase in the maximum height of a building with respect to any development as per Section 4.3.2 of the C-3A District Schedule. The top of parapet is considered to be the overall height of the building. This development proposal is constrained by a sloping, small sized site (crossfall

of 4.29 ft.). The proposed building height of 73.8 ft. to top-of-roof-top parapet, at worst amount, is attributed to the construction system being proposed. The modular pre-fabricated system requires two foot floor to ceiling depths. Combined with nine foot ceilings the resulting floor to floor heights are eleven feet. Staff also confirms that the proposed additional height is sought for the northwest corner only which is furthest away in proximity to the historic Lee Building at the northwest corner of Main Street and Broadway. The 70 ft. height consideration in the design guidelines is intended to respect the height of the Lee Building. Staff support the height as indicated.

- ³ **Note on Rear Yard:** Standard Condition A.1.8 seeks compliance with Section 4.6 - Rear Yard and Setback of the C-3A District Schedule of the Zoning and Development Bylaw.

• **Legal Description**

Lot: 5
 Block: 51
 District Lot: 200A
 Plan: 197

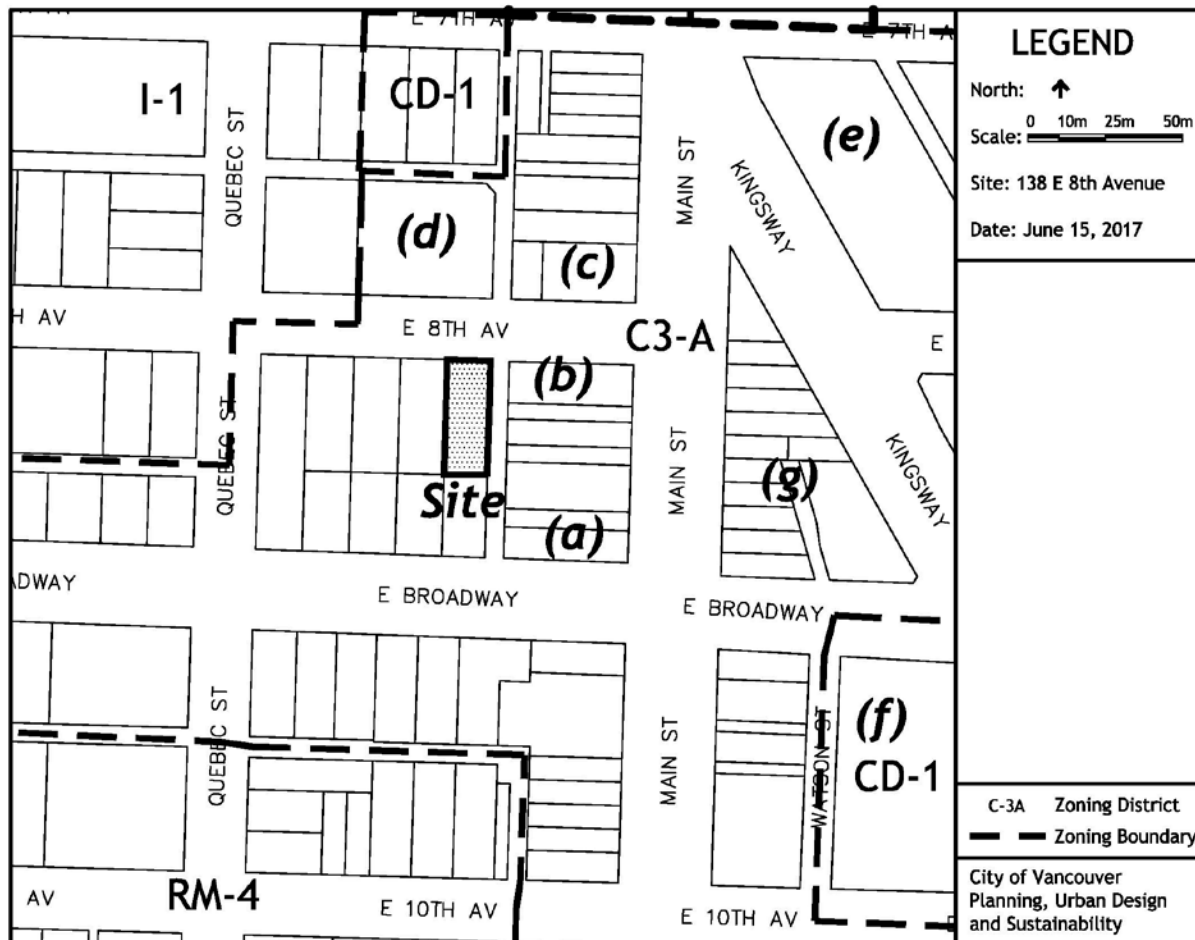
• **History of Application:**

17 07 29 Complete DE submitted
 17 08 09 Urban Design Panel
 17 09 20 Development Permit Staff Committee
 18 02 21 Development Permit Staff Committee

