
CITY OF VANCOUVER
COMMUNITY SERVICES GROUP

DEVELOPMENT PERMIT STAFF COMMITTEE
REPORT
JUNE 19, 2013

FOR THE DEVELOPMENT PERMIT BOARD
JULY 2, 2013

1365 BURNABY STREET (COMPLETE APPLICATION)
DE416678 - ZONE RM-5A

SDB/JRB/MA/LH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
R. Thé, Engineering Services
N. Szeto, Engineering Services
L. Gayman, Real Estate Services
D. Naundorf, Housing Centre
C. Buckham, Social Development

Also Present:

S. Black, Urban Design & Development Planning
J. Borsa, Development Services
M. Au, Development Services

APPLICANT:

Amanat Architects
Attention: Hossein Amanat
Unit 100, 1515 West 7th Avenue
Vancouver, BC
V6J 1S1

PROPERTY OWNER:

Vanca Holdings Ltd.
4400 Skyline Drive
North Vancouver, BC
V7R 3H1

EXECUTIVE SUMMARY

- **Proposal:** To develop a 6-storey building with 21 secured market rental units and two levels of underground parking accessed from Burnaby Street using a Heritage Density Transfer from donor site at 439 Helmcken Street on this site.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building comments

Appendix D Processing Centre - Plans and Elevations

Appendix E Applicant's Design Rationale

Appendix F View Analysis

Appendix G Shadow Diagrams

Appendix H Statutory Declaration of Notice to Redevelop from Applicants to Existing Tenants

Appendix I Notification of Existing Tenants of the Subject Site

● **Issues:**

1. Potential view and privacy impacts
2. Parkade driveway crossing public sidewalk

- **Urban Design Panel: Support**
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE416678 submitted, the plans and information forming a part thereof, thereby permitting the development of a 6-storey concrete building with 21 rental units and two levels of underground parking accessed from Burnaby Street, using a Heritage Density Transfer from donor site at 439 Helmcken Street on this site, subject to the following conditions:

1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:

1.1 make arrangements to the satisfaction of the Director of Legal Service and the Managing Director of Social Development, to secure the designated units as rental for 60 years or life of the building, whichever is greater, subject to a no separate-sales covenant and a non-stratification covenant, and subject to such rentals being made available as monthly rental housing units only;

1.2 design development to those portions of balconies, screens and windows extending above the 120 degree angle from Burnaby Street, to reduce their potential impact on the views and privacy of adjacent residential units;

Note to Applicant: Consultation with affected neighbours is encouraged, noting that some features will require a balance between competing priorities.

1.3 design development to the side elevations to mitigate potential overlook and privacy to neighbouring residential windows that face the common property line;

Note to Applicant: Confirmation of the size, location and use of nearby windows is recommended. Elevation drawings should clearly identify the proposed extent of vision glazing. After updating this information, adjust the design of new windows where necessary to avoid overlapping windows, especially those serving living space, or alternately provide obscuring glazing or other fixed features to reduce overlook.

1.4 design development to mitigate the noise from the rooftop amenity areas;

Note to Applicant: Consider the use of sound absorbent finishes or acoustic barriers, such as glass, and the optimal layout of the roof level to avoid undue impacts to adjacent neighbours while providing a usable open space for residents.

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:**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size	-	-	50.01 ft. x 131.06 ft.
Site Area	-	-	6,554.0 sq. ft.
Floor Area ¹	Residential 9,831.0 sq. ft. Heritage Density Bonus <u>982.8</u> sq. ft. Total 10,813.8 sq. ft.	-	Residential 9,831.0 sq. ft. Density Transfer <u>912.0</u> sq. ft. Total floor area 10,743.0 sq. ft.
FSR ¹	Residential 1.50 Density Transfer (10% max) <u>0.15</u> Total 1.65	-	Residential 1.5 Density Transfer <u>0.14</u> Total 1.64
Balconies	Open + Enclosed 865.0 sq. ft. (max. 8% of residential area)	-	Open 790.0 sq. ft. Enclosed <u>0.0</u> sq. ft. Total 790.0 sq. ft.
Height ²	Overall 60.0 ft. 120 Degree Angles - 24.3 ft. (NE/N/NW PL) & 36.1 ft. (SE/S/SW PL)	-	Top of 6 th floor roof 59.73 ft. Top of mech. penthouse 69.73 ft. 120 Degree Angle - Not Compliant South Side
Front Yard (Burnaby)		12.14 ft.	12.17 ft. (to Screen Wall) 15.67 ft. (to Building)
Side Yards ³			
West East		6.89 ft. 6.89 ft.	6.92 ft. 6.92 ft.
Rear Yard (Lane)	6.89 ft.		21.25 ft.
Site Coverage	3,276 sq. ft. (50%)		2,841 sq. ft. (43%)
Parking ⁴	Small Car (25% max.) 2	Residential Min. 7 Disability 1	Residential 15 Standard 7 Small Car 3 (incl. 2 visitor) Disability 1 Car Share <u>4</u> Total 15
Loading ⁵	-	Class B Residential not req'd.	Class B Residential 0
Bicycle Parking ⁶	-	Class A Class B Residential 26 6	Class A Class B Residential 31 6
Amenity ⁷	Max. 983.0 sq. ft. (10% of 9,831.0 sq. ft.)	-	Level 1+6 429.5 sq. ft.
Dwelling Unit Area ⁸		Min. 400.0 sq. ft.	Studios 320 sq. ft.
Dwelling Units	-	8 Rate of Change	Studio 21

¹ **Note on FSR and Floor Area:** The Development Permit Board may permit an increase in the maximum permitted floor area and FSR to include a 10 percent transfer of heritage floor space pursuant to Section 4.7.7 of the RM-5A District Schedule. Staff supports this area increase. Standard Condition

A.1.1 seeks a Letter "B" in order to confirm the transfer of heritage density to the site, and the balance of density remaining on the donor site.

² **Note on Height:** A portion of the building on the South side is encroaching into an envelope (120 degrees/36.1 ft. from property line). The Development Permit Board may permit an increase in the maximum height of a building to a height not exceeding 190 ft. Staff supports the height increase and intrusion into the 120 degree envelope. Standard Condition A.1.2 seeks additional notes on plan for canopies, trellises and mechanical screening above the 59.73 ft. height.

³ **Note on Side Yard:** Stairs are located in both required side yards. Section 4.5.3 of the RM-5B District Schedule allows the Development Permit Board to vary this requirement. Staff supports this variance.

⁴ **Note on Parking:** The proposal provides more than adequate parking but some parking stall dimensions are in deviation of the Parking By-law, and Standard Condition A.1.3 seeks compliance.

⁵ **Note on Loading:** As the proposed number of dwelling units is less than 100, the proposal does not require a loading facility, and none is proposed.

⁶ **Note on Bicycle Parking:** The proposal is deficient in the location of Class A bicycle spaces, and Standard Condition A.1.4 seeks compliance.

⁷ **Note on Amenity:** The RM-5A District Schedule permits amenity areas to be excluded from the computation of the FSR to a maximum of 10 percent of the permitted floor area or 10,000.0 sq. ft., whichever is the lesser.

⁸ **Note on Dwelling Unit Area:** The Director of Planning may permit a smaller floor area of not less than 320.0 sq. ft., per Section 10.21 of the General Regulations of the Zoning and Development By-law. Standard Condition A.1.5 seeks compliance.

• **Legal Description**

Lot B
Block 38
District Lot 185
Plan 8541

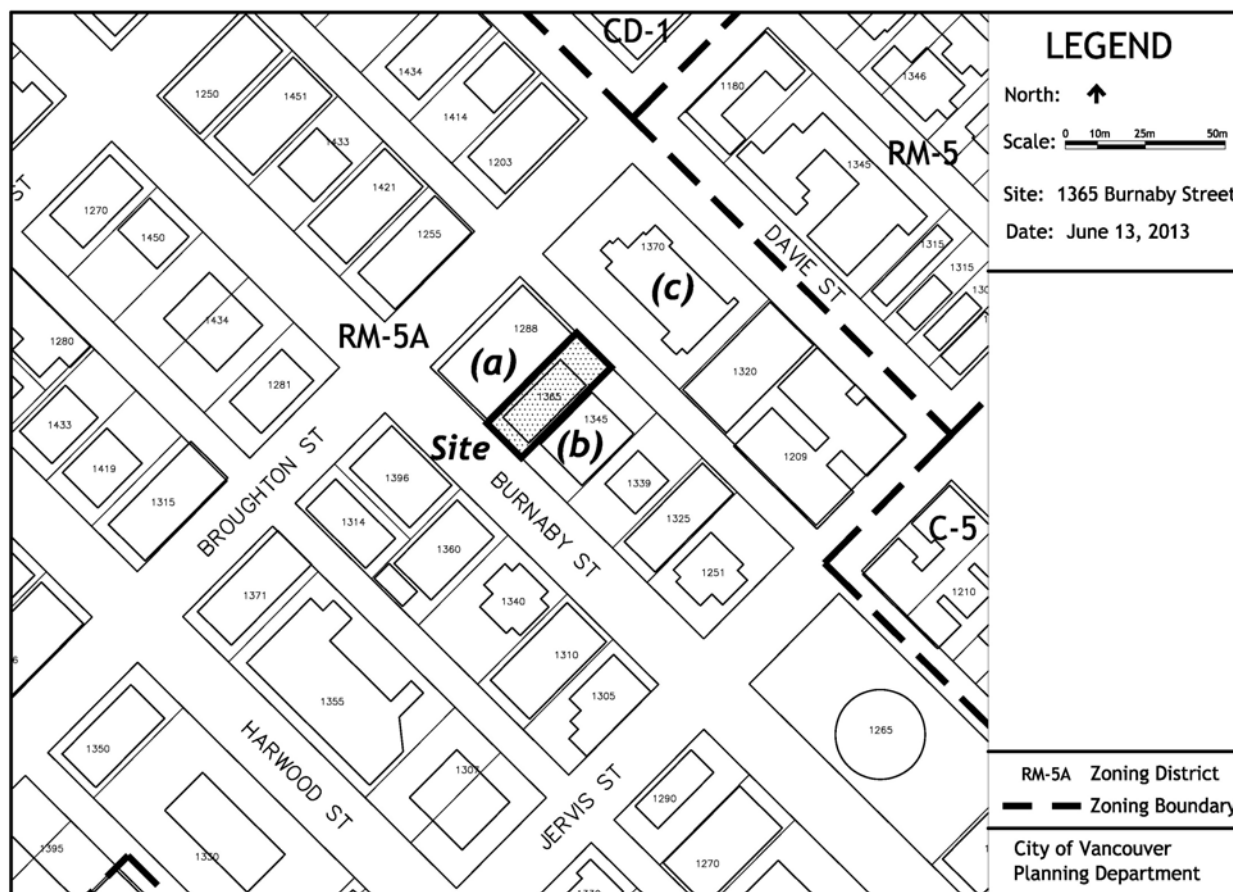
• **History of Application:**

13 03 20 Complete DE submitted
13 06 05 Urban Design Panel
13 06 19 Development Permit Staff Committee

• **Site:** The site is a 50 by 131 foot mid-block parcel near Broughton Street in the West End neighbourhood, two blocks north of Beach Avenue. The site contains a three-storey multiple dwelling circa 1952 containing eight rental units. The site slopes down from the lane to Burnaby Street.

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

- (a) 1288 Broughton Street - Broughton Manor (7 storey residential building)
- (b) 1345 Burnaby Street - Fiona Court (7 storey residential building)
- (c) 1370 Davie Street - Broughton Place (4 storey residential building)



● **Background:**

Staff met with the proponent to determine the feasibility of replacing the rental building on the site, and determined that there was sufficient potential to proceed with an application.

This application is being considered during the West End community planning process. The application does not seek to alter existing zoning, and will result in new rental units.

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

1. RM-5, RM-5A, RM-5B and RM-5C Districts Schedule

The intent of this Schedule is to permit a variety of residential developments and other uses. Emphasis is placed on achieving development which is compatible with neighbouring development with respect to streetscape character, open spaces, view retention, sunlight access and privacy.

The Schedule requires that the Board consider any proposed increase in floor area that results from a transfer of heritage floor space. The zoning by-law allows the Director of Planning to reduce the size of dwelling units to 320 sq. ft., upon consideration of the design and location of the unit.

New multiple dwellings with six or more units that requires the demolition of an existing rental building must be accompanied by a housing agreement, under which the owner agrees to provide an equal or greater number of replacement rental units. This regulation also reflects the Rate of Change Guidelines for Certain RM, FM and CD-1 Zoning Districts, Council's policy on rate of change in the West End and other areas.

2. West End RM-5, RM-5A, RM-5B and RM-5C Guidelines

The Guidelines offer more detailed advice than the schedule and are used to assess applications for discretionary density and height by describing the design considerations that apply to West End projects. As with the District Schedule, the Guidelines emphasize compatibility with adjacent development and note in particular streetscape character, open space, view retention, sunlight access, and privacy. The Guidelines also note that in terms of neighbourhood character, the West End "has been an area in which new architectural forms have been comfortably assimilated, and this should continue." In terms of exterior finishes, the Guidelines recommend that "New development should be finished with quality materials that stand up well to Vancouver's climate."

3. Rate of Change Guidelines for Certain RM, FM and CD-1 Zoning Districts.

Council's policy on rate of change in the West End requires the replacement of rental units on a one-to-one basis.

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

1. RM-5, RM-5A, RM-5B and RM-5C Districts Schedule

The application generally meets the relevant regulations, including the vertical height of 60 ft. that is allowed outright, except for the proposed increase of 914 sq. ft. in floor area resulting from a heritage density transfer, and the additional height relative to the angled 120 degree envelope facing Burnaby Street (illus. pg. 8, Appendix D). This angled envelope, required for outright applications, limits the height of the building facades that face the lane or street to less than 60 feet. Given the pattern of

development in this part of the West End, the absence of any shadowing on significant green space, and the massing of neighbouring buildings, staff feel that the increased height relative to the Burnaby Street can be accommodated in this instance. Staff support the proposed increase of 914 sq. ft., subject to the adjustments recommended in Condition 1.2. With regard to the reduced size of dwelling units, staff support a relaxation to 320 sq. ft. noting the design and the variety and number of amenities available on-site and in this part of the West End. Additional details are provided under Social Development.

