
239 Keefer St (COMPLETE APPLICATION)
DP-2017-00703 - HA-1A

PC/JMB/TT

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
C. Joseph, Engineering Services
D. Naundorf, Housing Policy and Projects

Also Present:

P. Cheng, Urban Design & Development Planning
T. Tenney, Development Services
J. Bosnjak, Development Services

APPLICANT:

Mallen Gowing Berzins Architecture Inc.
300 - 7 East 6th Avenue
Vancouver, BC
V5T 1J3

PROPERTY OWNER:

Keefer Gardens Holdings Inc.
302 - 1220 East Pender Street
Vancouver, BC
V6A 1W8

EXECUTIVE SUMMARY

- **Proposal:** To develop this site with an eight storey mixed used building with retail (1st floor and mezzanine), general office (2nd and 3rd floors) and 25 dwelling units (4th to 8th floors) all over two levels of underground parking, having vehicular access from the lane via a car-elevator.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Plans and Elevations

Appendix D Applicant's Design Rationale

Appendix E Revised Proposal to Urban Design Panel

● **Issues:**

1. Front yard setback for sidewalk widening;
2. Compatibility of the architectural expression and spatial character with the historic context;
3. Livability, open spaces and amenity spaces for the building's inhabitants.

● **Urban Design Panel:**

First Review - Recommended for Resubmission

Second Review - Support

● **Chinatown Historic Area Planning Committee:**

SUPPORT with design recommendations

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. **DP-2017-00703** submitted, the plans and information forming a part thereof, thereby permitting the development of an eight storey mixed used building with retail, general office and 25 dwelling units all over two levels of underground parking, 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 An enhancement to the public sidewalk by providing:

- i. a 1'-6" setback from the front property line for the entire front building face up to the floor slab of the 7th storey, while maintaining a minimum 6.1m setback for building elements located above the 7th storey floor slab.
- ii. a minimum 5'-0" setback from the front property line for a wide portion of the ground floor storefront, to act as a covered outdoor storefront alcove directly adjacent to the sidewalk.

Note to Applicant: Decorative architectural elements, such as cornices, may project into this 1'6" setback because they remain on private property. If such elements do not protrude over city-owned land, then condition A.2.4 would not apply.

1.2 design development to the street-facing elevation to achieve an overall composition that is more compatible with the historic buildings in the neighbourhood, including:

- i. a simplification of the proposed façade with a reduction of disparate decorative elements;
- ii. a clearly distinguishable breakdown of the main 70 ft. tall façade that emulates the tri-partite composition of historic buildings of storefront base, the middle body and a pronounced upper architectural capping element;
- iii. a visual strengthening of the vertical bays by bringing vertical lines to the forefront;

Note to Applicant: A visually strong cornice or parapet should be used to satisfy condition 1.2(ii).

1.3 design development to the storefront design including:

- i. maximization of transparency to the storefront as experienced from the public sidewalk;
- ii. a finer modulation of the mezzanine facade in comparison to the ground floor storefront facade.

Note to Applicant: The proposed opaque "community signage panels" should be deleted and replaced with glazed entrances and windows leading to the commercial retail and residential spaces.

1.4 design development to the main façade components to emulate the experiential richness of Chinatown buildings, by providing the following elements in large-scale, detail drawings:

- i. vertically-oriented sunscreens on the balconies of all south-facing residential units that can be individually-operated to accommodate the personal preferences of the inhabitant and the full spectrum of weather conditions;
- ii. horizontally-oriented sunscreens for balconies of the south-facing office units, in order help control solar gain and enrich the street-facing elevation;
- iii. the construction method that achieves a rich texture for the exterior walls located on both side-property lines;
- iv. an operable and retractable high-quality cloth awning system against the entire frontage of the commercial retail unit. The minimum horizontal extension of the canopy should be 8 ft.; and
- v. frit patterns on glass balustrades.

Note to Applicant: The cloth awning system should be designed to achieve as much weather protection continuity as possible, when extended.