• **Site:** The site is located at 138 E 8th Avenue, 1 block north of Broadway and a ½ block west of Main Street. This development proposal is constrained by a sloping, small sized site (crossfall of 4.29 ft).

• **Context:** Significant adjacent development includes:

- (a) 175 E Broadway - The Lee Building at 7 storeys, Heritage B
- (b) 156 E 8th Ave. - The Crosbie Block at 2 storeys, Heritage B
- (c) 2345 Main St. - Royal Bank at 2 storeys, Heritage B
- (d) 133 E 8th Ave. - 6 storey mixed-use building
- (e) 228 E 7th - Mount Pleasant Community Centre
- (f) 285 E 10th - The Rize Alliance site - under construction
- (g) “Heritage Triangle”



• **Background:**

A development permit was submitted on June 29, 2017 for the redevelopment of this site on East 8th Avenue under the base C-3A zoning seeking 10% heritage transfer density. The mixed-use proposal contains, at the ground level, commercial retail space, residential amenity and entry, parking entry, and related service spaces. The upper 5 storeys of market strata units include 14 two bedrooms and 4 one bedrooms. The proposal was reviewed by the Urban Design Panel on August 9, 2017.

The proposal is also in the context of the Mount Pleasant Community Plan (MPCP) approved by Council on November 18, 2010. It is located in the Historic Mount Pleasant Village. The MPCP reinforces opportunities for growth under prevailing zoning as well as more specific re-zoning opportunities for adjacent areas and specific sites. The MPCP for this sub-area specifically seeks enhancement, and strengthening, of the emerging Cultural Sub-Area immediately northwest of the central heart, or “Heritage Triangle”, and immediately north of the historic Lee Building located on the northwest corner of Main Street and Broadway.

• **Applicable By-laws and Guidelines:**

1. C-3A District Schedule
2. Central Broadway C-3A Urban Design Guidelines
3. Mount Pleasant Community Plan

• **Response to Applicable By-laws and Guidelines:**

1. C-3A District Schedule

This proposal generally complies with the by-law for permitted uses, height and density for the site considered in combination with the overall form of development. The intent of this Schedule is to provide for a wide range of goods and services, to maintain commercial activities, specialized services and some light manufacturing enterprises while preserving the character and general amenity of the area and its immediate surroundings, and to provide for dwelling uses designed compatibly with commercial uses.

Use: The proposed uses (retail or restaurant, and multiple dwelling) conform to the provisions of the C-3A District Schedule.

Density: The proposal generally complies with the conditional densities under the C-3A District Schedule. Outright density permitted is 1.0 FSR with a maximum conditional density of 3.0 FSR in accordance with Section 4.7 of the C-3A District Schedule. A transfer of heritage density up to an additional 10% of the maximum allowable density (3.3 FSR total) may be considered under Section 4.7.5 of the C-3A District Schedule. In addition to the table below, refer to Section 2 regarding the earning of conditional density. Conditional density is evaluated per the District Schedule on consideration of the following objectives:

Staff Evaluation of 4.7.1:

Objective:	Staff Response:
(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;	Staff feel in general the proposal achieves the objectives of all applicable policies and guidelines with respect to adjacent development.

(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;	Staff feel in general the height, bulk, location and overall design do not negatively impact the surrounding area and views.
(c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;	Staff are seeking improvements in the general amenity of the area in the form of modest open space at the residential entry and café per Recommended Condition 1.4.(b) noting the small lot size. Recommended Conditions 1.2 and 1.3 address staff's concerns to improve outdoor amenity and private outdoor open space respectively.
(d) the effect of the development on traffic in the area;	The small development has minimal impact on traffic.
(e) the provision for pedestrian needs; and	Improved weather protection is sought with up-front Recommended Condition 1.5.
(f) the design and livability of any dwelling uses.	Staff's concerns to improve liveability are addressed by Recommended Conditions 1.1 and 1.3.