2. West End RM-5, RM-5A, RM-5B and RM-5C Guidelines

Streetscape character is generally maintained with a building height and massing that is comparable to its immediate neighbours, while the architectural design proposes a number of distinctive and durable elements such as a steel mesh screen over the front façade. There is no additional shadow impact to private open space or public green spaces at the standard times created by the additional height, due to its position at the south end of the site.

The proposed parking access from Burnaby Street would also affect the street character to some degree. Given the number of dwelling units proposed, the precedent set by similar parking access points on this particular block, and the assessment provided under Engineering Services as to the feasibility of lane access on this sloping site, staff accept the proposed access location. Further development of the landscaping, including the front yard, is recommended in the Landscape conditions.

Views from nearby private residents will be affected to some degree, as illustrated in the reflected elevation drawings and the view studies provided (Appendix F). For this reason, staff recommend further design development to reduce the view impacts created by those portions associated with the extra height sought while retaining the proposed floor area and to ensure that side facing windows are appropriately designed (see Conditions 1.2 and 1.3). Similarly, the proposed amenity area on the roof represents an opportunity to meet the Guidelines recommendation that new developments provide communal open spaces such as roof gardens, but this space should also be designed with some consideration for acoustic effects (see Condition 1.4).

3. Rate of Change Guidelines for Certain RM, FM and CD-1 Zoning Districts

The existing rental units on the site are proposed to be replaced by rental units in the new building. Staff recommend that this replacement be secured by legal arrangements (see Condition 1.1, and the Social Development section for more information).

• **Conclusion:**

The application proposes a distinctive and relatively modest development which increases the stock of rental housing in the area. Staff support the application, subject to the conditions noted.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on June 5, 2013, and provided the following comments:

EVALUATION: SUPPORT (5-0)

- **Introduction:** Sailen Black, Development Planner, introduced the proposal for a new 6-storey multiple dwelling with 21 units of market rental housing. He noted that the overall form is within

the 60 foot maximum height and setbacks including the screens, except for the portion of the elevator core in the centre and trellis structures in the front and side yards. The building, including balconies and screens, extends above the 120 degree angle in the front yard. Mr. Black explained the guidelines for the site.

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

Comments were sought on the architectural and landscape design in general, and in particular:

- Does the Panel support the form of development in general, including the density (1.65 FSR) and height (above 120 degree angle);
- Neighbourliness of new building relative to existing residences, considering the proposed screens, windows, balconies and rooftop areas; and
- Detailing and expression of the new building.

Mr. Black took questions from the Panel.

- **Applicant's Introductory Comments:** Hossein Amanat, Architect, further described the proposal and mentioned that there will be 21 units proposed that will replace the units in the existing building. There are enclosed balconies on the building to create a composition for the elevations. The roof has a garden for the residents to enjoy with a hot tub and some areas to sit with a fireplace and shading element. There are two levels of parking with storage. Mr. Amanat mentioned that the screening on the front of the building is repeated on the roof.

Mia Horth, Landscape Architect, described the landscape plans noting that the landscape responds to the modernist design of the building with lots of colour. In the entry there is a Zen garden with a bench as well as a bike rack. She described some of the plant material and mentioned that there are planters on the roof. All the trellises will have some climbing vines and the existing trees on the neighbouring property will remain.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - Design development to improve the roof top use;
 - Design development to improve the landscaping at the ground plane;
 - Consider improving sustainability strategy regarding thermal comfort.
- **Related Commentary:** The Panel supported the proposal and thought it was an interesting project.

The Panel thought the building design set a nice precedent for a rental building in the West End. They supported the density, height and the relaxation of the 120 degree angle. They agreed that it had the right neighbourliness and character for the area. One Panel member noted that the applicant had adjusted the fenestration to deal with concerns on the neighbouring property. The Panel struggled with the additional curb cut required to accommodate to parking entrance but understood this might be the only solution to get parking on the site.

The Panel supported the landscape plans but thought some design development would help to improve the roof top use. As well they wanted to see more plant material in the ground plane. One Panel member suggested removing the grass strips in the car share parking area as they wouldn't survive. Also some Panel members were worried about the existing trees and whether they would survive the construction.

There were some minor concerns regarding the sustainability strategy particularly with the amount of glass and spandrel on the building. One Panel member suggested either increasing the manner in how the spandrel is being used or to use more complementary materials.

- **Applicant's Response:** Mr. Amanat thanked the Panel for their comments and said they would investigate different options for the car parking.

ENGINEERING SERVICES

The subject site slopes from north to south causing the lane elevation to be significantly higher than the street. Lane access to underground parking is therefore limited.

Staff and the applicant team discussed a number of site access options in hopes of eliminating the need for an additional crossing on Burnaby Street that would further disrupt the pedestrian realm. Staff reviewed options that shared existing access from adjacent properties, however, unworkable grade differences confirmed these options to be unfeasible. While street access is not supported in most cases, staff are willing to accept it due to site conditions in this instance.

Staff note that it is possible to meet the minimum Parking By-law requirements through a combination of providing car share and parking stalls off the lane rather than relying on underground parking. Further review of site servicing operations such as garbage pick-up and utility access would be required to confirm the ability to eliminate underground access.

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

No security concerns were identified through the review. A standard CPTED condition is recommended to reduce typical concerns in a multiple dwelling building. See Condition A.1.20.

HERITAGE PLANNING

The Heritage Group has reviewed the Letter 'A' submitted and concludes that the stated seller has adequate density to cover this transfer. Letter 'B' will be required as per Standard Condition A.1.1.

SOCIAL DEVELOPMENT

Livability – Section 10.21 of the Zoning and Development By-law requires a minimum floor area of a dwelling unit to be 37 m² (398 sq. ft.), although a lesser floor area to a minimum of 29.7 m² (320 sq. ft.) may be considered subject to the design, location, and occupancy of the units. All of the 21 units are below the minimum units 37 m² (398 sq. ft.) size and require a relaxation. The occupancy of the units will be secured as rental tenure for the life of the building through a housing agreement, restricting separate sales and stipulating monthly rentals. (See Condition 1.1)

The detailed layout of units has been generally well considered and designed in terms of liveability, and include private balconies. A common amenity meeting room, with adjacent accessible washroom on the ground floor provides indoor amenity space. Design development is needed to improve the multi-functional quality of this space, by adding a kitchenette and storage closet (see Standard Condition A.1.21). Plans also include a common rooftop outdoor space with communal outdoor BBQ /kitchen, dining area, lounge area and hot-tub.

The West End location of the development is considered appropriate for smaller units, as individuals can rely on the cultural, recreational, shopping and other amenities in this amenity-rich community to expand their living space.

The applicant has indicated that eight tenants currently reside in the existing buildings on the site, and, pursuant to the Rate of Change Guidelines, has provided a statutory declaration that these tenants have been provided with written notice of the intent to redevelop this site (see Appendix H). In addition, City staff provided a written notification to these tenants on May 2nd, 2013 which included additional information on this development application, and the applicable City Policies, and Guidelines (See Appendix I). Pursuant to the Rental Housing Stock ODP the applicant provided a Tenant Relocation Plan to the satisfaction of the Director of Planning in consultation with the Managing Director of Social Development, and advised all tenants of the Tenant Relocation Plan offer in writing.

ENVIRONMENTAL PROTECTION BRANCH

The subject property has been a residential site since the 1950s. A fire permit (FI 409372) was taken out in 2011 for the decommissioning of an underground fuel storage tank at 1365 Burnaby Street. The closure report by D. Kelly Environmental Consulting Ltd. indicated residual petroleum hydrocarbon constituents remained onsite. See Conditions A.3.1 to A.3.3.

PROCESSING CENTRE - BUILDING

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 Processing Centre-Building 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

OPEN HOUSE

Applicants conducted a pre-development application Open House at the Sandman Suites Hotel on March 7th, 2013. 38 people signed in, and 20 comment sheets were received followed by two further comments via email. Overall the comments received for the project were positive. Comments of a negative nature were primarily from residents of the immediate neighbours to the East (1345 Burnaby).

Comments from 1345 Burnaby:

- Proposed building setback should align with 1345 Burnaby as it currently causes shadowing/view blockage for the units on the west side of 1345 Burnaby
- The proposed balconies reduces privacy for neighbouring building
- It is disruptive to have garage doors side by side
- Additional noise generated from roof deck is a concern
- Concern on maintenance of the proposed screen

Other comments:

- Welcome additional rental units into the area
- Low rise suitable in form for the area
- Height and unit number in keeping with the area
- Attractive architecture will be nice addition to neighbourhood
- Proposed landscaping will improve the existing condition
- Concern that small units cannot cater to couples or families
- Concern that the units become furnished short stay
- Increase the parking to reduce off street parking use

WERA representative comment: Concerned about displacement of tenants but welcome new rentals to West End. Consider 1-2 suites for seniors on low income (SAFER subsidy). Provide less parking and more storage. Rental development is overall positive.

Applicant's Response to Open House Comments before DE submission:

- *Some side windows have been reduced or moved to minimize the overlook.*
- *The proposed building is setback further than the existing buildings to both South and East ends of the street. The proposed setback is also at a distance in-between the two adjacent buildings.*
- *Further studies were conducted to move the proposed building back but were restricted due to the parking in the rear yard.*
- *The ramp access from the lane is extremely difficult due to the severe difference in level drop from lane to street.*
- *Further studies were conducted to flip the ramp access to the West side, but the configuration did not give the center unit the required angle of daylight due to the building to the west. The proposed garage door is well back into the property and underground.*
- *Approximately thirty degrees of view will be blocked on 4th, 5th and 6th floors.*
- *Tenants are expected to adhere to the Noise By-law in the area.*
- *The modest size of the units, we believe, increases affordability in the area.*
- *The screen is a high quality grade architectural stainless steel and can be effectively cleaned by soap and water. We recommend it to be cleaned the same time as the glass as routine maintenance for the building.*

NEIGHBOURHOOD NOTIFICATION & SITE SIGN

On April 24th, 2013, one site sign was posted and 1564 notification postcards were sent to neighboring property owners advising them of the application, and offering additional information on the city's website. Email notifications were also sent to West End based Organizational groups and West End

contact list from Community Planning totaling 52 contacts as well as the sign-in sheet contacts from Pre-development application Open House. Neighbourhood website posting included West End Neighbours (WEN), West End Senior's Network (WESN) and West End Resident's Association (WERA) regarding the application.

LETTER RESPONSES

There were eight written responses to the mail out notifications with one letter being a letter from the Strata of the neighbouring building at 1345 Burnaby.

The strata letter stated that although they are not opposed to the redevelopment of the property there are concerns on the proposed height of the complex, privacy concerns of the new development affecting their strata complex and other related concerns on architectural design.

Other letters included concerns on the following:

- The siting of the proposed building is too far back causing overlook into the neighbouring backyards.
- Proposed rear balconies reduce sunlight and privacy for the neighbouring backyards.
- Proximity and alignment of proposed side yard windows to the neighbouring property reduces privacy.
- Front yard setback should be aligned to the majority of buildings on the street to not impede on site lines.
- Increased traffic noise from proposed driveway location and new garage door. Revise proposal for the ramp to west side of building or enter from the lane.
- The new development will shadow the east side of 1288 Broughton Street.
- Whether the trees will be protected between 1288 Broughton Street and 1365 Burnaby Street.
- Potential noise generated from the proposed roof top patio and hot tub amenity.
- If the driveway should be shared between the two properties, the strata should consider having applicants provide an upgraded garage system, extra parking, upgraded landscaping.

STAFF RESPONSE

Staff have reviewed the neighbourhood concerns and recommended further refinement of the design, as noted in the Conditions and Standard Conditions, to help the fit proposed development into this context. Standard Condition A.1.11 requires the applicant to engage with neighbouring property owner and resolve any issues regarding the trees along the property lines, which would be affected by redevelopment of the site in general. Conditions 1.3 and 1.4 aim to mitigate the potential effects of the proposed building design related to an increase in floor area. Condition 1.2 requires design work to address the potential effects of the proposed increase in height at the front of the building.

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, Official Development Plan and Parking By-law, it requires decisions by both the Development Permit Board and 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.

It requires that the Board exercise its authority for the additional floor area generated by the transfer of heritage floor space pursuant to Section 4.7.7 of the Zoning and Development By-Law and additional height pursuant to Section 4.3.2 of the Zoning and Development By-Law.

Staff committee supports this proposal subject to the conditions contained in this report.

J. Greer
Chair, Development Permit Staff Committee

S. Black, Architect AIBC
Development Planner

J. Borsa
Project Coordinator

Project Facilitator: M. Au

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 that the Heritage Density Transfer Agreement has been finalized, and confirming the new "balance" of transferable density remaining on the donor site;
- A.1.2 Detailed elevations for the top of canopies, trellises, and mechanical screening above 60 ft. height limit should be clearly shown on the Roof Plan and Elevation drawings;
- A.1.3 Provision of additional width for parking spaces with columns located more than 4 ft. (1.2m) from the end of the stall;

Note to Applicant: Stalls 9 and 10 require additional width.

- A.1.4 Provision of bicycle parking spaces in accordance with Section 6 of the Parking By-law, that demonstrate the following:
 - bicycle parking is to be located on P1 parking level;
 - a minimum of 20 percent of the bicycle spaces to be secured via lockers;
 - a maximum of 30 percent of the bicycle spaces to be vertical spaces;
 - a provision of one electrical receptacle per two bicycle spaces for the charging of electric bicycles;
 - notation (on the plans) that "construction of the bicycle rooms to be in accordance with Section 6.3 of the Parking By-law"
- A.1.5 Compliance with Section 10.21 Dwelling Units of the Zoning & Development By-law, for Dwelling Unit size;

Note to Applicant: Demonstration that the required 320 sq. ft. (29.7m) must be shown. The measurement of the dwelling unit size, for the purpose of Section 10.21, shall be calculated using the inside dimension of the walls. Interior partition walls, within the dwelling unit, are to be included in the measurement.