- 1.5 design development to the loading space located at the rear of the site on the ground floor in order for it to be used as an amenable lane-facing patio and shopfront during the periods when loading is not occurring. Further, a Loading Management Plan demonstrating that patio activity may occur in this area at dedicated times of the day, must be submitted. Refer to Standard Engineering Condition A.2.1.

Note to Applicant: Increasing the amount of glazing between the loading space and the adjacent interior uses; providing special fine-grained paving; and adding thoughtful use of artificial lighting are aspects that would help satisfy this condition.

- 1.6 design development to establish a higher standard of livability for the proposed dwelling units, where all bedrooms will be equipped with a window in an exterior wall; Refer to Standard Condition A.1.3

Note to Applicant: Removing the enclosed balconies and the glazed wall dividing the courtyard from the shared corridors is suggested. This would render the bedrooms located in the northwest and southwest units on floors 4, 5, 6 and 7 to having windows that connect directly to the outdoors via the open courtyard. This would also enable the project to comply with the Horizontal Angle of Daylight regulations of the HA-1A District Schedule.

- 1.7 design development to decrease the depth of the proposed north-facing balconies located on the two office floors.

Note to Applicant: Staff have determined that these proposed rear-facing balconies are too deep to provide an amenable access to natural light and views. Furthermore, their contribution to the overall bulk and massing to the project makes permitting these balconies difficult to justify, given their privatized nature and lack of amenity to the entire building.

- 1.8 design development to provide an amenity room for the future users of the building.

Note to Applicant: Conditions 1.7 and 1.8 may be satisfied if the proposed office floor area was redistributed to allow space for an amenity room in the rear portion of the third storey.

- 1.9 design development to the proposed courtyard space, in order to increase its usability as an amenity space for users of both the residential and commercial components.

Note to Applicant: Revising the location of the courtyard floor to the 3rd storey, where it can be located between the amenity room and the office area, is suggested. A thoughtfully deliberate choice of pathways through the courtyard, in order to encourage walking through the courtyard space for access between an amenity room, the vertical circulation and the office component would greatly help to increase the use and sociability within this courtyard.

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 (HA-1A District Schedule):

	PERMITTED (MAXIMUM)	MINIMUM	PROPOSED
Site Size	-	-	50.00 ft. x 122.11 ft.
Site Area	-	-	6,105 sq.ft.
Height ¹	89.90 ft.		Top of Roof slab 92.16 ft. Top of Guard/Parapet 94.16 ft. Top of Elevator 96.43 ft.
Floor Area ²	-	-	Retail 3,960 sq.ft. Office 8,716 sq.ft. Dwelling Units 21,623 sq.ft. Total 34,299 sq.ft.
FSR ²	-	-	Retail 0.65 Office 1.43 Dwelling Units 3.54 Total 5.62
Balconies	-	-	1,896 sq.ft.
Amenity	-	-	0 sq.ft.
Front Yard		Keefer St. N/A	0 ft.
Side Yards		East N/A West N/A	East 0 ft. West 0 ft.
Rear Yard ³		Main Floor 3.28 ft. Residential 22.97 ft.	Main Floor 3.33 ft. Residential 0 ft.
Horizontal Angle of Daylight ⁴			- Units N1/N5/N6 and S1 have inboard bedrooms and require an exterior window;
External Design ⁵			- See Commentary on Page 9;
Parking ⁶	Non-Res. 10 Space	Non-Res. 8 Spaces Disability 1 Spaces Residential 11 Spaces Disability 2 Spaces	Commercial 8 Spaces Disability 1 Spaces Residential 11 Spaces Disability 1 Spaces
Loading ⁷		Class A Total 0	Class B Total 2
Bicycle Parking		Class A Total 34	Class B Total 6
Use			- Retail Store - General Office - Dwelling Uses
Unit Type			One Bed 19 (76%) Two Bed 6 (24%) Total: 25 (100%)

