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1238 Seymour Street (COMPLETE APPLICATION)  
DP-2024-00187 – DD

BD/GS/JB

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**APPLICANT:**  
Nicholai Reid  
Unit #803, 1238 Seymour St.  
Vancouver, BC  
V6B 6J3

**PROPERTY OWNER:**  
Same as applicant

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## EXECUTIVE SUMMARY

- **Proposal:** To perform interior alterations to expand the existing mezzanine in unit #803 by approximately 164 square feet in the existing multiple dwelling building, thereby granting an increase in the Floor Space Ratio using transferable heritage density or purchase of heritage amenity shares, in accordance with the decision of the Development Permit Board.

See Appendix A Standard Conditions  
Appendix B Standard Notes and Conditions of Development Permit  
Appendix C Building Review Branch comments  
Appendix D Floor Plans

- **Issues: None**

## STAFF RECOMMENDATION: APPROVE

THAT the Board APPROVE the Heritage Density Transfer request contained in Development Application No. DP-2024-00187 submitted, the plans and information forming a part thereof, thereby permitting interior alterations to expand the existing mezzanine in unit #803 by approximately 164 square feet in the existing multiple dwelling building, thereby granting an increase in the Floor Space Ratio using transferable heritage density or purchase of heritage amenity shares, subject to the following conditions:

- 1.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.
  - 2.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.
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• **Technical Analysis:**

	PERMITTED (MAXIMUM)	Existing	PROPOSED
Site Size		250 ft. x 120 ft.	
Site Area		30,000 sq.ft.	
Floor Area <sup>1</sup>	150,000 sq.ft. (total)	162,071 sq.ft. (total)	162,235 sq.ft.
FSR <sup>2</sup>	5.0 (total)	5.15 (total)	5.15 (total)

<sup>1</sup> **Floor Area:** Under Section 3.14 and 3.15 of the DODP, an additional 10 percent heritage density transfer or purchase heritage amenity shares (maximum 5.5 FSR or 165,000 sq. ft.) may be considered by the Development Permit Board.

<sup>2</sup> **FSR:** The existing building has previously obtained additional FSR through heritage density transfers. See further discussion under Background, page 4.