Height: The outright height in the C-3A zone is 9.2 m (30.18 ft.). The Development Permit Board may permit increases in height to a maximum which is unspecified in the District Schedule. The Central Broadway C-3A Urban Design Guidelines provide further guidance regarding building height of 6 storeys (70 ft) to respect the height of the adjacent Lee Building on the Heritage Register. The proposed height is 73.8 ft. to the top of the parapet. Refer to Section 2 below regarding the earning of conditional height.

2. Central Broadway C-3A Urban Design Guidelines - Main Kingsway Sub-area

Use and Activity: The proposal reinforces the intent of the Urban Design Guidelines by providing active ground oriented commercial uses combined with residential uses on upper storeys. Design development is required under Recommended Condition 1.2(c) to ensure well-functioning commercial retail space.

Density: In addition to the considerations outlined in the District Schedule, the following objectives should be met to earn the maximum density:

Staff Evaluation:

Objective:	Staff Response:
<ul style="list-style-type: none"> compatible streetwall; 	Staff's concerns to improve the streetwall response are addressed by Recommended Condition 1.6.
<ul style="list-style-type: none"> the use of high-quality materials, attractive composition and thoughtful overall building massing; 	Recommended Condition 1.7 addresses provision of additional details ensuring high-quality materials and construction.
<ul style="list-style-type: none"> well-functioning local serving retail space; and 	A small commercial unit is provided at grade that may accommodate local retail space. Recommended Condition 1.2(c) addresses staff's

	concern to improve its function.
<ul style="list-style-type: none"> public realm interface and rain protection. 	Staff's concerns to improve the public realm interface are addressed by Recommended Conditions 1.4 and 1.5.

In general staff feel the Recommended Conditions in the proposal can achieve the objects for earning conditional and heritage transfer density. Staff concerns to improve dwelling unit liveability addressed by Recommended Conditions 1.1 and 1.3 respectively may impact density.

Height and Massing: The guideline for height in the Main Kingsway Sub-area is intended to respect the heights of significant older buildings at a height of six storeys (70 ft.). An additional four feet of height is being proposed to accommodate the modular construction system and higher ceiling heights. See Technical Analysis Note 2 on page 4 for additional review.

Grades in the area slope down to the north from East Broadway to East 8th Avenue by approximately two meters (6.6 ft.). The surrounding significant heritage listed older buildings include the seven storey Lee Building at Broadway and Main Street as well as the two, two storey buildings on either side of the corner of Main Street and East 8th Avenue. The newer C-3A development across East 8th Avenue is six storeys and 78 ft. The proposed additional four feet of height for this proposal is sought for the northwest corner being furthest away in proximity to the historic Lee Building. The massing of the upper storey at level six is stepped back significantly, reducing the appearance of bulk and massing and improving access to daylight in the public realm on East 8th Avenue. As a result, the proposal is not anticipated to compete with views as described below.

In terms of building height, staff feel the proposal is compatible with and sympathetic to the significant existing buildings. The additional four feet of building height should be considered to help achieve better liveability in the form of higher ceilings and to encourage innovative modular construction techniques.

Views: The street end view corridor from Main Street and 12th Avenue is defined by the Lee Building on Broadway. This proposal being sited at a lower grade, located half a block north of Broadway, and being a storey less is respectful of both the views of the Lee Building and views beyond it. Existing and future views to the Northshore Mountains and the city core from Broadway and surrounding development that are presently obscured by 133 East 8th Avenue, will not be notably impacted further by this proposal.

Liveability: An objective of the regulations and guidelines is the provision of a high level of liveability for dwelling units. Further design development is required by Recommended Conditions 1.1, 1.2 and 1.3 for lightwell proportions, views and access to daylight, useable private outdoor open space (balconies), and amenity space.

Materials and Colour: The architectural character of this established neighbourhood includes existing buildings on East 8th Avenue that have an eclectic blend of materiality including red brick, light buff sandstone, contemporary metal panels and window wall, stucco and wood lap siding. The proposal differs from the guideline encouraging the use of brick to blend with the colours and textures existing in this sub-area. The contemporary architectural approach proposed responds to contextual considerations of scale, frontage, general building form, and fenestration. Standard Condition A.1.5 addresses, as a design consideration, strategies to blend with the predominant colours and textures of adjacent heritage development. Urban Design Panel, in generally supported the contemporary architectural expression but expressed concerns for quality of details with respect to modular construction, in particular at the joints between modules. Further design development to ensure the ultimate provision of high-quality materials and construction of the exterior wall systems, including the metal panels, is addressed by Recommended Condition 1.7.