¹ **Note on Height:** Section 4.3.2 of the HA-1A District Schedule permits a maximum building height of 27.4m (90 ft.). Standard conditions A.1.1 seeks compliance with Section 4.3 - Height of the HA-1A District Schedule of the Zoning and Development Bylaw. Top of parapet/guard rail is to meet section 10.11 of the Zoning and Development Bylaw. Discretionary height increases required to achieve barrier-free access to this space will be considered as per the City of Vancouver bulletin on 'Roof Mounted Energy Technologies and Green Roofs - Discretionary Height Increases'. Conversely, building cornices and parapets may be excluded from building height calculation up to 2.2m, under section 4.3.4 of the HA-1A District Schedule.

² **Note of Floor Area and FSR:** There is no limitation for floor space ratio under the HA-1/HA-1A District Schedule. Staff have calculated floor area using all habitable floor space including amenity, open balconies for non-residential spaces, enclosed balconies and storage rooms. The parking area and open balconies for residential spaces have been excluded by staff.

³ **Note on Rear Yard:** For residential uses, a rear yard setback of 23ft. is typically required to ensure a minimum outlook distance from lane-facing dwelling units. The intention of this setback distance is to attain an overall outlook distance of 66 ft. when developments are situated directly facing each other across the 20 ft. service lane. In the case of this site, the building located across the lane to the north is a four storey building with heritage designation. In 239 Keefer, the proposed residential uses begin at the fourth storey at a height of 43 ft.. Since at this height, the majority of lane-facing dwelling units will have clear views over the neighbouring heritage building, the intention for a minimal outlook view will be attained without the need for a large setback. Staff recommend the relaxation of the rear yard setback for residential uses, under 5.1 of the District Schedule.

⁴ **Note on Horizontal Angle of Daylight:** Condition 1.6 and Standard Condition A.1.5 seek compliance with Section 4.10 - Horizontal Angle of Daylight of the Zoning and Development Bylaw. Staff recommend that for the windows serving bedrooms only, the minimum outlook distance may be relaxed from 24m (80 ft.) to 2.4m (8 ft.) under 4.10.4(b). Furthermore, dwelling units that are solely oriented towards the internal courtyard may have an outlook reduced to a minimum distance of 30 ft., as suggested in the design guidelines.

⁵ **Note on External Design:** See Discussion on Page 9.

⁶ **Note on Parking:** Standard Condition A.1.6 seeks compliance with Section 4.8.4 - Disability Spaces of the Parking Bylaw. The provision of the car share space is not necessary to meet the parking requirements for this site.

⁷ **Note on Loading:** Staff support the relaxation of one Class B Loading space as required in Section 5 - Off-Street Loading Space Regulations of the Parking bylaw;