• **Legal Description**

Lot: 98  
 Block: 104  
 District Lot: 541  
 Plan: 21594/ STRATA LMS2446

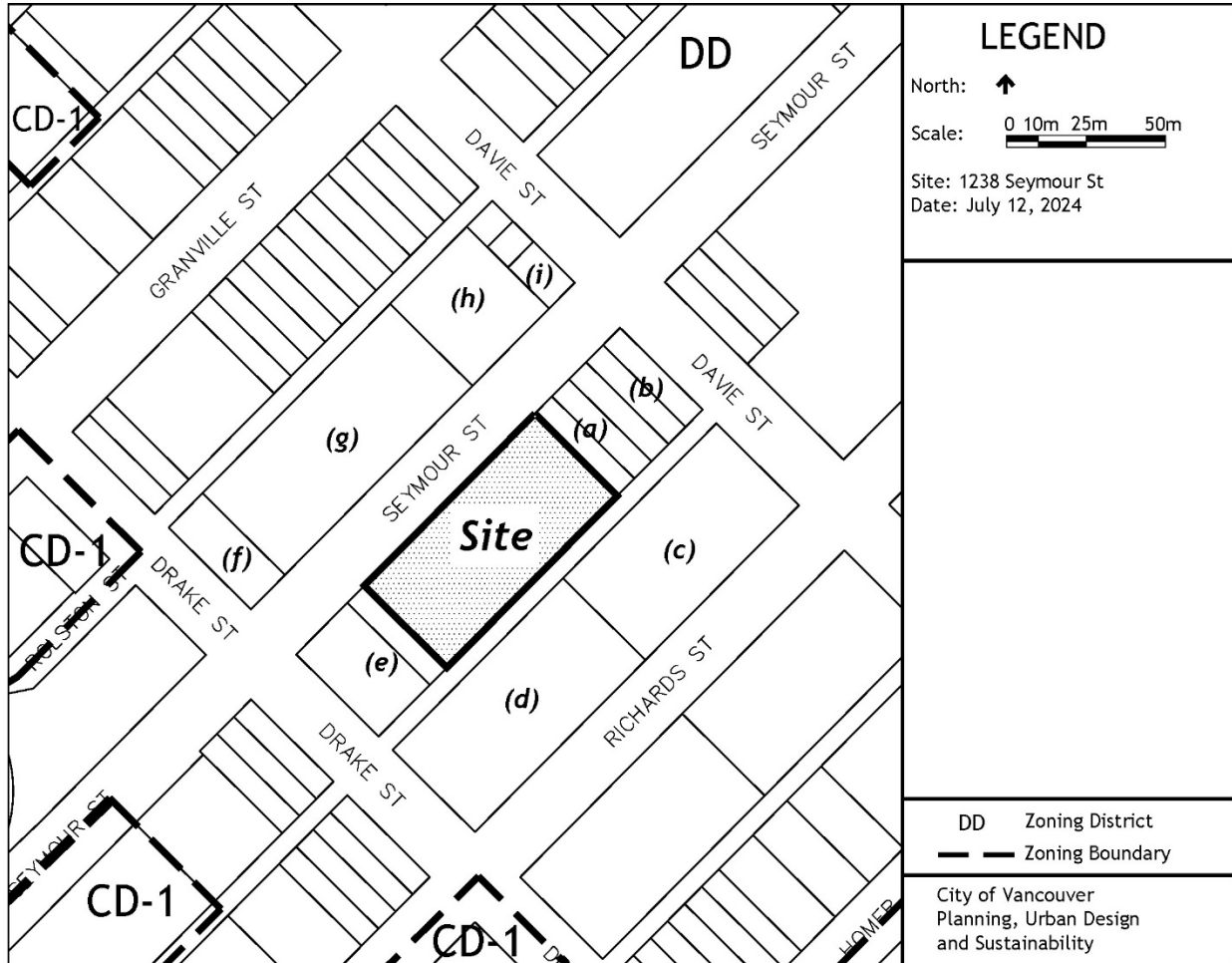
• **History of Application:**

24 03 26 Complete DE submitted  
 24 07 22 Development Permit Staff Committee

• **Site:** The site is located mid-block on Seymour Street between Drake Street and Davie Street.

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

- a. 1210 Seymour St., commercial building, (c. 1946)
- b. 1204-1206 Seymour St., commercial building, (c.1976);
- c. 1225 Richards St., mixed-use commercial and residential (c.2003);
- d. 1295 Richards St., mixed-use commercial and residential (c.2002);
- e. 1280 Seymour St., mixed-use commercial and residential (c.2022);
- f. 1295 Seymour St., commercial building (c. 1910);
- g. 1255 Seymour St., mixed-use commercial and residential (c.2008);
- h. 1221 Seymour St., mixed-use (c. 1999);
- i. 1203 Seymour St., mixed-use commercial and residential (c. 1911)



• **Background:**

The existing building on the subject site was approved by the Development Permit Board and a Development Permit (DE215997), issued September 07 1994, to construct a 20 storey tower residential building with 211 dwelling units, two levels of underground parking and one level of underground bicycle storage.

Since the original DE was issued in 1994, there have been 29 permits to add floor area through Heritage Density. Several of these permits (DE413730, DE412405, DE413457) were never validated by a building permit, and therefore these permits are now void. The totals approved by the Development Permit Board for these three applications are not included in the total for the building. 15,000 sq. ft. of heritage bonus density is allowed on this site, 12,203 sq. ft. of the heritage bonus density has been used prior to this and the proposed total is 12,367 sq. ft.

The current Development Application seeks a total of 164 sq. ft. which is within the maximum 10% increase allowed for heritage bonus density for the site. The applicant has indicated the purchase of the heritage amenity shares will be 164 sq. ft. from 515 West 10<sup>th</sup> Avenue. Standard Condition A-1.1 requires that the documentation necessary to confirm the purchase of qualified density be submitted.