- A.1.6 Provision of a minimum of 5.7 m (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.;

Note to Applicant: 21 Storage spaces must be provided. Refer to the Bulk Storage - Residential Development bulletin for more information. To preserve the proposed massing and setbacks, this storage should be located below grade.

- A.1.7 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 impact on the building's open space and the Public Realm;
 - A.1.8 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 set out in the RM-5A District Schedule;
 - A.1.9 Written confirmation shall be submitted by the applicant that:
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- the acoustical measures will be incorporated into the final design, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer);
- 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.1.10 notation on the plans and elevations of any sustainable design features;

Note to Applicant: Consider listing features in a legend keyed to locations on the drawing.

Standard Landscape Conditions

A.1.11 resolution of the conflict between three (or more) neighbor owned trees and any proposed root disturbance in the critical root zone;

Note to Applicant: The trees are noted on the survey labeled as 1.2', 1.2' and 1.0' diameter Acacia trees, located near the front south west corner of the development site. Where consent of tree removal/replacement from neighboring property cannot be obtained, the arborist and the designer will need to address the encroachments into the critical root zones of tree in order that the trees will be retained in a safe and responsible manner. The excavation/foundation may need to be setback to a distance determined by the arborist. The canopy shape and distances from building walls will also need to be considered. One possible method is to pre-determine the proposed "limit of excavation" in plan form. Noting that this development proposes two levels of underground excavation, a substantial angle of repose may be required to ensure that the excavation soil walls will remain stable. There are alternative excavation/foundation methods that may be employed, such as shotcrete and a "blind foundation" technique so that zero setback vertical excavation walls are maintained. Alternative construction methods should be secondary to setting back excavation in the critical root zone. At earliest possible convenience, the arborist would oversee a process of exploratory hand digging near the trees on the development site to assess the status of roots. Existing concrete walkways and walls would need to be removed carefully. This work would be cross referenced with the limit of excavation to determine if the trees can be responsibly retained during and after construction. A development permit will be issued until this matter is resolved. It is recommended to contact the neighbor at earliest convenience to discuss this matter.

A.1.12 where applicable, provision of a certified arborist report, to the satisfaction of staff;

Note to Applicant: The report should provide information, advice and solutions regarding the impacts of neighbor trees in close proximity to excavation. Arborist should provide, construction methods, strategies and setback dimensions to direct design, where applicable. Allowable tree removals on adjacent sites are subject to restrictions of the Protection of Trees bylaw. Please contact Lee Beaulieu at 604-873-7168 for related enquiries or regarding arborist report expectations.

A.1.13 provision of a Tree Plan, including dimensioned tree protection barriers;

Note to Applicant: refer to *Protection of Trees Bylaw* (Section 4.0, 4.3) and the tree protection requirements processed at time of demolition permit. For staff to consider removal of any neighbor trees, a separate tree permit application accompanied by a neighbor consent

letter must be submitted. Replacement tree considerations should be explored in advance of the submission.

- A.1.14 where applicable, provision of a letter of assurance that the arborist has been hired to supervise and manage tree retention for the project;
- A.1.15 design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas;
- A.1.16 provision of a detailed landscape/ planting plan;

Note to Applicant: provide details of all hard and soft landscaping, including a detailed plant list and clarification of all surface materials. The plant list should be appended to plant symbols on the plant list.

- A.1.17 provision of large scale sections through the landscaped areas;

Note to Applicant: include all four sides of the building common areas. For planting on slabs, detailed sections should include the soil profile, root ball and slab/ retaining walls.

- A.1.18 provision of high efficiency irrigation for all planted areas, hose bibs for garden plot areas and private patios of areas equal or greater to 9.3 sq.m. (100 sq. ft.);

Note to Applicant: In addition to hose bibs, drip irrigation should be provided for planters on private patios. Illustrate symbols, written specifications and notations on the landscape plans in this regard.

- A.1.19 provision of new street trees adjacent to the development site, to be confirmed prior to the issuance of the building permit, to discretion of the General Manager of Engineering;

Note to Applicant: Contact Eileen Curran, Streets Engineering, at 604.871.6131 to confirm tree planting locations and Park Board, at 604.257.8587 for tree species selection and planting requirements. Provide a notation on the plan *"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 in deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."*

Crime Prevention Through Environmental Design (CPTED)

- A.1.20 design development to respond to CPTED principles, having particular regards for:

- a) theft in the underground parking;
- b) residential break and enter;
- c) mail theft; and
- d) mischief in alcoves and vandalism, such as graffiti.

Social Planning/Housing Centre/ Cultural Affairs

- A.1.21 design development to the common meeting / amenity room on the ground floor to add a kitchenette (counter, sink,) and storage closet;
-

A.2 Standard Engineering Conditions

A.2.1 Provision of revised building grades and corresponding design elevations;

Note to Applicant: In the lane delete design elevation 129.78 adjacent stall 3 and provide design elevations along the property line adjacent all exits. City building grades to be labeled as BG not existing.

A.2.2 Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including:

- Provision of an improved plan showing the design elevations on both sides of the ramps at all breakpoints and within the parking areas to be able to calculate slopes and cross falls. Provide elevations on sections drawings;
- Provision of additional stall width for all parking spaces with columns located more than 4' (1.2m) from the end of the stall. Stalls 9 and 10 require additional width;
- Modification of the ramp design on P1, in front of the mechanical room, to provide 21.66' (6.6m) of flat aisle width for maneuvering as 16.33' is shown;
- Modification of the ramp design to meet the maximum permitted slope of 10% for the first 20'. The ramp appears to transition from a +3% slope to a -10% slope (13% total) 12' from the PL;
- Provision of a heated ramp as the ramp slope is 15% and note on plans;
- Provision of a traffic warning light system as a 12' wide ramp is being provided. A qualified transportation engineer whose engineering firm specializes in signal design should provide details of the warning system and note the location of all lights and detection devices on the plans; and
- Modification of the parking spaces off the lane to a 5% or less;

Note to Applicant: Please contact Dave Kim of the Neighbourhood Parking and Transportation Branch at 604-871-6279 for more information.

A.2.3 Provision of a crossing application;

Note to Applicant: Delete proposed grass pavers and show standard commercial crossing.

A.2.4 Clarification of garbage pick-up operations;

Note to Applicant: Confirmation that a waste hauler can access and pick up from the location shown is required. Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

A.2.5 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, junction boxes, switchgear, pad mounted transformers and kiosks (including non-BC Hydro kiosks) are to be located on private property.

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.

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

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 that may be contaminated and may be encountered during subsurface work at the site.
 - A.3.2 Discharge of contaminated groundwater will require a waste discharge permit.
 - A.3.3 A qualified environmental consultant to submit a closure report upon completion of remediation.
-

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Processing Centre-Building, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated June 5, 2013. 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 **January 2nd, 2014**, 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 Details of swimming pools/hot tubs to be submitted to the Environmental Health Division and Provincial Health Engineer prior to construction;

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 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. The next increase is scheduled for September 30, 2011; projects without a Building Permit in process will be charged at a higher rate. Additional information about the increase can be found at vancouver.ca/commsvcs/planning/infobul1.pdf.
-

Processing Centre - Building comments

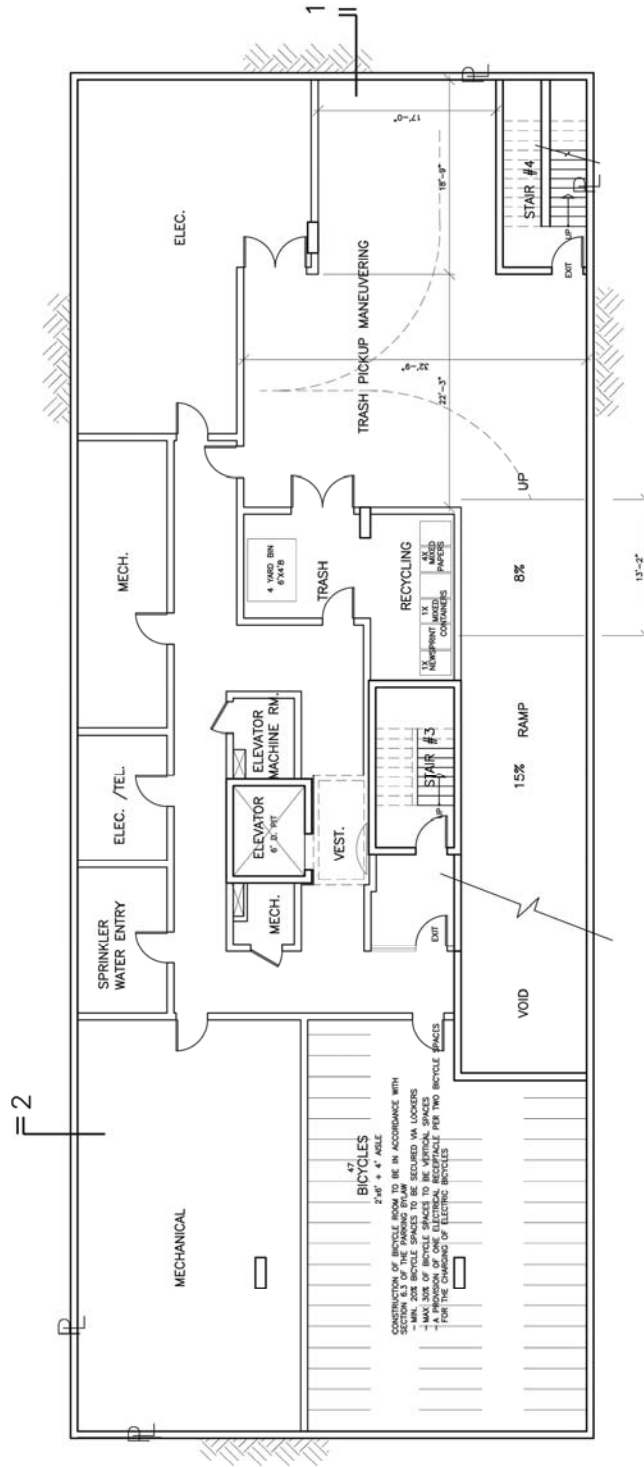
The following comments have been provided by Processing Centre - Building and are based on the architectural drawings received on March 20, 2013 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law. This is a preliminary review in order to identify issues which do not comply with the Vancouver Building Bylaw #9419.

1. The development must comply with ASHRAE 90.1 - 2077 Standard. Compliance forms to be submitted for building permit applications.
2. Provide spatial separation calculations for the east and west elevation at Building Permit stage.
3. The building is required to meet Enhanced Accessibility provisions of 3.8.2.27.
4. 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.
5. Storage area cannot open directly into the exit lobby.
6. The sitting area is not permitted in the exit lobby.

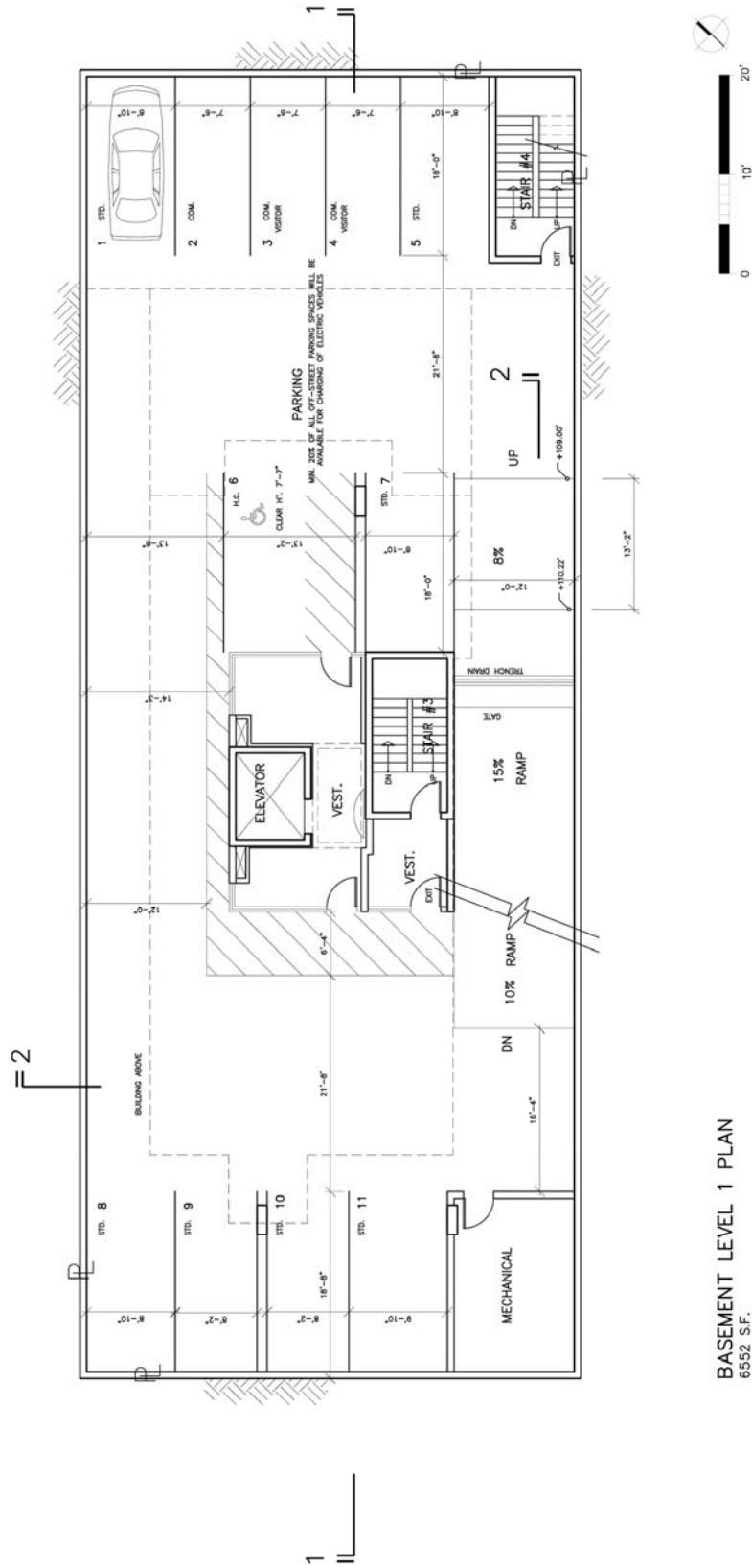
*Items marked with an asterisk have been identified as serious non-conforming Building By-law issues.