• **Legal Description**

Lot: A
 Block: 16
 District Lot: 196
 Plan: 184

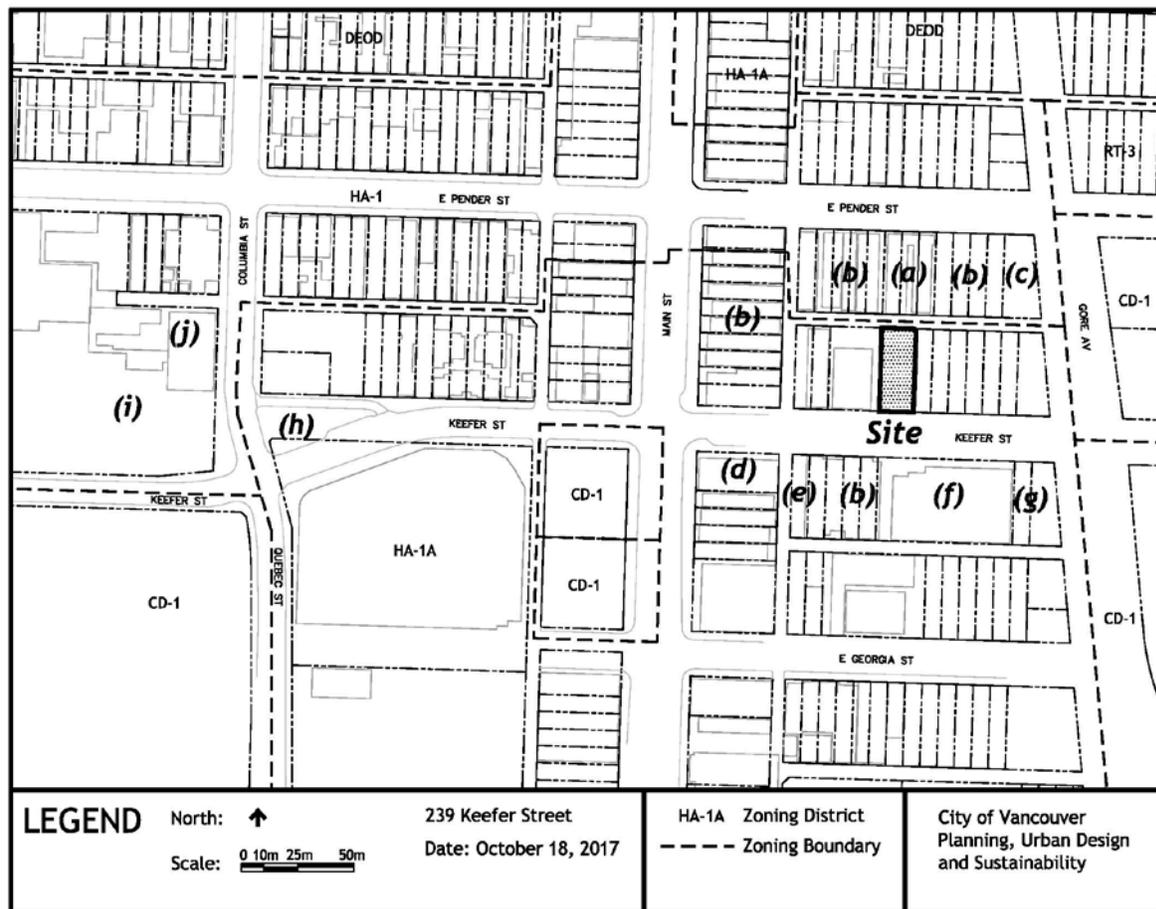
• **History of Application:**

17 07 04 Complete DE submitted
 17 09 06 Urban Design Panel
 17 09 14 Chinatown Historic Area Planning Committee
 17 10 18 Return to Urban Design Panel
 17 11 29 Development Permit Staff Committee

• **Site:** The site is located mid-block on the north side of Keefer Street between Main Street and Gore Avenue. It is a 50ft by 122ft site with vehicular access to a rear lane. The site is located in the Chinatown Historic Area and is regulated by both the HA-1A District Schedule and the HA-1A Design Guidelines.

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

- (a) May Wah Hotel, 258 E Pender Street, 4-storey (50 ft.) Heritage “B” building;
- (b) 1 to 2-storey buildings;
- (c) Nationalist League, 529 Gore Avenue, 6-storey Heritage “A” building;
- (d) 608 Main Street, 5-storey mixed-use building;
- (e) Keefer Rooms, 222 Keefer Street, 4-storey Heritage “C” building;
- (f) Sun Wah Centre, 6-storey (90 ft.) mixed-use building;
- (g) Stratford Hotel, 609 Gore Avenue, 6-storey Heritage “C” building;
- (h) Chinatown Memorial Plaza;
- (i) Sun Yat-Sen Gardens, 89 Expo Boulevard, 0.83h park; and
- (j) Chinese Cultural Centre, 10 E Pender Street, 2-storey building.