3. Mount Pleasant Community Plan (MPCP)

The MPCP recognizes the eclectic quality of Mount Pleasant. It also seeks to make the lanes the most interesting in Vancouver. The lane west of Main Street is described in the plan as having potential for short term closures to host special events, a place for community gathering, and as a public lighting zone. The lane is currently utilized for special events such as the Vancouver Mural Festival and the Livable Laneways Project. This proposal's façade treatment generally contributes to an improved lane environment as sought under the plan. However, Engineering's review notes that, due to the proposed parking access now being located off of this lane, there will be significant limits on opportunities to close the lane to host special events or act as a community gathering space. Additional design development to further contribute to the lane strategy is sought under Recommended Condition 1.4.

• **Conclusion:** The application is generally in line with the C-3A regulations and the objectives for Central Broadway C-3A Urban Design Guidelines. Staff supports the development permit application subject to the design development conditions. Concerns with respect to liveability (lightwell and balcony design) may impact the ability to achieve the full maximum permissible floor area. Staff believes the proposed form of development and contemporary architectural expression will reinforce the contextually eclectic quality of Mount Pleasant. The scale, massing, height and proportions are compatible and respectful of the nearby significant heritage buildings and views. In addition, this development proposal provides housing and commercial retail space on a challenged site.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on August 9, 2017 and provided the following comments:

EVALUATION: SUPPORT with Recommendations

Introduction: Jason Olinek, Development Planner, introduced the project as located at 138 East 8th Avenue - 1 block north of Broadway and a ½ block west of Main and is for a 6 storey 74 foot height residences with ground level commercial retail space. This is its first appearance at UDP as a Development Permit Application under C-3A zoning and is located in the Main-Kingsway sub-area as defined by the Central Broadway C-3A Urban Design Guidelines.

The intent of C-3A is to provide for a wide range of goods and services, while preserving the character of the area, and to provide for dwelling uses designed compatibly with commercial uses.

- The Main-Kingsway Sub-area has the highest number of residential units of the C-3A zone.
- Commercial character is comprised of small locally serving retail shops.
- Ground floor commercial or retail uses are required fronting the street.
- The surrounding context includes:
 - A new 6 storey residential building immediately across East 8th Avenue at 133
 - Heritage structures at 175 East Broadway, 156 East 8th Avenue, and 2345 Main Street (all are designated as 'B')
 - There is a lane located on the East side

This proposal is pursuing the increases in achievable height and floor area that the development permit board may permit including:

- an increase to height above 9.2 m (The guideline for this is to a height of 70 feet creating a street wall to match significant older buildings.)

- an increase in FSR from 1.0 up to 3.0.
- an additional increase in floor area by a maximum of 10% (up to FSR 3.3) where the increase results from a transfer of heritage density.

The evaluations of these increases are defined by the District Schedule based in part on:

- (a) the relationship of the development with any nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its effect on the surrounding buildings, streets and views;
- (c) the effects of overall design on the general amenity of the area;
- (d) the provision for pedestrian needs;
- (e) the preservation of the character for the area; AND
- (f) the design and liveability of any dwelling uses

The guidelines encourage materials to blend with the existing colours and textures of the heritage masonry buildings in this sub-area.

The lot is 46'x122' sloping approximately 4.5 feet from rear to front. Along the lane the 'H' frame power poles present a significant design obstacle.

- Residential Entry, Car Elevator and Amenity Space are located from the lane and off 8th.
- The location of retail space is small.
- Note rear setback of 10 feet is required and 25 feet for Residential uses.
- Proposes an 11 foot floor to floor.
- 18 total units with 15 two bedrooms and 3 one bedrooms.

The anticipated future development next store would also be C-3A, approximately 6 storeys, 70 feet. There may be a party wall in future on the west property line. This is the first appearance at the Urban Design Panel with a Development Permit Application under C-3A zoning.

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

- 1) Architectural expression - composition, elements and materiality.
- 2) Height, bulk, and massing in relation to the existing and anticipated future developments.
- 3) Public realm interface including the entries, frontage, and character.
- 4) Liveability in general and specifically dwelling units and amenity space.

The planning team then took questions from the panel.