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

1. *Downtown Official Development Plan (DODP; 1975, last amended 2022)*

The site is within area L1 of the Downtown District. Section 3.1 of the *DODP* states, in part:

*In the area denoted by the letter “L1”, “L2”, the maximum density for all uses shall be floor space ratio 3.00, except that:*

- *The maximum density for all uses on an interior site with a minimum frontage of 200 feet and a minimum site area of 24,000 square feet shall be floor space ratio 5.00.*

Section 3.14 of the *DODP* states, in part, the following:

*Notwithstanding subsections 1, 3 and 4, the Development Permit Board may permit an increase in floor space ratio for any use where the increase results from a transfer of heritage floor space to a maximum of 10 percent over the total permitted floor space ratio, except that this increase shall not apply to hotels where the floor space has already been increased pursuant to subsection 2 or a development where there has been an increase in floor space ratio by means of amenity shares pursuant to subsection 15.*

2. *Downtown South Guidelines (excluding Granville Street) (1991, last amended 2019)*

*The general intent of these guidelines is to assist in the creation of a distinct urban character for Downtown South; to encourage energy efficiency through site planning and building design; to ensure a high standard of livability for residential projects and the area as a whole; and to ensure high quality development.*

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

1. *Downtown Official Development Plan*

Staff are satisfied that the Downtown Official Development Plan requirements are met.

2. *Downtown South Guidelines (excluding Granville Street)*

Staff are satisfied that the Downtown South Guidelines requirements are met.

- **Conclusion:** Staff are supportive of this proposal for a small purchase of heritage density or heritage amenity shares with the conditions attached.

#### **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, fire fighting access and energy utilization requirements.

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



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M. So  
Chair, Development Permit Staff Committee



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B. Dufix  
Development Planning



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G. Sneddon  
Development Services

## STAFF RECOMMENDATIONS

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

### A.1 Standard Conditions

#### Heritage Conditions:

- A.1.1 The density requested requires either the purchase of heritage density or heritage amenity shares as described in Section 3.14 and Section 3.15 of the Downtown Official Development Plan, and that the City is in receipt of completion of the relevant transactions provided by the applicant.

**Note to Applicant:** More information on this process is provided at the following link: <https://vancouver.ca/home-property-development/density-incentives-for-developers.aspx>. The list of density holders is provided at the bottom of the page. Generally, staff look for evidence that there has been an attempt to purchase the banked density. If no density is available (which is often the case these days), as per Section 15 noted above, heritage amenity shares may be purchased for the amount of density required (the cost is noted in Section 15 and is currently approximately \$86 per square foot). Please contact the heritage planner, James Boldt, at [james.boldt@vancouver.ca](mailto:james.boldt@vancouver.ca) for more information on this process.

**B.1 Standard Notes to Applicant**

- B.1.1 It should be noted that if conditions 1.0 have not been addressed on or before February 22, 2025, this Development Application may be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 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.1.3 A new development application will be required for any significant changes other than those required by the above-noted conditions.

**B.2 Conditions of Development Permit:**

- B.2.1 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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The following comments are based on the preliminary drawings prepared by \_Nicholai Reid\_ on \_February 20<sup>th</sup>, 2024 for the proposed development permit application. This is a preliminary review in order to identify major issues which do not comply with Vancouver Building Bylaw #12511 as amended (VBBL 2019).

**\* Please note that building permit applications must conform to Vancouver Building Bylaw #12511 (2019) as may be amended from time to time. Please see the following page:**  
<http://vancouver.ca/your-government/vancouver-building-bylaw.aspx>.

This is considered to be a (minor vertical addition):

Interior alterations to expand the existing mezzanine in Unit #803 by approximately 164 sq. ft. in this existing multiple dwelling building.