• **Background:**

In September 2016, the applicant met with staff to enquire about the development of this 50 ft. wide site. During this period, staff had begun a process of consultation with the public concerning recently-approved developments within Chinatown. The concerns heard from the public included a lack of highly mixed-uses since recent developments generally only contained a small ground floor commercial retail unit as the only non-residential component of the development. Another concern was that the conditional amount of floor space that had been awarded resulted in building bulk and massing that did not sensitively respond to the immediate historical context of lower-scaled buildings. Finally, the lack of a maximum cap of allowable Floor Space Ratio was cited as possibly a major contributor for escalating land speculation in the area. Recently approved developments had achieved a Floor Space Ratio of up to 8.9.

After waiting for the staff recommendations of this planning process, the applicant restarted development enquiries, submitting an application with a design that intends to align with the emerging staff recommendations to Council for the HA-1A zoning. The recommendations included: 1) A maximum Floor Space Ratio cap of 5.35FSR; 2) a minimum 1.5 FSR allocated for non-residential Uses; 3) a maximum number of 8 storeys plus mezzanine within a 90 ft. height limit; and 4) prohibited residential Uses on the second storey.

This application generally follows the emerging zoning and has acted as a preliminary demonstration of how the new zoning changes, if adopted by Council in the near future, will result in development that is better-aligned with the community's aspirations and concerns for future development in Vancouver's Chinatown neighbourhood.

For the purposes of this report, this application is reviewed under the current HA-1A District Schedule, which does not establish a maximum Floor Space Ratio.

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

HA-1/HA-1A District Schedule

The intent of this District Schedule for new development is to provide basic development controls that regulate land uses and building form. The HA-1A zone establishes the maximum Building Height at 90 ft., and permits both dwelling, office and retail uses.

In section 4.17, however, an overarching regulation stipulates that all new buildings require the approval of the Development Permit Board or the Director of Planning, provided that they first consider the following:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the effect of new visible exterior surfaces on the architectural and historically significant characteristics of the existing building on site or adjacent buildings.

While the maximum building height of 90 ft. should be achievable, the emulation of that height with respect to the resulting mass, form and density, is subject to discretionary approval by the Development Permit Board or the Director of Planning, who considers the contextual "fit" and the advice and concerns heard from the public and advisory committees.

The District Schedule also regulates aspects of livability by requiring that all inhabitable rooms be equipped with a window to access views, fresh air and natural light.

HA-1A Design Guidelines

The intent of these guidelines is to encourage new development that is responsive to the Chinatown community's established cultural and historic identity. It provides an architectural context to which new development is expected to be compatible in architectural expression. Furthermore, the guidelines provide general standards of livability for new developments.

In particular, the guidelines encourage an architectural expression that includes a well-proportioned front façade that clearly delineates a storefront base, middle body and upper cornice. Within this composition, a regular rhythm of vertically-oriented bays is also expected. Building mass located above the 70 ft. height line should be made visually subordinate and set back, so that the height perceived from the street and sidewalks is lessened and more compatible with shorter historic buildings.

The guidelines also provide direction on minimum dimensions for courtyard building typologies, in order to achieve a minimal standard natural for light access and views.

Finally, aspiration to activate the rear laneways is stated in the guidelines, through the placement of ground-floor retail spaces adjacent to the lane.

• Response to Applicable By-laws and Guidelines:

The application proposes a ground floor and mezzanine level containing retail and other commercial uses. Above, two storeys of commercial/office use are located on the 2nd and 3rd storeys, followed by five storeys of residential dwellings units. The residential levels have a 30 ft. deep courtyard penetrating through the middle of the plan, thereby enabling a majority of the dwelling units to be equipped with two separate aspects for natural light access. While a 23 ft., setback from the rear property line is typically required for residential uses, the Design Guidelines state that this setback can be relaxed when a courtyard typology is proposed, since the massing that would typically occupy the central portion of the site is shifted to the rear of the site.

On the south Keefer Street elevation, the building height is diminished to 80 ft., with the top storey setback from the main façade. As a result, the building height that is observable is 70 ft. when viewed from the Keefer Street sidewalk level, thereby lessening the amount of perceived enclosure for the street, while also lessening the contrast of this building with the existing one and two storey buildings on the block face.