- **Applicant's Introductory Comments:** The applicant noted the proposal as only the second stacked modular building in Vancouver. The design has been an exercise in making a stack module 'work'. The module has been made as three dimensional as possible. The entry has been celebrated by 'carving' a patio around it. The main lobby is supposed to be 'activated' and meant to provide emergency access. The amenity is more than what is typical but it is meant to be suited to the clientele. The major rooms are meant to have 'seamless indoor outdoor space'.

There are potted plants at the front, and planters are planned around the perimeters of decks.

The applicant team then took questions from the panel.

- **Panel Consensus:** Having reviewed the project it was moved by Mr. Wen and seconded by Ms. Spoelstra and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORT** the project with the following recommendations:

- Consider the sunken garden amenity with the cover over the hot tub area
 - Consider the laneway and animating it with perhaps graphics or something else
 - Re-consider the V column and the canopy over the entrance of the retail
 - Look at bike storage for visitors to the retail
 - Consider another entrance way other than the coffee shop for accessibility purposes
- **Related Commentary:** Overall the panel appreciated the innovative and ‘experimental’ design of the project. The composition and materiality is supported. A panel member had concerns for the laneway being ‘graffitied’, so recommended the applicant ‘take charge’ of the art in the laneway.
 - **Applicant’s Response:** The applicant team is excited about the project and will incorporate the comments.

ENGINEERING SERVICES

The Mount Pleasant Community Plan recognized the eclectic quality of the area and sought to make the lanes some of the most interesting in Vancouver. The lane is currently utilized for special events such as the Vancouver Mural Festival and the Livable Laneways Project. Although the intent was for the lane west of Main to have the potential for short term closures, host special events and be a place for community gathering, the evolution of this development application adjacent to the lane will make this difficult to implement. Any future closure of this lane for special events or temporary installations would impact access to the underground parking for 138 East 8th Avenue, which is already going to be challenging given the small foot print and need for a vehicle elevator.

The recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

BUILDING REVIEW BRANCH

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Building Review Branch staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, firefighting access and energy utilization requirements.

Further comments regarding Building By-law requirements are contained in Appendix C attached to this report.

NOTIFICATION


A site sign was placed on the site and on September 12, 2017, 1,277 notification postcard were sent to neighbouring property owners advising them of the application, and offering additional information on the City’s website. The postcard and the development application materials were posted online at vancouver.ca/devapps. An updated postcard was sent February 6, 2018 noting that the Development

Permit Board date for this application had been rescheduled to March 5, 2018. Four comments have been received with one resident in support, one resident requesting more information and two respondents expressing concerns. Comments included concerns with the amount of development in Mount Pleasant and increased demand for permit parking. Staff note that the proposal is providing 21 residential parking spaces for 18 dwelling units which complies with Parking Bylaw requirements.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law it requires decisions by both the Development Permit Board and the Director of Planning.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.



J. Greer
Chair, Development Permit Staff Committee



J. Olinek
Development Planner



Maria Cheng
Project Coordinator

Project Facilitator: L. King

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

A.1 Standard Conditions

A.1.1 provision of Letter “B” which includes confirmation from the owner of the “donor” site at 12 Water Street that the agreement has been finalized, and confirming the new “balance” of transferable density remaining on the donor site at 12 Water Street;

A.1.2 design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impacts on the building’s open space and the Public Realm;

A.1.3 provide details and notation of the level 6 patio trellis demonstrating an open design with minimal impacts on the shading on East 8th Avenue;

Note to Applicant: Retractable awnings and covers should be translucent and the support structure should be similar to an open trellis. Consider planted vines on the trellis. This structure must be retractable to be excluded from floor area and height calculations.

A.1.4 provide exterior lighting plan indicating fixture types, locations, and illumination levels;

Note to Applicant: See Recommended Condition 1.4(a) regarding lighting opportunities for laneway animation. Exterior lighting should be integrated into the building design. The site lighting plan should indicate lighting strategies for paths and exits, wayfinding, security, decoration, and any other exterior light fixtures. For exterior lighting, LED sources are encouraged. Exterior lights should be oriented away from adjacent residential properties and be provided on dimmable switches. Review opportunities to utilize lighting design standards and guidelines that reduce negative impacts to birds and other wildlife.

A.1.5 consideration to explore strategies to blend and reference the existing predominant neighbourhood materiality and colouration;

Note to Applicant: The guideline objectives encourage the use of textures and colours to blend with existing in this sub-area. Strategies to achieve this may include a lighter toned colour scheme and the use of brick or masonry in particular near the pedestrian realm interface.