Written confirmation that the applicant has read and has understood the implications of the above noted comments is required and shall be submitted as part of the "prior to" response. If a "prior to" letter is not being sent, the above comments should be sent directly to the applicant.

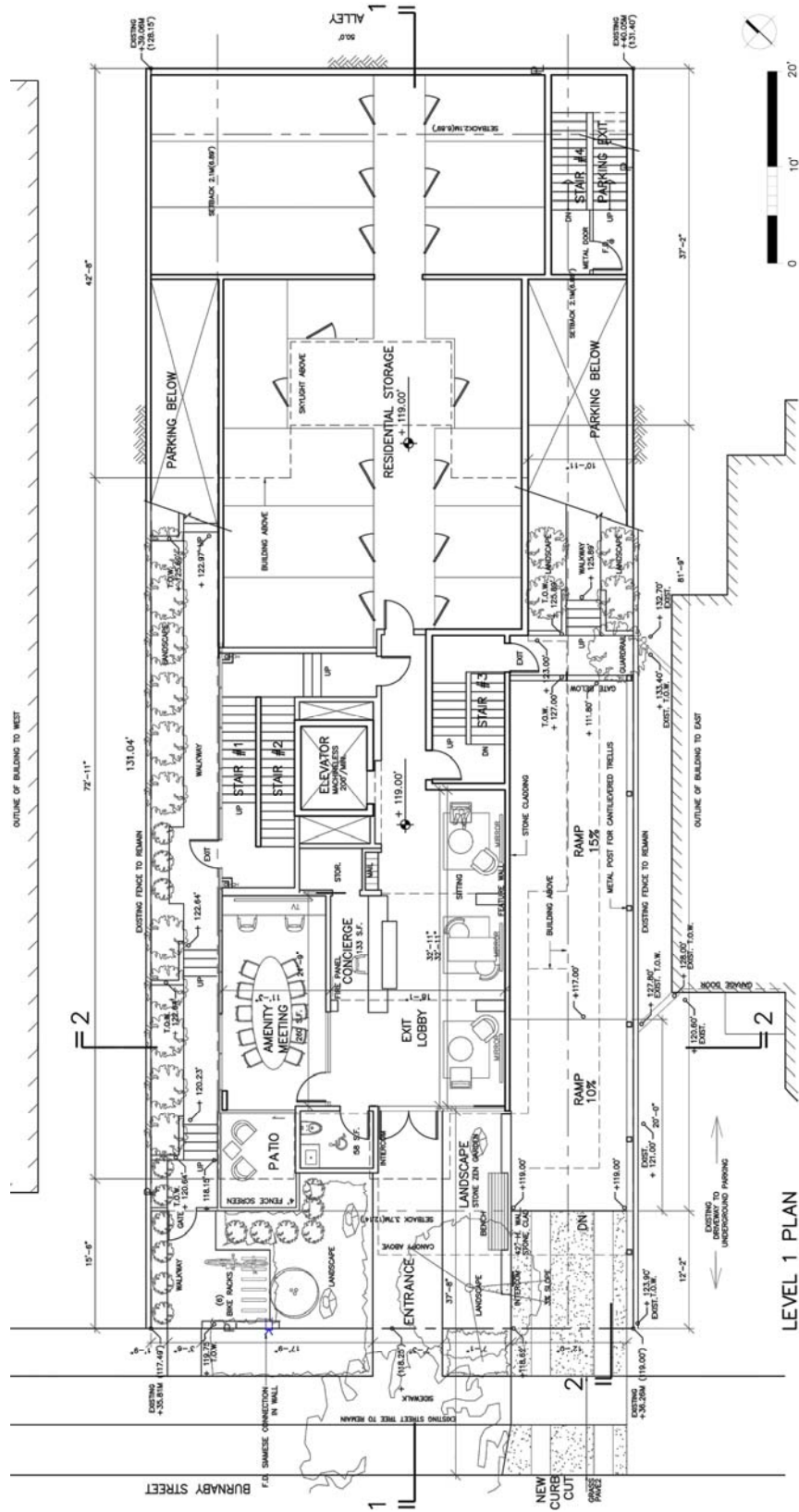
The applicant may wish to retain the services of a qualified Building Code consultant in case of difficulty in comprehending the comments and their potential impact on the proposal. Failure to address these issues may jeopardize the ability to obtain a Building Permit or delay the issuance of a Building Permit for the proposal.



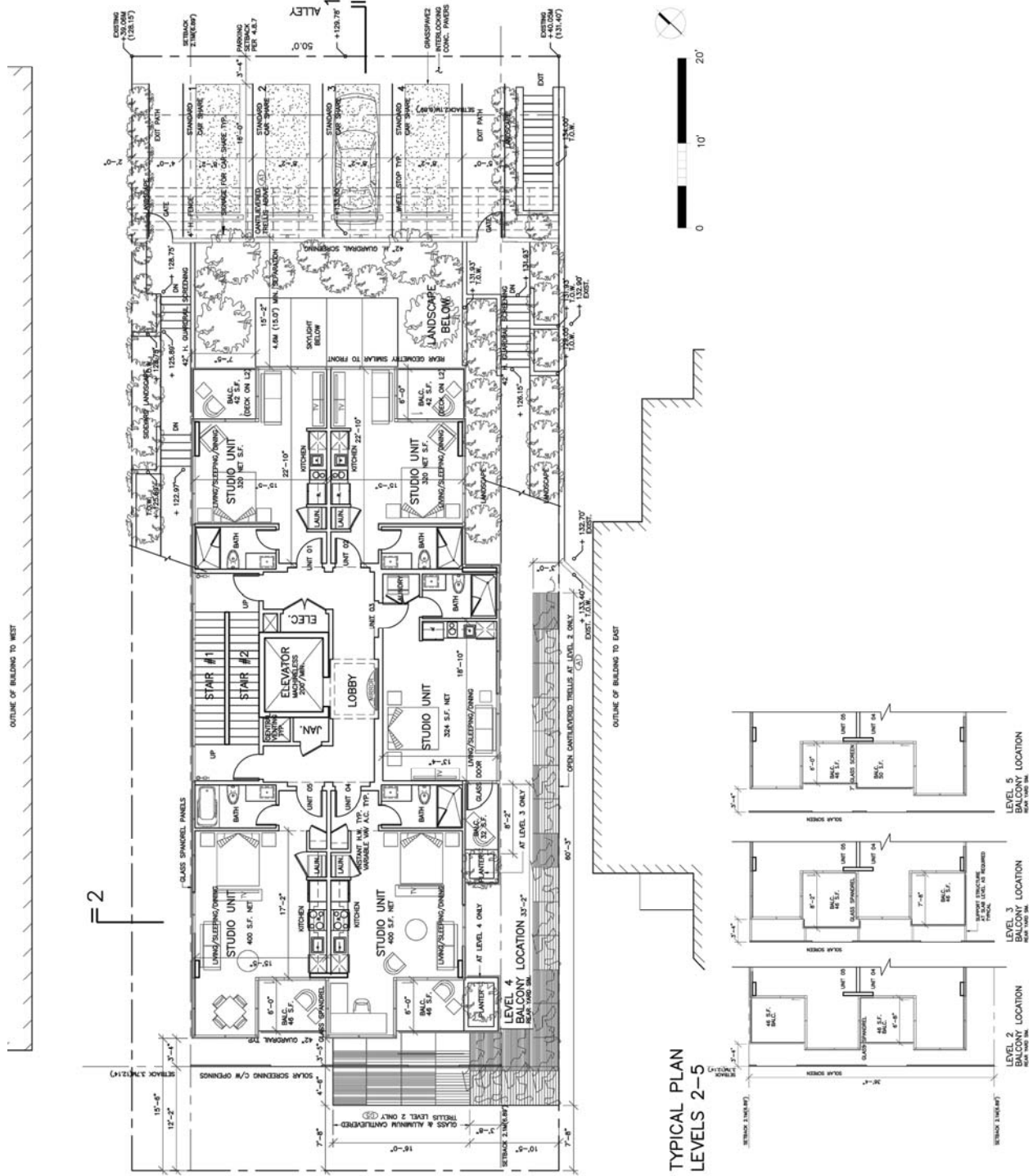
BASEMENT LEVEL 2 PLAN
 6243 S.F.

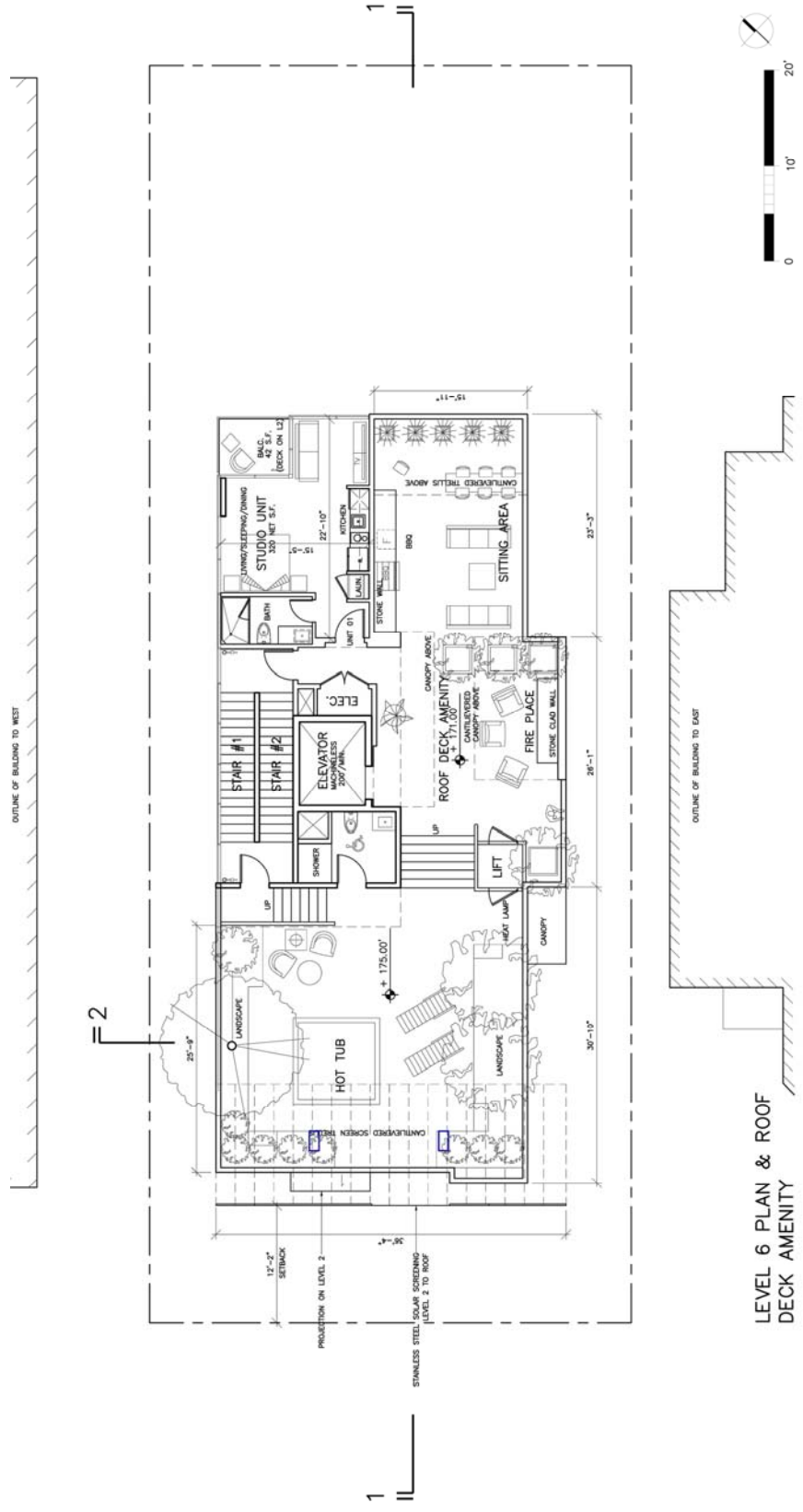


BASEMENT LEVEL 1 PLAN
 6552 S.F.