While staff consider the proposed form, massing and courtyard proportions as having generally satisfied the HA-1A design guidelines, condition 1.1 seeks a building setback of 1'-6" from the front property line, in order to achieve a widened public sidewalk, while also allowing decorative building elements to project horizontally from the front façade without incurring over city property. Furthermore, an outdoor covered alcove in the storefront is sought in order to emulate the traditional design of storefronts in Chinatown.

With respect to architectural expression, the proposal employs brick masonry as a major cladding material, complimented by a punched window expression, and several different decorative elements. This design was reviewed by both the Chinatown Historic Area Planning Committee (CHAPC) and the Urban Design Panel (UDP). While CHAPC gave general support for this iteration, the UDP recommended a resubmission with significant design development. Both the UDP and CHAPC recommended that proportions and legibility of the front façade be carefully reconsidered and that open spaces for the office uses be better situated.

Staff advised the applicant to revise the design with a simplified front façade and a strong divisioning of the front façade into a clear base, middle body and top finish, and a more transparent storefront. A

second design iteration was then reviewed by the Urban Design Panel, showing a more contemporary palette of cladding materials, and set within a front façade that was simpler and more legible in the expression of vertically-oriented bays. This design can be found in Appendix E, and represents a preliminary response that staff would consider to have begun satisfying the majority of the recommended design conditions 1.2 and 1.3.

Design condition 1.4 calls for the provision of finer-scaled details that are critical for achieving compatibility with the historic buildings in the area through visual and experiential richness. The elements include retractable cloth canopies, screening devices, frit patterns on glass balustrades and textured exterior party walls.

Although fixed and rigid canopy systems are typically required throughout the city as rain and snow protection over retail-fronting sidewalks, the retractable cloth canopy system has been identified by staff and citizens as a strong character-defining element in Chinatown. Cloth awnings do serve as weather protection, but they have also contributed to the intangible atmosphere of historic Chinatown. Being integral to the rich engagement that Chinatown businesses have with the public sidewalk, they would be used to shield direct sunlight off the produce and wares for sale, which were placed on the public sidewalk. Extended, these colourful canopies created an experiential quality unique to Chinatown, with their intimate sense of enclosure over the sidewalk, the dramatic change in ambient light, as well as being one of the main opportunities for signage. The retractable nature of the awnings also contribute to sidewalk experience that can change quickly, in direct response to changes in weather during throughout the day. Condition 1.4 (iv) calls for a retractable cloth awning system for the storefront.

While the design guidelines seek lane activation as a goal, staff are cognizant of the unavoidable utilitarian uses that must be located against the rear property line, such as the pad-mounted transformer, a loading space and an access to underground parking within the 50 ft. width. While loading spaces must be located on sites with new developments, condition 1.5 seeks design development to maximize visual and physical porosity with the ground-floor Commercial Retail Unit at the rear, which would help activate the rear lane.

Recommended Conditions 1.6 to 1.9 look to improve the overall livability and sociability of both the residential and office components by providing an indoor amenity space, requiring exterior windows from all residential rooms, reducing the excessive depth of covered outdoor balconies located on the office storeys, and redesigning the courtyard so that it can be casually occupied rather than serving as simply a passive visual amenity.

• **Conclusion:**

Staff recommend approval of this application with the design conditions delineated in this report.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application twice. The first review occurred on September 6th, 2017, and the UDP provided the following comments:

EVALUATION: RESUBMISSION Recommended

- Introduction: Paul Cheng, Development Planner, introduced the project as located in the base zone HA-1A. There are 2 zones in Vancouver's Chinatown, HA-1 and HA-1A, HA-1 being attributed to the more historic area along Pender Street, where less building height is permitted than HA-1A.

The site is dimensioned approximately 50' x 120' midblock on 200 block Keefer Street. This particular block does not contain a large number of historic heritage buildings, but the existing fabric is composed primarily of shorter 1 and 2 storey buildings. Due north is Pender Street (HA-1).