A.1.6 consideration for the entry canopy expression to be more in keeping with the stayed building expression;

Note to Applicant: Refer to Engineering Standard Condition A.2.7 requiring that all canopy encroachments over the property line are required to be demountable. The ‘V’ column as proposed may not be achievable. Light transmitting weather protection and canopies are highly encouraged.

A.1.7 compliance with Section 4.7 - Floor Space Ratio, of the C-3A District Schedule;

Note to Applicant: A reduction of 260 sq. ft. is required to meet the maximum FSR allowed. The FSR overlays did not show inclusion of the covered porch (entry to residential area north-east corner) which is not an exclusion for this district schedule.

A.1.8 compliance with Section 4.6.1 - Rear Yard and Setback, of the C-3A District Schedule;

Note to Applicant: A rear yard with a minimum depth of 10.17 feet shall be provided.

A.1.9 confirmation by clearly labelling of COMM. area notation on level 1 on page A120 as a Commercial Parking Space;

A.1.10 clarification of area beside the roof deck (Northwest and Southwest comers) on level 6;

A.1.11 compliance with the Bulk Storage Bulletin;

Note to Applicant: One storage room or locker is required for each residential unit. Each room is to have access from a common area, full height walls and have a man door. No windows are permitted in a storage room. Minimum sizes are to be met for each locker, above or below base surface. A minimum of 5.7 m³ (200 cu. ft.) of useable storage space for each dwelling unit for the storage of bulky items such as winter tires, ski and barbecue equipment, excess furniture, etc.; See Bulk Storage and In-Suite Storage - Multiple Family Residential Development Bulletin.

A.1.12 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;

A.1.13 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;

A.1.14 labelling of all small car parking spaces on floor plans;

A.1.15 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 604.873.7772 for further information.

A.1.16 provision of a vertical vent space to accommodate exhaust from the commercial level;

Note to Applicant: Intent is to allow for a wider range of uses, including restaurant use, without requiring the retrofitting of exhaust ducting on the outside of the building. Refer to Appendix C - Building Comments.

A.1.17 design development to identify on the architectural and landscape drawings of any built and landscaped features intended to create a bird friendly design;

Note to Applicant: Consider including bird friendly plants on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>. See Standard Condition A.1.26.

Standard Landscape Conditions

A.1.18 design development to improve outdoor amenity space, as follows:

- a) Provision of larger space for improved flexibility and functionality;
- b) Articulation with additional programming intended to promote social interaction; and
- c) Relocation of trees away from south wall to allow proper canopy to develop;

A.1.19 design development to improve quality of the landscape by enabling some larger tree planting on grade (rather than on parkade structure);

Note to Applicant: This will require adjustments or notching of the parkade structure.

A.1.20 design development to the entry plaza as follows:

- a) Provide tree planting on free grade, flush with the plaza (see also Recommended Condition 1.2);
- b) Provide better articulation, such as additional, planting beds, benches and furniture.

Note to Applicant: Additional information should be confirmed on the plans and details. Further conditions may follow upon receipt of this information.

A.1.21 design development to confirm and clarify maintenance access to the planter bed in the light well;

A.1.22 provision of section details at a minimum scale of 1/2"=1'-0" scale to illustrate all proposed landscape elements, including typical planters, benches, seat walls/stairs, trellises, green walls and any other furnishings, with references on the plan;

Note to Applicant: Green walls should be confirmed to be low maintenance. Pre-planted, high maintenance modular blocks will not be supported. Further conditions may follow receipt of this information.

A.1.23 provision of maximized growing medium for trees and shrub planting to ensure long term health and sustainable growth on slab condition, to be confirmed by provision of a typical detail for tree and shrub planting on structure, including dimensions;

Note to Applicant: Soil depths should exceed the BCSLA standard.

A.1.24 provision of minimum one street tree fronting East 8th Avenue, in coordination with Engineering and the Park Board and the addition of the following note on the plans:

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper 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. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.

Note to Applicant: Actual confirmation must be received from Engineering and Park Board to confirm the proposed street tree. New tree information must appear on the Plant List (see Standard Condition A.2.1).

- A.1.25 provision of bird friendly plants on the plant palette, enabling bird habitat conservation and bird habitat promotion (see Standard Condition A.1.7);

Crime Prevention Through Environmental Design (CPTED)

- A.1.26 identify on the drawings strategies that consider the principles of CPTED including the following conditions:

- i. limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;
- ii. limiting unobserved access or activity and encouraging natural visual surveillance;
- iii. site lighting developed with considerations for safety and security; and
- iv. reduced opportunities for graffiti; and

Note to Applicant: Alcoves and other similar visually hidden areas should be designed so as to 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.