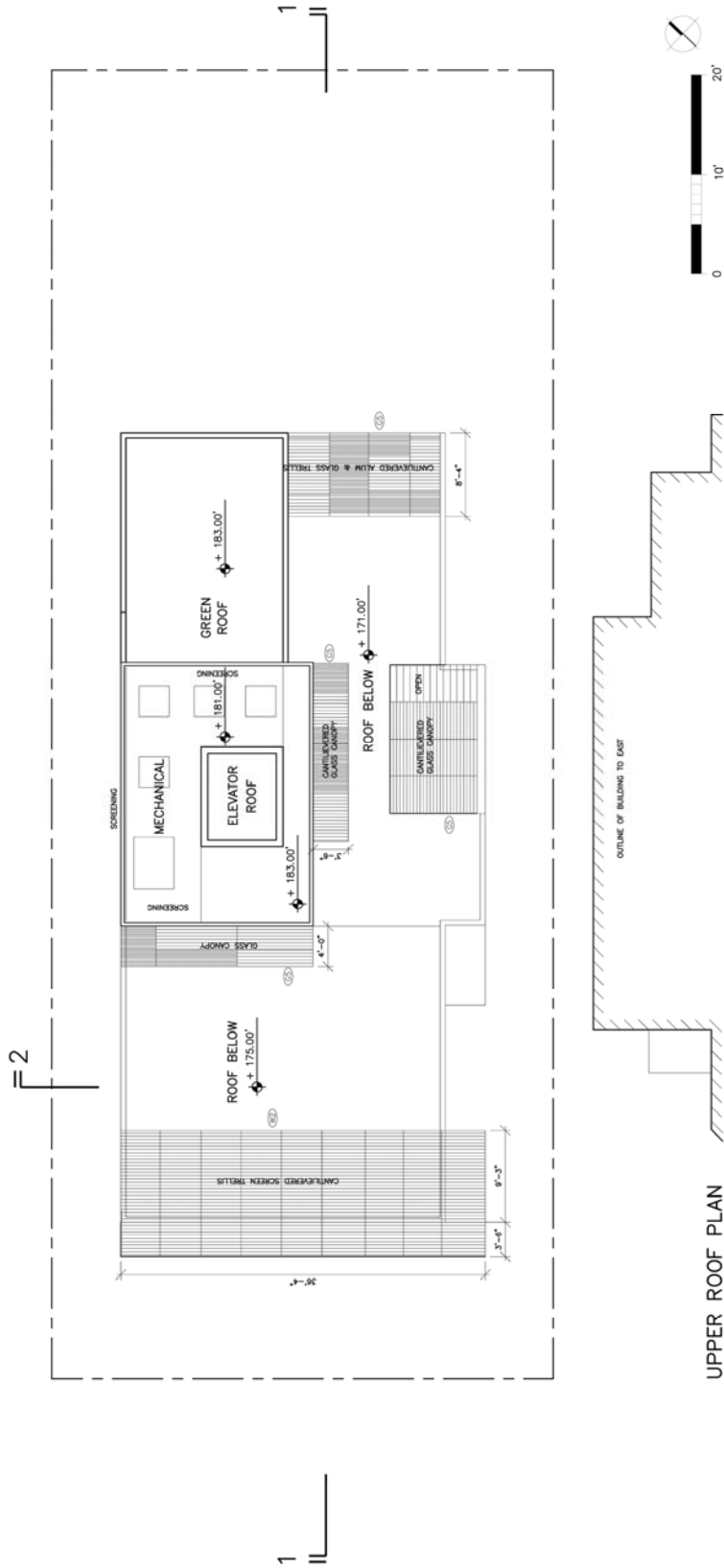


LEVEL 1 PLAN

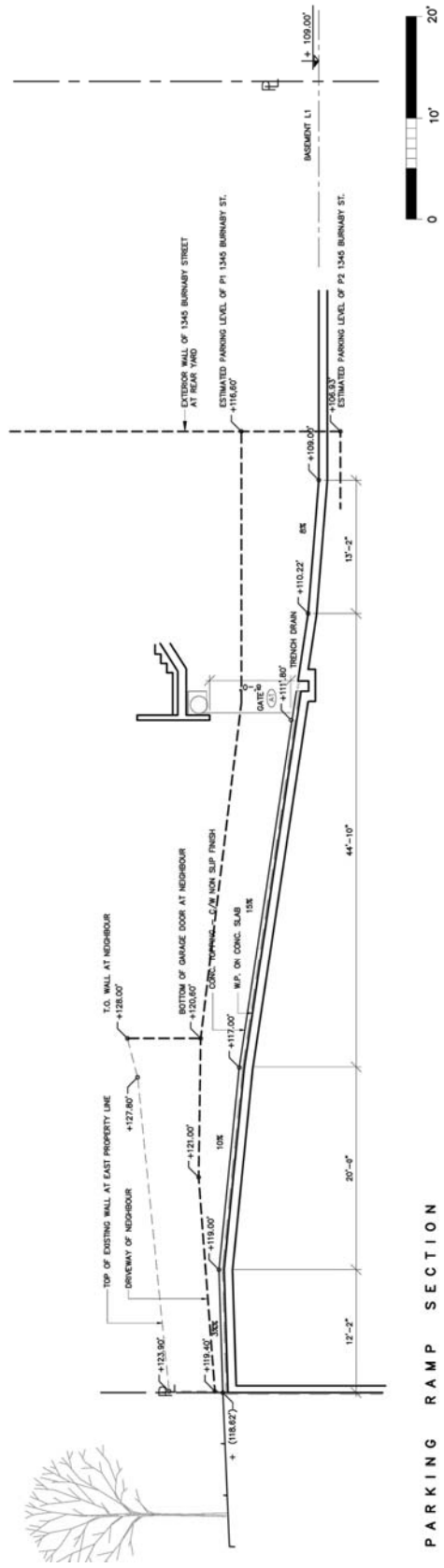




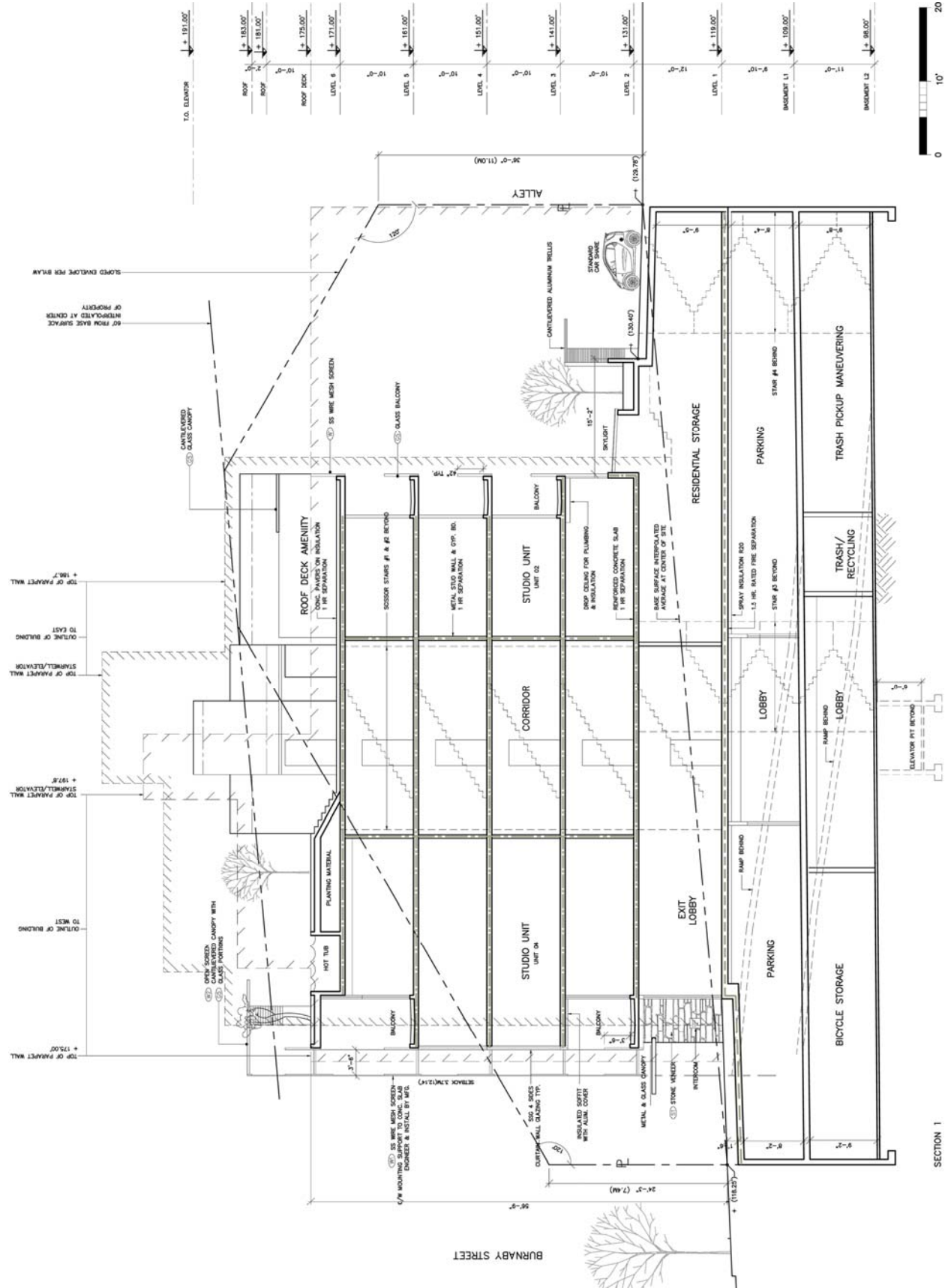
LEVEL 6 PLAN & ROOF
DECK AMENITY



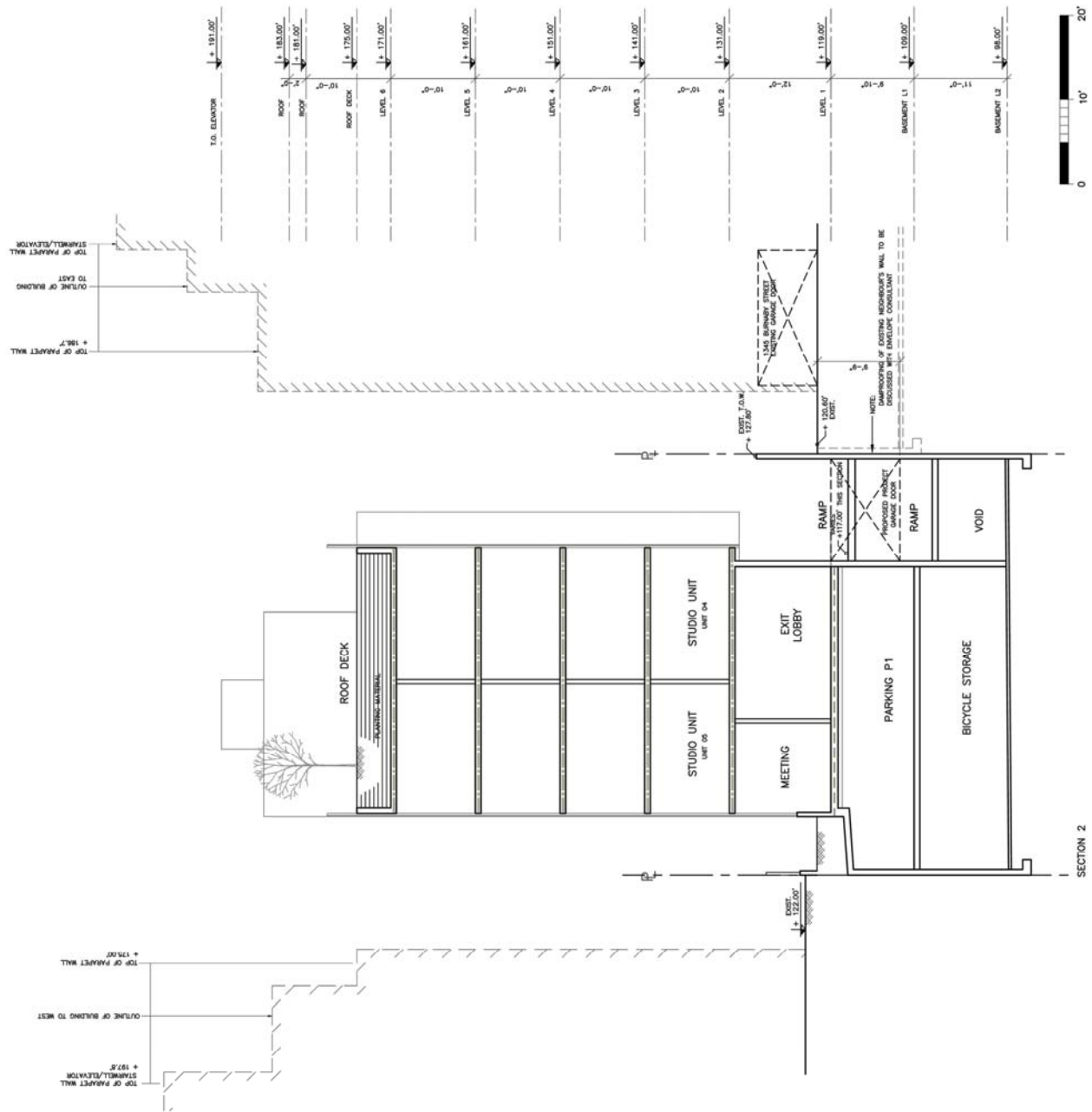
UPPER ROOF PLAN

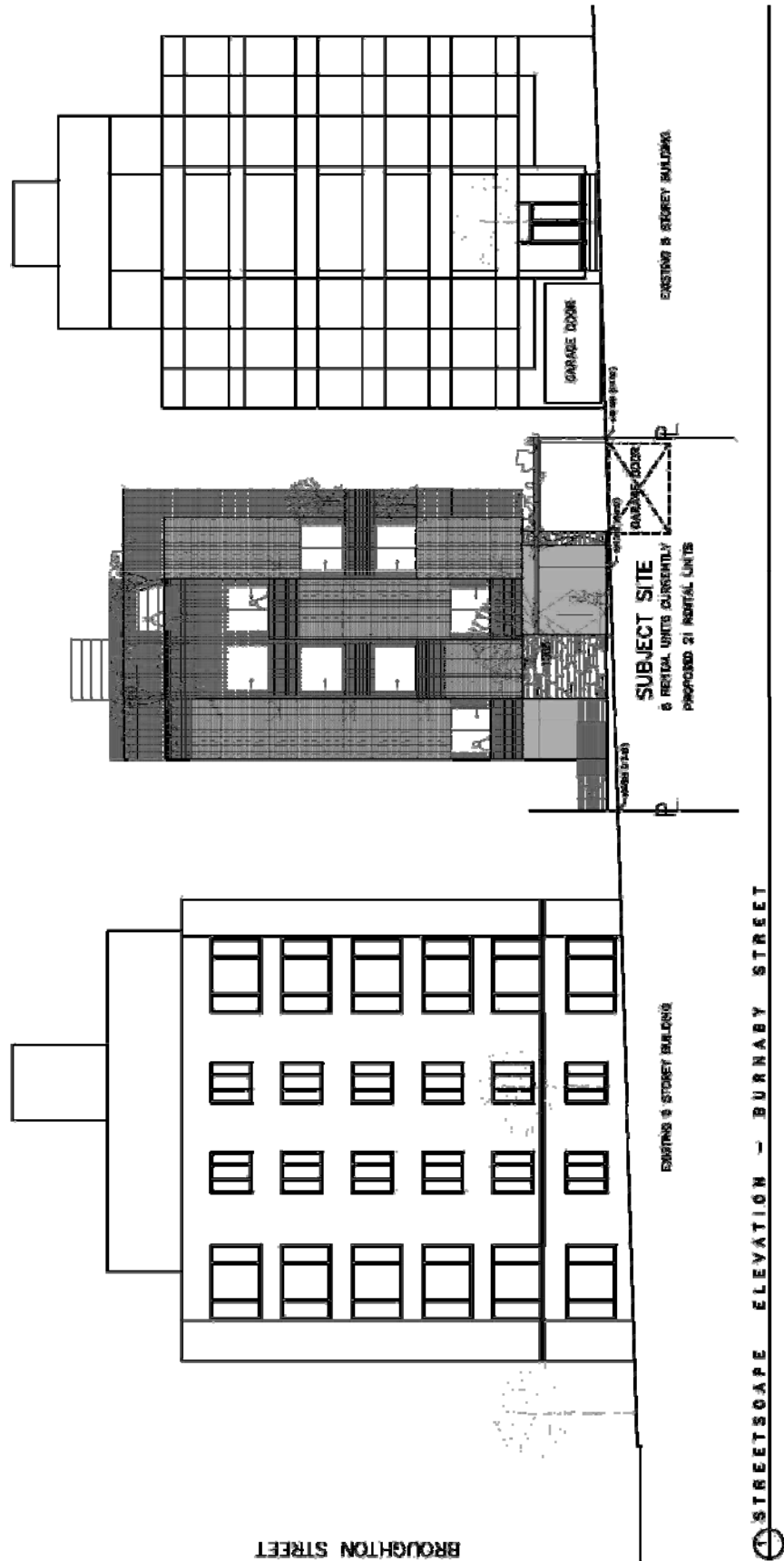