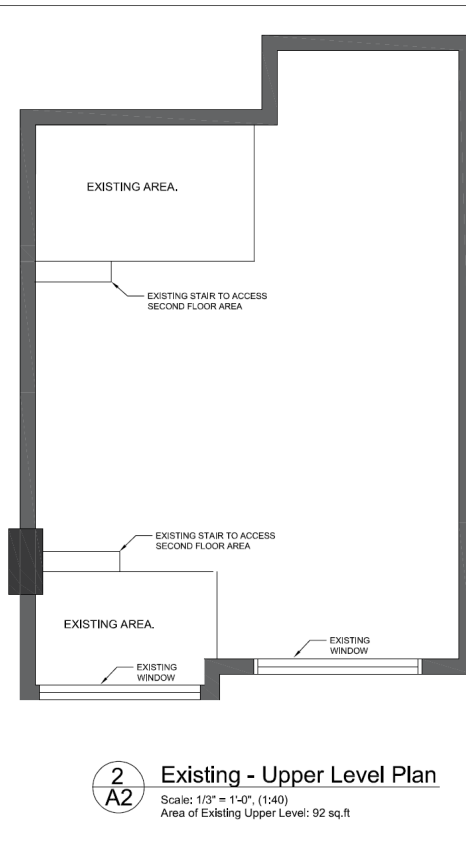
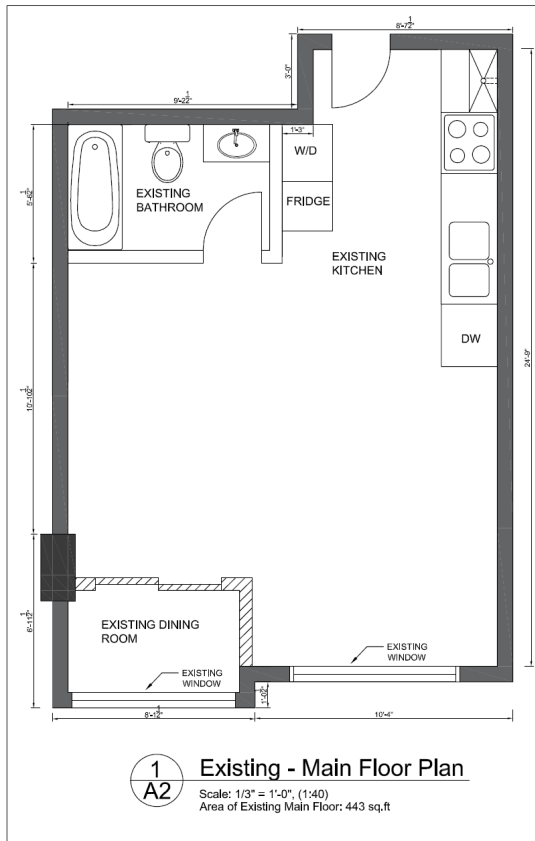
The following information should be included at Building Permit Application Stage:

1. As of November 1, 2019, all submissions are to be in accordance with the VBBL 2019.
2. Alteration shall not increase the non-conformity of the existing building or create non-conformity with respect to VBBL 2019. All new work shall conform to VBBL 2019.
3. **\*This project requires the services of a registered architect. Architectural Schedule B and sealed drawings should be submitted.**
4. All new architectural, mechanical and electrical components are required to comply with the energy and emissions requirements of the Vancouver Building By-law #12511.. Please add to your drawings the Energy Statements per the "Energy Statements on Drawings" requirements found within the City of Vancouver energy webpage (<http://vancouver.ca/building-energy-requirements>).
5. The proposed expansion of the upper level floor area exceeds the provisions of Sentence 3.2.1.1.(3), and therefore, the upper level mezzanine is required to be considered as a "storey". Therefore, the mezzanine floor area is required to be terminated at a vertical fire separation having a fire resistance rating not less than that required for the floor assembly and extending from the floor assembly to the underside of the floor above, or be protected in conformance with the requirements of Articles 3.2.8.3. to 3.2.8.3.8.
6. The proposed development will increase the number of storeys in the building since the mezzanine is required to be considered as a storey as explained in item 5 above.
7. Please also be advised that if there are any existing works built without permit, they will be required to be captured and reviewed in the new building permit.
8. Given the applicant proceeds with the proposed minor vertical addition work, the required level of upgrade will be F2, S2, N3, and A2 as described in Table A-11.2.1.2.-B

\*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.

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**NOTES:**

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3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERING DRAWINGS AND SPECIFICATIONS.