- A.1.27 design development to improve visibility and security in the underground parking and parking in the lane in accordance with the Parking By-law including:

- i. overhead light at exit door and steps lights,
- ii. 24 hour lights and be painted white, and
- iii. visibility at doors, lobbies, stairs and other access routes.

Note to Applicant: The Commercial Parking on the lane may be particularly susceptible to mischief activities. If the parking space is envisioned as employee parking or for security after hours, a security gate along with the other strategies listed above are highly encouraged.

A.2 Standard Engineering Conditions

- A.2.1 provision of an updated landscape and site plan to reflect the following requirements;

- a) Provision of Mount Pleasant Plan public realm treatments adjacent to the site including sidewalk reconstruction. The proposed sidewalk and boulevard treatments adjacent to the site do not meet the Plan requirements.
 - b) Provision of standard concrete lane crossing on the south side of East 8th Avenue at the lane west of Main Street including reconstruction of the curb returns on both sides of the lane entry to meet current standards.
 - c) Provision of upgraded street lighting on the site frontage to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
 - d) Remove pavers from City property on East 8th Avenue.
 - e) Provision of street trees as space permits adjacent the site (see Standard Condition A.1.24).
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f) Add note to landscape plans “Installation of parking regulatory signage on East 8th Ave adjacent the site to the satisfaction of the General Manager of Engineering Services”

A.2.2 provision of correct design elevations at all entrances. Design elevations must meet interpolated building grades;

A.2.3 provision of a Class B bike rack located so that it can comfortably and conveniently accommodate 6 bicycles;

Note to Applicant: As proposed the rack will accommodate 3 bicycles. Class B bicycle parking for the residential portion of the building may be located inside the lobby to provide additional security.

A.2.4 provision of a signed letter from the BC Safety Authority which supports the provision of the vehicle elevator/ lift device (refer to Appendix C- Building Comments);

A.2.5 compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

a) Provision of vehicle turning swaths to confirm maneuvering in and out of parking spaces to and from the parking elevator.

Note to Applicant: Not all parking spaces must be checked, but enough to confirm that maneuvering is sufficiently accommodated.

b) Provision of an improved section drawing showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans.

Note to Applicant: Ensure adequate vertical clearance is provided, including utilities, mechanical projections, overhead doors and other services throughout the parkade and parking entry/exit including 2.3 m clearance for disability spaces.

c) Clarify that the “COMM.” area is the commercial parking stall and include dimensions on plans.

d) Provision of internal access from the Commercial parking to the commercial unit that does not require walking in the lane.

e) Provision of maneuvering swaths for vehicles entering and exiting the commercial parking space and car elevator at the lane. These swaths should account for up to 2m of lane width to be occupied by existing dumpsters and potential commercial vehicles parked in the lane.

f) Confirm provision of glazing in the door for visibility through the elevator vestibule.

g) Provide automatic door openers on the doors providing access to the bicycle room and note on plans.

Note to Applicant: Confirm bike locker at south wall of bicycle storage will have 4 ft. clearance.

h) Provide the slopes and crossfall within the parkade.

Note to Applicant: Additional design elevations are required within the parkade to calculate slopes and crossfall. Slope and crossfall to be shown on plans.

- i) Show all columns on parking plans.
- j) Label small car spaces.
- k) Provision of maneuvering swaths in the lane at the car elevator.
- l) Provision of mirrors or other measures to improve visibility for vehicle movement within the parkade.

A.2.6 provision of a building setback on East 8th Avenue to achieve a 4.572 m (15 ft) sidewalk from the back of the existing City curb to the building face.

Note to Applicant: A legal survey of the existing dimension from the back of the City curb is required to determine the final setback. If the setback from property line is greater than 0.6 m, then a Statutory Right of Way for public access is required;

A.2.7 provision of a canopy application is required;

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56mm in thickness (VBBL section 1A.9.8). Delete the upper portion of angled metal strut supporting the entrance canopy encroaching onto East 8th Ave or confirm it is demountable.

A.2.8 The General Manager of Engineering Services will require all utility services to be underground for this “conditional” development. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. The applicant is to provide confirmation that all required electrical plant is provided for on-site. There is to be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. It is presumed with your consultation so far with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met; and

A.2.9 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.

A.3 Standard Licenses & Inspections (Environmental Protection Branch) Conditions:

A.3.1 A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during subsurface work.