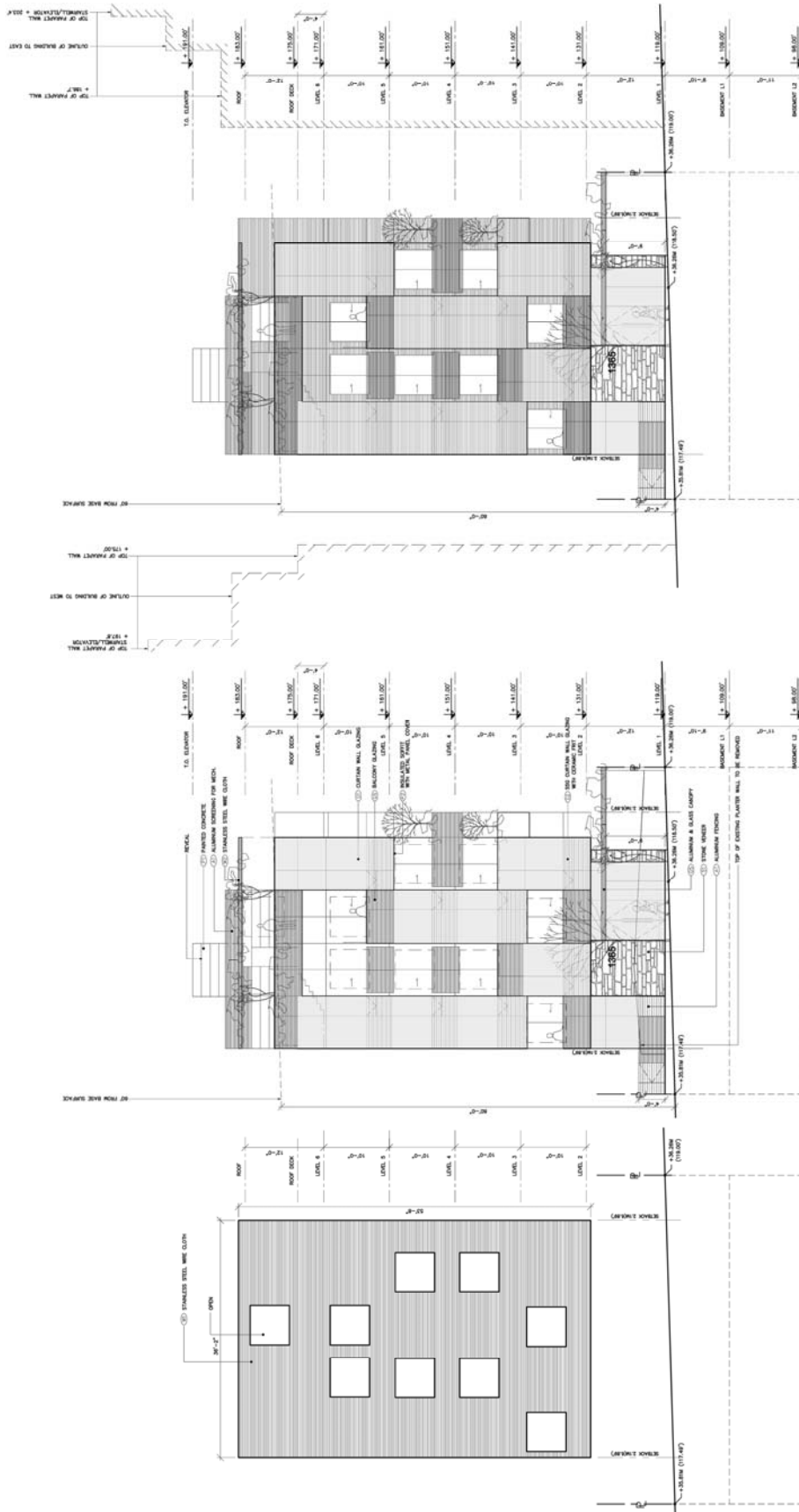
PARKING RAMP SECTION



SECTION 1



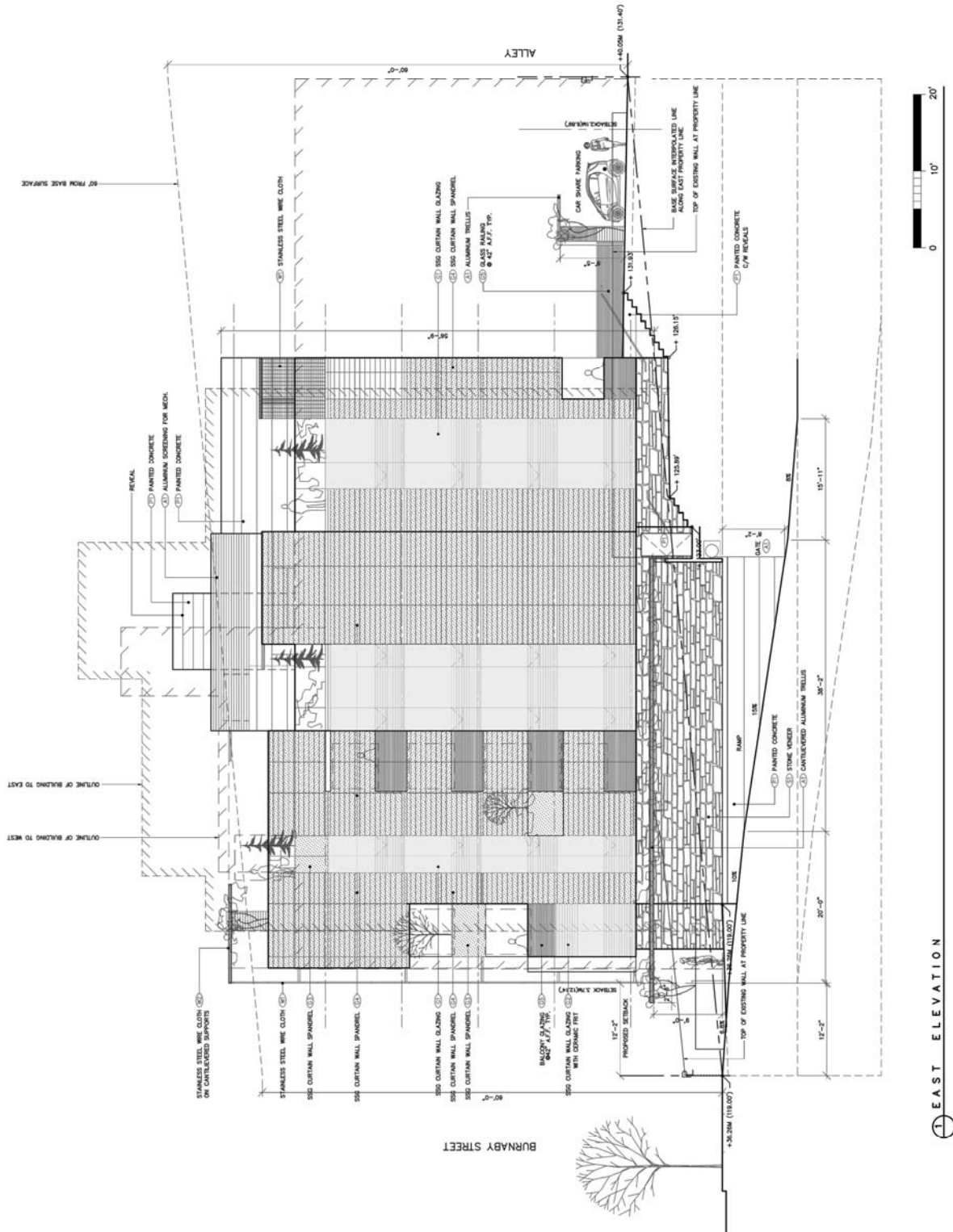




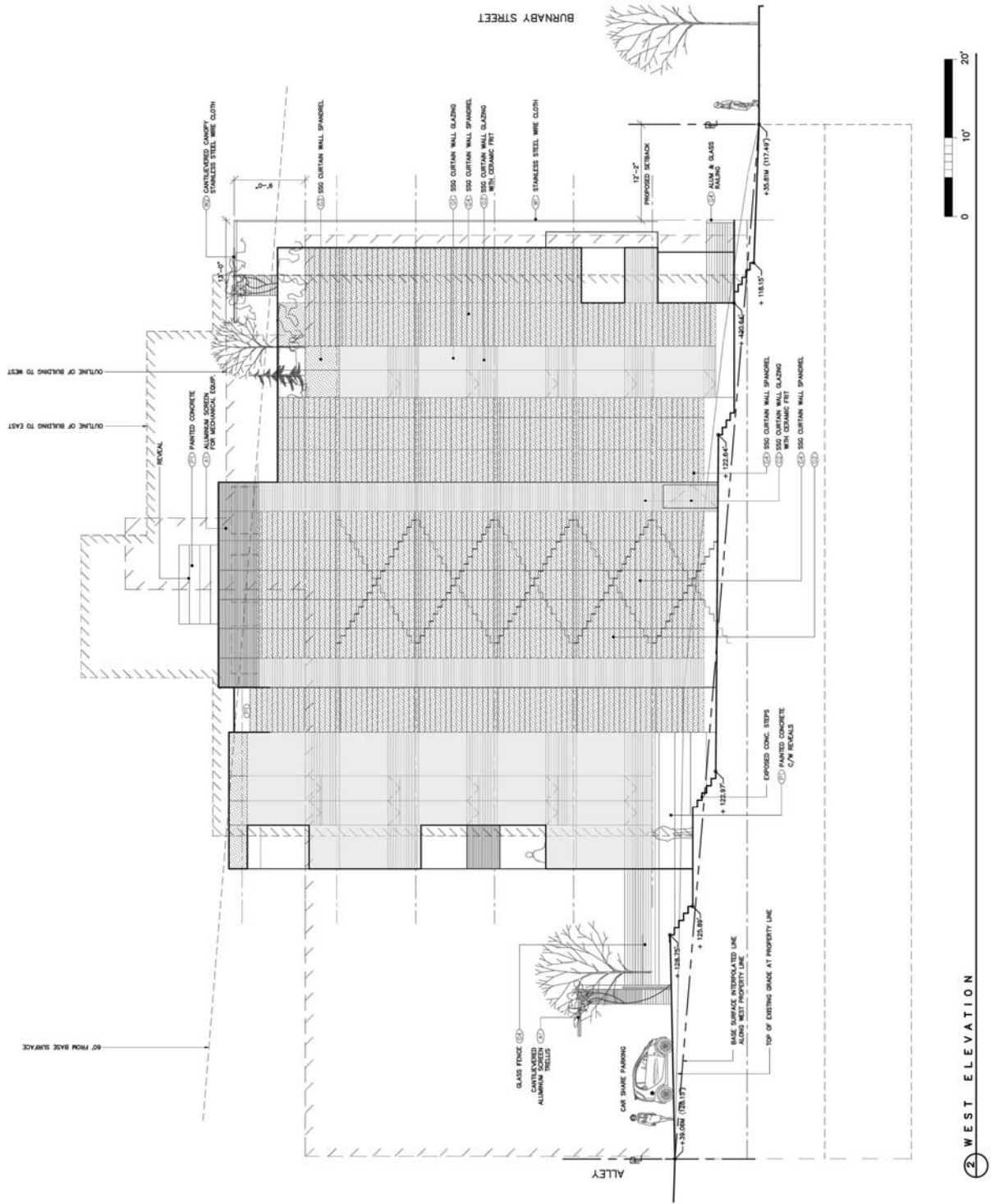
⊙ SOUTH ELEVATION
 SOLAR SCREEN

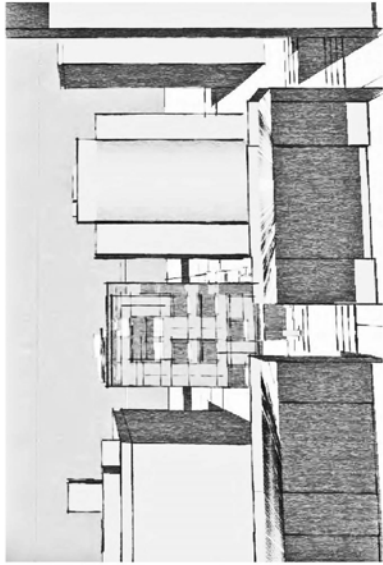
⊙ SOUTH ELEVATION
 BUILDING BEHIND SOLAR SCREEN