The proposal is for an 8-storey building comprising of a retail ground floor with a small mezzanine, followed by two levels of offices, and then followed by 5 levels of market residential.

The policy context for this application is clear, in that the current zoning of HA-1A does not have a maximum FSR cap, a maximum number of storeys or any use requirements above the ground floor being non-residential. As a result of this current zoning, several small-lot developments in Chinatown have tended to maximize the overall FSR by building up to 10 storeys within the 90 foot height limit, and by aiming for market residential as the only use above the ground floor.

These earlier projects in turn were subject to significant neighbourhood criticism, which included the desire for higher mixed uses and building masses that would better-fit the historical context of shorter 50 foot tall buildings.

At this moment, staff has submitted a report to Council to amend the HA-1A zoning in order to better manage the expectations for future development in this neighbourhood. Changes include: a 5.35 FSR cap, a maximum allowance of 8-storeys (not including mezzanine), a requirement that a minimum 1.5FSR is relegated to non-residential uses, and a requirement that 25% of all new dwelling units be two-bedroom or larger.

While this new proposed amendments to the zoning has yet to be approved by Council, the applicant has responded by aligning as much of the project to the emerging zoning as possible. The resulting form therefore has a significant amount of negative space including upper storey setbacks for the front of the building, and a large courtyard within the middle of the floorplate. Also, there are proposed office uses for the second and third storeys.

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

- 1) Does the proposal successfully address the design guidelines for this neighbourhood? In particular:
 - a. Achieving a street-facing façade that has a formal and balanced composition, comprised of a legible cornice line, middle body, and lower storefront base;
 - b. Clear fenestration patterns and a symmetry of building elements within structural bays,
 - c. Street-activation with a strong storefront design that maximizes transparency;
- 2) Does the proposal successfully present a visually-rich experience of the building by clearly considering views of the building from the far, middle and close distances?
- 3) Could the proposed outdoor areas be re-arranged in order to better animate the street and lane-facing facades?

The planning team then took questions from the panel.

- Applicant's Introductory Comments: The applicant noted that the project was originally going to Council in summer, so it began before the new zoning changes. The applicant decided to proceed with the project with new zoning incorporated in the proposal. The height of the streetwell was limited and terracing evolved from massing limitations. The lower floors are smaller units and the upper 2 floors are family units. The lower unit design incorporates a lightwell. The mass of the building was broken down in the proposal.

The carving out the back balances out the commercial square footage and gives opportunity for outdoor space and events that include the residents of the building and community. The courtyard area and the roof references textual elements. The stacked cornice line and colours and elements along the street are intended to respect the historical elements in a more contemporary interpretation of style.

Sun yet sun gardens were referenced, and the intention was not to mimic the landscape design. It is meant to be a contemporary outdoor space. The front door of the building has paving patterns that are reinterpreted and added in the design details. There is a communal roofdeck with play structures planned. There is a passive 'tranquil' garden space planned in the centre of the building. The garden space is designed with a filtered screen and bamboo at the garden.

The applicant team then took questions from the panel.

- **Panel Consensus:** Having reviewed the project it was moved by Mr. Chen and seconded by Ms. Gillies:

THAT the Panel recommend RESUBMISSION of the project after incorporating the following recommendations to be reviewed by City Staff:

- Improve the façade at the street, office and residential elevations
- Improve the way the expression works together from one language to the other
- Improve the street activation along the storefront
- Control and evolve the facades into a simpler expression
- Improve the outdoor space amenities of the office
- Eliminate the exposed side walls
- Add more organizing elements, or 'order' and 'integrity'
- Research to improve the colour and materiality of the building
- Clarify the parti-expression as it is too busy
- Make the office and residential expressions distinct from each other

Related Commentary: The panel appreciated the risks taken with the proposal. The courtyard concept was supported by the panel, but the overall composition needs more balance. The storefront is not a welcoming street activation. It needs to be controlled and maintained and evolved further. There should be bigger office spaces rather than more outdoor spaces, according to one panel member. The two side walls should be opened up. The colour red is not successful and clichéd.