REV.	DATE	DESCRIPTION
0	MAR 25TH, 2024	ISSUED FOR DP

CLIENT:  
NICHOLAI REID, P.ENG,  
OWNER

ADDRESS:  
UNIT 803, 1238 SEYMOUR ST.  
VANCOUVER, BC V6B 6J3

PROJECT NUMBER:  
1283-803

PROJECT:  
UNIT 803 - LOFT ADDITION

DRAWING TITLE:  
UNIT ELEVATIONS

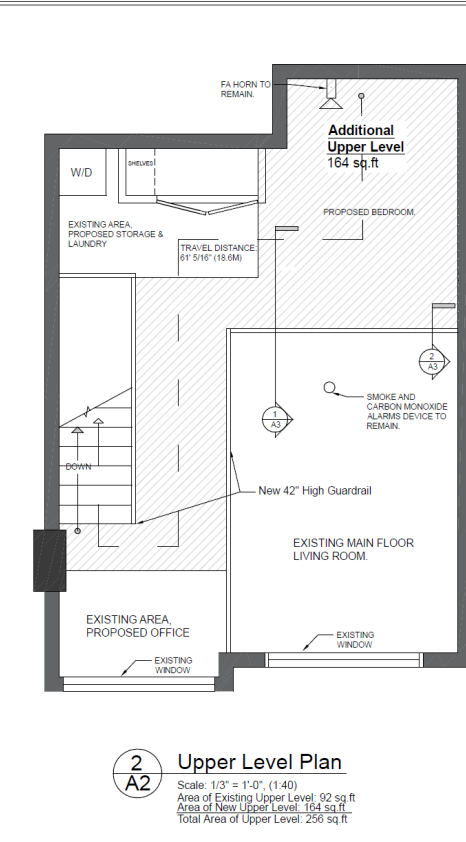
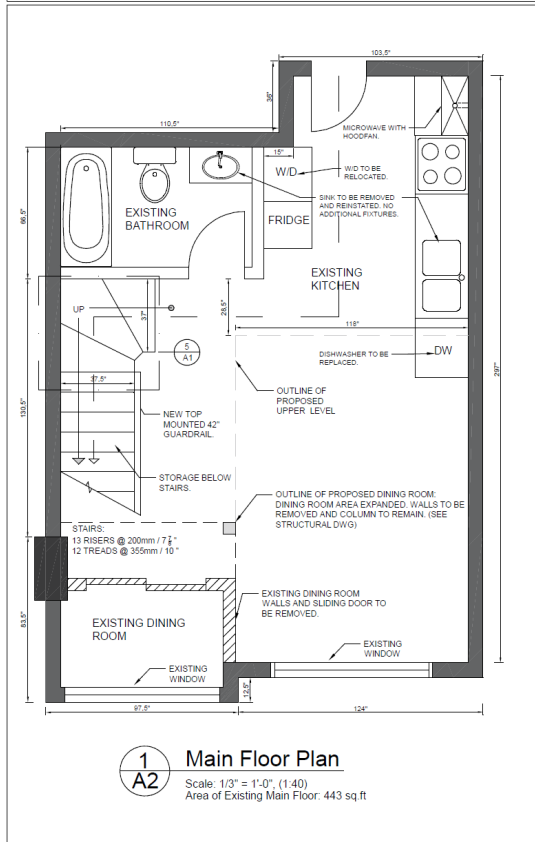
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AS NOTED

Drawn by:  
NR

Checked by:  
NR

Date:  
MARCH 25TH, 2024

Sheet No. A-10 Revision 0



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REV.	DATE	DESCRIPTION
1	FEB 20TH, 2024	ISSUED FOR BP R1
0	FEB 5TH, 2024	ISSUED FOR BUILDING PERMIT

CLIENT:  
NICHOLAI REID, P.ENG,  
OWNER

ADDRESS:  
UNIT 803, 1238 SEYMOUR ST.  
VANCOUVER, BC V6B 6J3

PROJECT NUMBER:  
1283-803

PROJECT:  
UNIT 803 - LOFT ADDITION

DRAWING TITLE:  
ARCHITECTURAL PLANS

Scale:  
AS NOTED

Drawn by:  
NR

Checked by:  
NR

Date:  
FEBRUARY 20TH, 2024

Sheet No. A-2 Revision 1