⊙ SOUTH ELEVATION
 COMBINATION WITH SOLAR SCREEN AND BUILDING BEHIND

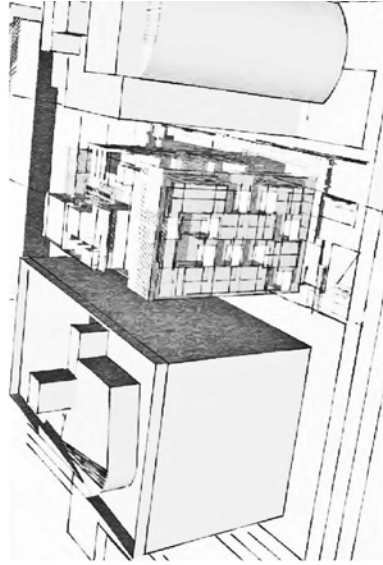




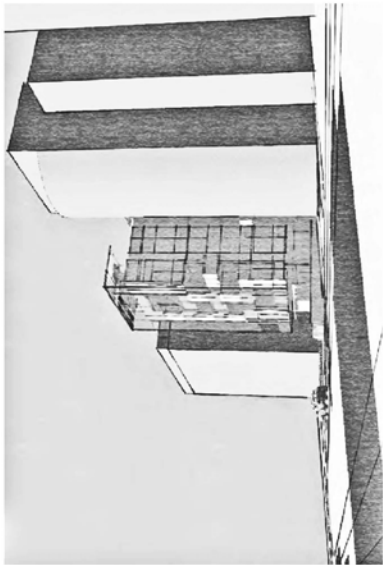




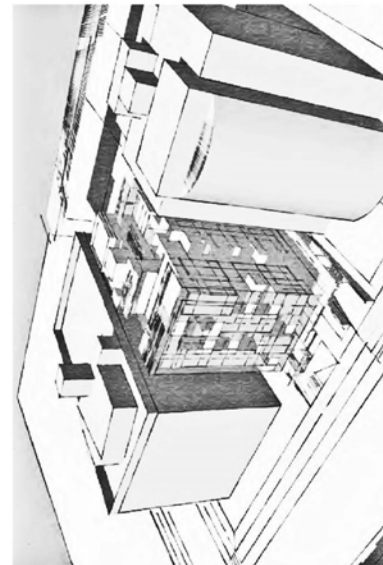
Birdseye View of South Elevation of Burnaby Street



Birdseye View of South Elevation



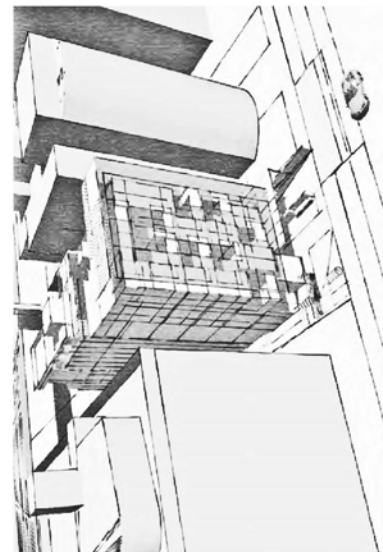
View from South Side of Burnaby Street
Looking West



Birdseye View of South East Corner



View from corner of Broughton & Burnaby
Looking East



Birdseye View of South West Corner

DESIGN RATIONALE

RM-5A guidelines have been followed, and the following write-up follows the structure of those guidelines.

2 General Design Considerations

2.1 Neighbourhood Character

The proposed building is traditional in nature, but with modern facade treatments. This new architectural expression assimilates into the character of the West End by having familiar elements such as large windows and balconies.

2.2 Street Character

The existing stepped planters in the front yard are proposed to be removed so as to create a lower, more accessible front yard in harmony with its neighbours. The location of the building in the front yard respects its neighbours. The screen is in line with the neighbour to the west, while the actual building is 40" back, more in line with the neighbour to the east. The streetscape of the front yard will tie the proposed building together with its neighbours. In addition to the solar screening benefits for the residents, the facade treatment is also meant to respond to the pedestrian nature of the West End to be visually appealing.

The building's straightforward mass is designed to be detailed in a very refined way, with simple lines and forms. All facades receive equal treatment, as well as the roof plane not only for the residents, but also for those in higher adjacent buildings that overlook the site.

2.3 Orientation

The proposed site is in between two established residential buildings. The siting and massing responds to its neighbours to ensure livability, neighbourliness and compatibility. Streetscape of Burnaby Street and the Alley will be enhanced.

2.4 Views

Due to the significant slope of the surrounding area and of this site, the proposed new development being below the 60' maximum height will have a minimal impact on existing views and will provide attractive near views for existing development.

2.5 Topography

The proposed project is on a sloping site which varies 12' from north to south. The development has been stepped with a unit on the 6th floor at the rear to accommodate the difference. The project exceeds the 120 degree slope per bylaw in the front yard, and is requesting a relaxation. The proposed development is proposing a similar vertical form in the front yard to harmonize with the neighbours to the east and west. Side yards will be stepped incrementally up the slope to minimize high walls on the property line.

2.6 Light and Ventilation

All units will have 9'-4" clear floor to ceiling curtain wall glazing with operable windows to allow maximum light penetration. All units are proposed to have air conditioning with individual control. All units comply with Natural daylight calculation required by the bylaw, and all units are above grade.

2.9 Privacy

The proposed development has oriented its balconies and windows to minimize impact on privacy by adjacent residents. In the rear yard, a trellis spanning the width of the site has been introduced to soften the edge to the alley and give a level of screening for the units on the north side. In the south and east sides, the solar screen mesh provides some level of privacy screening as well.

2.10 Safety and Security

The proposed development provides a secure environment by design features such as open areas with long sightlines, and by having the interior of the Lobby visible from the Street. A concierge is proposed to staff the front reception desk. To create a safe night-time environment, appropriate residential lighting will be provided.

2.11 Access and Circulation

The proposed project has its front door centrally located on the building's South Face with a slight slope up from Burnaby Street. The large expanse of frameless glass at the Lobby will have a glass canopy above which intrudes into the front-yard setback

2.12 Heritage

This project is requesting a 10% heritage density transfer per the zoning bylaw. A signed 'Letter A' is attached to this proposal.

4.3 Height

The building is below the 60 foot height limit per the zoning bylaw. Projecting elements are exit stair, mechanical (screened), elevator and trellis. The cantilevered trellis in the front projects 4'-2" above the 60' line and we are requesting a relaxation. The screen plays a significant role in the character of the facade, and as both side yard neighbours are of similar or higher heights, we believe the additional height for the screen to be reasonable.

4.4 Front Yard

The Front Yard is proposed to be level with the sidewalk which will bring it into the same character as its adjoining neighbours. The building will be set back to form a contiguous front yard, and the building mass will create a sense of continuity on the street.

4.5 Side Yard

Building in the East Side Yard is proposed to be stepped back in order to achieve the required angle of daylight for the centre unit. Building face on the West will be in one plane at the setback line.

4.6 Rear Yard

The rear yard has been given to a public amenity of four car-share stalls accessed from the lane. The parking will be screened with a continuous trellis planted with vines. Extensive landscaping is proposed for the rear yard. The North elevation will have the same refined details of curtain wall glazing as the front elevation, and a smaller version of the stainless steel mesh screen will be in place as a counterpoint to the large screen on the South elevation. This will create a visual interest from the alley. A stairwell to Parking is proposed in the Eastern side yard.

4.8 Site Coverage

Site coverage of the proposed project is below maximum to allow the building's height, and provide open Amenity space for the residents and surrounding community (car-share parking).

4.9 Off-Street Parking and Loading

Due to the topography of the site, underground parking is proposed to be accessed off of Burnaby Street. In exchange for the curb cut, we are proposing a community amenity of four car-share stalls to be accessed from the lane. These four standard size stalls will have unencumbered 24 hour access. On Burnaby Street, we are proposing a separate 12' wide ramp to serve the 11 underground car stalls for this development. Due to the large expanse of driveway, we are proposing to construct a metal trellis planted with vines to soften the area along the East property line, as well as provide grasspave strips within the 12' width to create more of a laneway road feel for the parkade entrance. The grasspave is also proposed for the rear yard to soften the expanse of paving under the car share stalls.

5.1 Roofs

The proposed project will have an outdoor amenity on the main roof. A Hot tub, shower, fireplace, bbq area, and seating will be accessible to residents. Above the residential unit we are proposing an extensive green roof system comprised of pre-grown sedum mats. The roof will be finished with high quality materials and will create an attractive and interesting roofscape when viewed from above or as part of the skyline.

Mechanical systems are proposed to be located above the exit stair and will be screened with a horizontal aluminum screen to mimic the horizontal lines of glass spandrels and balconies.

5.3 Entrances

The proposed entrance will be clearly defined and prominent with frameless glass and a clear view into the interior. Adjacent to the entrance will be a solid mass of stone with the building signage and address. A cantilevered glass canopy is proposed to provide additional weather protection and scale.

5.4 Balconies

Balconies have been provided for all units. Due to the modest nature of the unit sizes, amenity space on the roof has been provided for the residents. Balconies and interior volumes have been arranged in a playful manner on the north and south elevations. Two balconies on the south and east facades have planter extensions to create interest and green opportunities midway up the building.

5.5 Exterior Walls and Finishing

Exterior finishes are proposed to be of high quality materials such as stone, glass, and stainless steel. The building shell will be constructed of concrete and clad with stone or curtain wall glazing. The stone is proposed to be a black basalt veneer in a rough ledgestone pattern, and will be applied to Level 1. Structural silicone glazing (SSG) curtain wall is proposed for the residential units. On the lower portions of each room, a continuous band of transparent glass has a 50% horizontal white screen-printed pattern applied to it which filters the light and reduces solar heat gain. This 50% horizontal pattern is applied to clear glass for balcony railings and glass canopies. A modified horizontal pattern with white and blue/gray print to match the glass will be used to make the opaque spandrel panels necessary at certain portions of the exterior.

On the South and East façade, a solar screen serves as a "veil" to filter sunlight and control glare, but also exists as a much larger architectural expression of surface. Due to the unexplored nature of the coloring, we will work with the screen supplier to achieve an elegant color. At the moment, we are pursuing an iridescent multi-colored screen which will achieve the colors by the INOX process which is a chemical bath.

7 Open Space

The proposed project will provide a continuity of open space with low planting in the front yard which will create an attractive, generous streetscape. The large paved entrance path will have a bench with lighting for those waiting outside of the entrance Lobby.

7.3 Private Open Space

Many open spaces are provided in the development for the enjoyment of the residents. All units have their own balconies accessed from the unit. All residents also have access to the large landscaped roof deck.

7.4 Indoor Amenities

The proposed project has included 10% of the allowable area dedicated to indoor resident amenities. Amenities include concierge/reception, large meeting room, washroom, social lounge & waiting area with lounge seating. It is the intent of the development to create different spaces throughout the building that are extensions of the residents homes, and can foster a sense of community and socialization.

8 Landscaping

Landscaping is proposed to be colorful with multi-seasonal interest. A Zen garden with large stones is proposed adjacent to the front entrance. Side yards will be given hedges and trellises, while rearyard and trellis above will allow for a variety of heights and types of planting. Fences are proposed to be constructed of aluminum supports and clear glass with a horizontal white stripe pattern.

Due to the height of the existing grade at the front yard, it will not be possible to retain the large tree, and it has been removed. Two adjacent trees in the western neighbours sideyard were leaning heavily into the subject property, and the arbourist report has recommended they be removed and replaced with the same species. An agreement has been made with the neighbour, and the trees have been replaced, and others pruned back at the top.

9 Market Housing Agreement

The existing eight unit apartments are one bedroom units. The proposed development is proposing all 21 units to be studio apartments due to the high level of amenity spaces in the building, as well as in the immediate neighbourhood. The eight replacement units are proposed to be 400 s.f, with the remainder at 320 s.f. All units in the proposed development will be rental units and will be secured with a Housing Agreement with the City. The modest size of the units will allow the rental rate to be more affordable, and accessible to a wider range of prospective tenants.