A.3.2 In the event, contamination of any environmental media are encountered, a Notice of Commencement of Independent Remediation must be submitted to the Ministry of Environment and a copy to the City of Vancouver.

- Upon completion of remediation, a Notification of Completion of Independent Remediation must be submitted to the Ministry of Environment and a copy to the City of Vancouver.
 - Dewatering activities during remediation may require a Waste Discharge Permit.
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- Submit a copy of the completion of remediation report with supporting data signed by an Approved Professional confirming the lands have been remediated to the applicable land use prior to occupancy permit issuance.
 - Must comply with all relevant provincial Acts and Regulations (e.g. Environmental Management Act, Contaminated Sites Regulation, Hazardous Waste Regulation) and municipal Bylaws (e.g. Fire Bylaw, Sewer and Watercourse Bylaw)
- A.3.3 Must comply with all relevant provincial Acts and Regulations (e.g. Environmental Management Act, Contaminated Sites Regulation, Hazardous Waste Regulation) and municipal Bylaws (e.g. Fire Bylaw, Sewer and Watercourse Bylaw)
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B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Building Review Branch, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated February 21, 2018. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the “prior-to” response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before, **September 5, 2018**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.
- B.1.6 Upon demolition of the current building the owner of adjacent Lot 4 may request the release of Easement BK2011238.

B.2 Conditions of Development Permit:

- B.2.1 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.
 - B.2.2 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.
 - B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
 - B.2.4 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.
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- B.2.5 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- B.2.6 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details".
- B.2.7 This site is affected by a Development Cost Levy By-law and levies will be required to be paid prior to issuance of Building Permits.
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Processing Centre - Building Comments

The following comments are based on the architectural drawings prepared by Ankenman Marchand dated July 17, 2017 that have been submitted for Development Application DP-2016-00685. This is a cursory review in order to identify issues which do not comply with the 2014 Vancouver Building By-law #10908 (VBBL).

- Building safety facilities such as central alarm and control facility, fire fighters elevator, and stairwells equipped with standpipe connections shall be coordinated with the location of the fire fighters' entrance.
 - The building is required to provide access to persons with disabilities to all public areas, common areas, storage, and amenity areas.
 - Provide detailed spatial calculations at BP stage.
 - Building construction is required to be non-combustible.
 - High rise building measures and VBBL 3.2.6 requirements for high buildings apply to the entire building.
 - **All entrances, exits, drive isles, and other off street disability parking spaces, and egress from them must have a minimum vertical clearance of 2.3m, as required by the Parking Bylaw.
 - The building is required to provide accessible routes for access to people with disabilities to all common areas, storage, amenity, gallery, meeting rooms etc... as the second floor contains functions for the public not available on the main floor, the second floor is required to be accessible.
 - The building is required to meet Enhanced Accessibility provisions of 3.8.2.27.
 - The exit lobby appears to exceed the allowable 15m travel distance.
 - The comm room requires a man door for egress.
 - The retail refuse area requires a man door.
 - A detailed sequence of operation for the car elevator will be required at BP; areas of concern include but are not limited to:
 - does this car elevator create three levels of interconnected floors or is the interior door assembly rated?
 - what happens under alarm? Will people be trapped in the car lift?
 - does the car home and is there an alternate floor?
 - can it home on emergency power?
 - how will this shaft be vented?
 - what standard is this lift being installed to?
 - It is recommended that each CRU in a new or fully upgraded building have a route shown on the plans for future kitchen ventilation system exhausts.
 - Mid-rise buildings, in particular 6 storeys or less, and mid-rise buildings which have residential houses on the other side of the lane, should be provided with an interior shaft to enable future kitchen duct work to reach the highest roof.
 - Buildings without a shaft to the highest roof should show a route for duct work to reach a lane through an ecology unit except where there is no lane to another discharge point approved by the Chief Building Official and Director of Planning.
 - For all buildings regardless of height, an ecology unit for a commercial kitchen ventilation system is required for horizontal discharges, vertical discharges that are near or below existing open able windows, and situations required by the Director of Planning.
 - Items marked with ** have been identified as serious building by-law issues.
 - The applicant may wish to retain the services of a qualified Building Code Consultant in case of difficulty in comprehending the comments and their potential impact on the proposal. Failure to address these issues may jeopardize the ability to obtain a Building Permit or delay the issuance of a Building Permit.
 - Modular construction to be CSA approved.
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