View Lost due to Proposed Construction

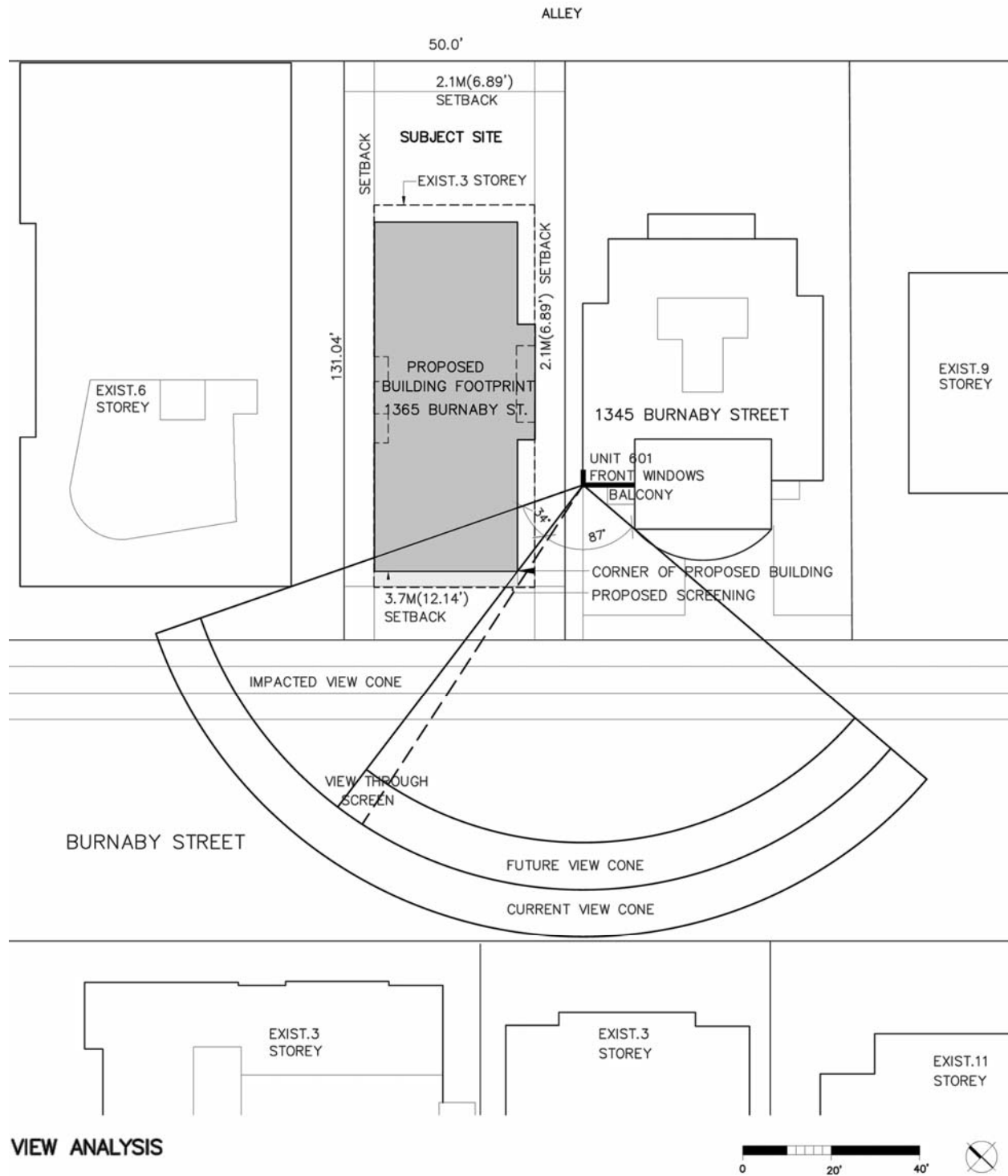


Corner of Proposed Building

Corner of Proposed Screen

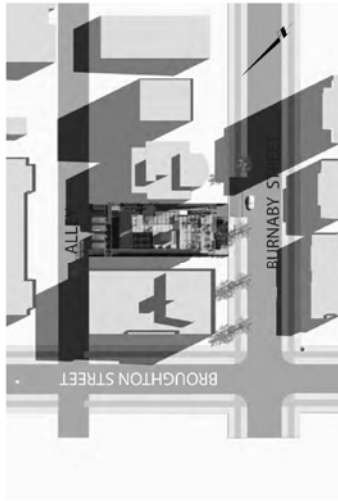
Future View after Proposed Construction







MARCH 21
2:00 pm



SEPTEMBER 21
2:00 pm



MARCH 21
12 noon



SEPTEMBER 21
12 noon



MARCH 21
10:00 am



SEPTEMBER 21
10:00 am

DAVID H. STOLLER
Barrister & Solicitor

Suite 801 - 100 Park Royal South
West Vancouver, British Columbia
Canada V7T 1A2

Office (604) 922-4702
Fax (604) 922-0374
Email stoller@stoller.ca

24 April 2013

File Ref: 10231

Amanat Architects
Suite 100 – 1515 West 7th Avenue
Vancouver BC V6J 1S1

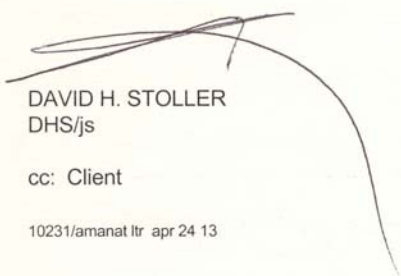
Dear Sirs:

RE: 1365 Burnaby St., Vancouver British Columbia (the "Property")

Please find enclosed Statutory Declaration annexing proof of delivery of the information concerning the intention of Vanca Holdings Ltd. to redevelop the Property and the details concerning the compensation for relocation.

I trust you find the above in order.

Yours truly,


DAVID H. STOLLER
DHS/js

cc: Client

10231/amanat ltr apr 24 13

CANADA)	IN THE MATTER OF THE SALE OF
)	PROPERTY SITUATE AT
PROVINCE OF)	1365 Burnaby Street, Vancouver
)	British Columbia legally described as
BRITISH COLUMBIA)	PID: 003-138-160 Lot B Block 38
)	District Lot 185 Plan 8541
TO WIT:)	(the "Property")
)	

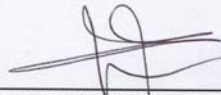
I, ABOL HASSAN ZAMANI, Contractor, of 4440 Skyline Drive, of the City of North Vancouver, in the Province of British Columbia, V7R 3H1, **DO SOLEMNLY DECLARE THAT:**

1. I am a Director of Vanca Holdings Ltd., the registered owner of the Property, and as such have personal knowledge of the matters hereinafter deposed to.
2. There are eight tenanted suites in the Property.
3. By letter dated March 15, 2013, addressed to the tenants in the building, Vanca Holdings Ltd. provided Notice of the intention to redevelop the Property concerned and provided information concerning the type of building that was proposed to be developed.
4. Vanca Holdings Ltd. also provided notice of the details of relocation upon providing notice to vacate pursuant to the *Residential Tenancy Act* the details of which are contained in the letter.
5. A copy of the notice signed by each tenant is attached hereto and marked as Exhibits "1" to "8" to this Statutory Declaration.

AND I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at
West Vancouver in the
Province of British Columbia
in Canada this 24 day
of April, 2013

A Commissioner for taking Affidavits
for British Columbia



ABOL HASSAN ZAMANI

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: Mr. Victor Ramirez
Suite 204 – 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

As you know, it is our intention to redevelop the property.

We will be taking steps to end the Tenancy once we have permission to demolish the building.

We intend to proceed as follows:

1. Notice will be given in accordance with the *Residential Tenancy Act* (the "Act")
2. In addition to the provisions of the Act, we will be providing the following as compensation:
 - a) Two months free rent or the cash equivalent; and
 - b) \$400.00 to pay toward moving expenses.

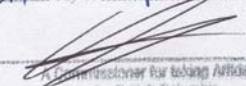
It is our intention to build a number of rental units on the same site. We intend to offer you an opportunity to rent one of the new units at market rent. Upon your vacating the unit, you will be asked to provide a forwarding address and e-mail address. We will send an offer to rent in the new building to you at your forwarding address. Please keep us informed of your address so this offer reaches you.

Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

This is Exhibit "8" referred to in the
 affidavit of Abol Hassan Zamaie
 sworn before me at West Vancouver
 this 24 day of April 2013.


 Notary Public for the Province of British Columbia

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT MARCH 19 2013

April

I/WE FIND THE ARRANGEMENT IS ACCEPTABLE



I/WE FIND THE ARRANGEMENT IS UNACCEPTABLE

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: Mr. Jason Lamarche
Suite 203 - 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

As you know, it is our intention to redevelop the property.

We will be taking steps to end the Tenancy once we have permission to demolish the building.

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

This is Exhibit "7" referred to in the
 declares of Abol Hassan Zaman
 sworn before me at West Vancouver
 this 24 day of April, 2013

 A Commissioner for taking Affidavits
 for British Columbia

For Vanca Holdings Ltd.

S. For
 RECEIVED BY THE TENANT MARCH 28, 2013

I/WE FIND THE ARRANGEMENT IS ACCEPTABLE

I/WE FIND THE ARRANGEMENT IS UNACCEPTABLE

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: Ms. Jennifer Barry
Suite 202 – 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

As you know, it is our intention to redevelop the property.

We will be taking steps to end the Tenancy once we have permission to demolish the building.

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

This is Exhibit " 6 " referred to in the
 Declaration of Abol Hassan Zaman
 sworn before me at West Vancouver
 this 24 day of April, 2013.


 A Notary Public for taking Affidavits
 for British Columbia

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT MARCH 5, 2013

I/WE FIND THE ARRANGEMENT IS ACCEPTABLE

I/WE FIND THE ARRANGEMENT IS UNACCEPTABLE

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: Mr. Mondragon Daniel Sanchez and
Ms. Manuella Lenz
Suite 201 - 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.


Yours truly,

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT MARCH, 2013

// WE FIND THE ARRANGEMENT IS ACCEPTABLE

// WE FIND THE ARRANGEMENT IS UNACCEPTABLE

This is Exhibit "5" referred to in the
affidavit of Abol Hassan Zamani
sworn before me at West Vancouver
this 24 day of April, 2013.

A Commissioner for taking Affidavits
for British Columbia





VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: Mr. Ryan Charmley
Suite 104 - 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

As you know, it is our intention to redevelop the property.

We will be taking steps to end the Tenancy once we have permission to demolish the building.

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

This is Exhibit "4" referred to in the
declaration of Abol Hassan Zaman
sworn before me at West Vancouver
this 24 day of April 20 13.

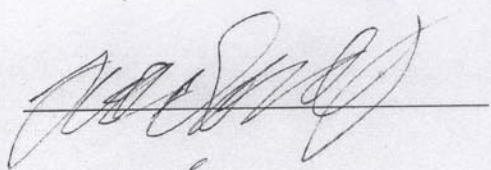


A Commissioner for taking Affidavits
for British Columbia

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT ^{AP. 05} MARCH __, 2013

I/.WE FIND THE ARRANGEMENT IS ACCEPTABLE

I/.WE FIND THE ARRANGEMENT IS UNACCEPTABLE

Handwritten initials or mark in the top right corner.

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: ~~Ms. Monica Goodwin~~ Ariel Hongia Jordan Goodwin.
Suite 103 – 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

declares This is Exhibit " 3 " referred to in the
 affidavit of Abol Hassan Zamani
 sworn before me at West Vancouver
 this 24 day of April, 2013

[Signature]

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT April 6, 2013 *[Signature]*

// WE FIND THE ARRANGEMENT IS ACCEPTABLE

// WE FIND THE ARRANGEMENT IS UNACCEPTABLE

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: ~~Mr. Seth Longworth~~ and
Ms. Victoria Bowles
Suite 102 - 1365 Burnaby Street
Vancouver BC V6J 4S5

← Please note: this tenant has not lived here since May 2010. Former management company was notified of this change, but appears to have never updated their records. Please revise.

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

This is Exhibit "2" referred to in the
 document of Abol Hassan Zamani
 sworn before me at West Vancouver
 this 24 day of April, 2013.

[Signature]
 A Commissioner for Swearing Affidavits
 for British Columbia

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT ^{April} MARCH 06, 2013

[Signature]
V. Bowles

I/WE FIND THE ARRANGEMENT IS ACCEPTABLE

VB F1

I/WE FIND THE ARRANGEMENT IS UNACCEPTABLE

VANCA HOLDINGS LTD.

4440 Skyline Drive
North Vancouver BC V7R 3H1

March 28, 2013

To: Mr. Ricardo Guardado
Suite 101 - 1365 Burnaby Street
Vancouver BC V6J 4S5

RE: Termination of Tenancy relating to the issuing of a Development Permit for
1365 Burnaby Street, Vancouver, BC (the "Property")

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Please acknowledge receipt on the copy of this letter provided.

Please also signify whether this arrangement is acceptable.

Yours truly,

This is Exhibit "1" referred to in the
 declaration of Abul Hassan Zaman
 sworn before me at West Vancouver
 this 27 day of April 20 13.


 A Commissioner for taking Affidavits
 for British Columbia

For Vanca Holdings Ltd.

RECEIVED BY THE TENANT April 6 MARCH 6, 2013

I/WE FIND THE ARRANGEMENT IS ACCEPTABLE OK

I/WE FIND THE ARRANGEMENT IS UNACCEPTABLE _____

Accepted



PLANNING AND DEVELOPMENT SERVICES
Development Services

May 2nd, 2013

Dear Sir and/or Madam:

**RE: 1365 Burnaby Street
Development Application Number DE416678**

Please refer to my attached letter dated April 25th, 2013 regarding the Development Application from Amanat Architect to redevelop the above noted address site to a new 6 storey, 21 unit residential rental building with 2 levels of underground parking. If this development were to proceed, it would involve the demolition of the building you currently occupy.

City Council has adopted the "Rental Housing Stock Official Development Plan" and the "Rate of Change Guidelines for Certain RM, FM, and CD-1 Zoning Districts" applicable to conditionally permitted uses involving the loss of existing rental accommodation from a site. The Development Permit Board shall consider these policies and guidelines in making a decision on this development application. These documents are available at the following links:

<http://former.vancouver.ca/commsvcs/BYLAWS/ODP/RHS.pdf>

<http://former.vancouver.ca/commsvcs/guidelines/R021.pdf>

You may also wish to seek more information regarding your rights under the Residential Tenancy Act as it relates to the redevelopment of this site. More information is available on the Residential Tenancy Branch website at: <http://www.rto.gov.bc.ca/>

The Development Permit Board is scheduled to consider this application on July 2nd, 2013, beginning at 3:00 p.m. in Town Hall Meeting Room (1st Floor, City Hall, 453 West 12th Avenue). You or your representative may attend the meeting and, upon request, will be accorded the opportunity to address the Board.

Please contact me if you have any questions on this development application, or the information contained in this letter.

Yours truly,

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

MA/ma

C:\Documents and Settings\CGJBZ\Local Settings\Temporary Internet Files\Content.Outlook\9G4Y09BK\DE416678 - Tenant notification - Rate of Change - 2013-05-02.DOCX

City Hall 453 West 12th Avenue Vancouver BC V5Y 1V4 vancouver.ca
Development Services tel: 604.873.7611 fax: 604.873.7100