The garden is appreciated, but it is too busy so that it becomes a pastiche. The terraces in the back are not usable because they are too dark and not secure. A courtyard is a better idea than a covered rear terrace. The office corridor needs more light. Overall, more refinement is needed.

Applicant's Response: The applicant team thanked the panel for the feedback and noted the 50 foot lot and narrow mid-block site issues were intended to be addressed at the storefront.

SECOND VISIT:

The Urban Design Panel reviewed a second design iteration for this application on October 18th, 2017, and provided the following comments:

EVALUATION: Support

- Introduction: Paul Cheng, Development Planner, introduced the project as a second visit to the Urban Design Panel. During the first review, the general massing was found to be correct. The main concern was the architectural expression of the front facades. Chinatown always has the challenge of how to reconcile a more contemporary façade design with the existing historical context. The particular block on the north side does not have any historical buildings. There are Chinatown guidelines; however they be may be interpreted loosely and rigidly.

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

- 1) After the first review, the Urban Design Panel recommended resubmission of the project after incorporating the following recommendations to be reviewed:
 - Improve the façade at the street, office and residential elevations;
 - Improve the way the expression works together from one language to the other;
 - Improve the street activation along the storefront;
 - Control and evolve the facades into a simpler expression;
 - Improve the outdoor space amenities of the office;
 - Add more organizing elements, or ‘order’ and ‘integrity’;
 - Research to improve the colour and materiality of the building;
 - Clarify the parti-expression as it is too busy;
 - Make the office and residential expressions distinct from each other.

Please provide commentary with respect to how the revision has responded to these recommendations.

- 2) Does the revised front façade demonstrate an acceptable level of compatibility with the historic buildings in the neighbourhood?

The planning team then took questions from the panel.

- Applicant’s Introductory Comments: The approach was the review of the internal programs. The separation of the tri-parti was expressed with a strong contemporary expression on the top and middle, separating residential and office from commercial. Heavy steel members were placed, which are also used as solar fins, which have lighting components to bring up some of the horizontal components of the building. There is a transparent canopy that unifies the lower commercial and mezzanine. To unify the whole façade there is an added screen element. The screen element for the residential units can be moved horizontally and below are fixed horizontal screens that go across the office. The applicant stated the intention is to inform viewers below this is the office.

The approach was a unity of materials. All the windows are very similar across, for a more simple expression, and carried to the back of the facade. The front has a more of an urban fabric because of the north facing façade. The Upper façade is of a darker colour to focus the attention on the lower proportion of the building.

The applicants stated they were able to achieve lower balconies and more in set balconies for the office amenity. The rooftop provides a bamboo garden courtyard to provide an active space for all. The landscape concept derived from taking elements of the Sun Yat Sen garden and reinterpreting in a contemporary way. Elements include lantern lights, rocks turn in to play objects, islands that act as a noble point and related urban agriculture and tree planting.

The applicant team then took questions from the panel.

- **Panel Consensus:** Having reviewed the project it was moved by Ms. Besharat and seconded by Ms. Gillies:

THAT the Panel SUPPORT the project.

- Related Commentary: There was a general support for this project. The applicants were congratulated for taking into account the panel's recommendation in the previous Urban Design Panel, and returning with a much improved project. The design and architecture respected the Chinese history of the location while remaining contemporary.

Minor suggestions included to revisit the design of the offices as they appeared slightly residential and to revisit the opaque walls as they appeared on the busy side.

- Applicant's Response: The applicant team thanked the panel for the feedback.

CHINATOWN HISTORIC AREA PLANNING COMMITTEE

The Chinatown Historic Area Planning Committee reviewed this application on September 14th, 2017, and provided the following comments:

EVALUATION: Support with recommendations

- Paul Cheng, Development Planner, introduced the proposal to develop a mix-use commercial/residential development in the Chinatown HA-1A area. Staff sought feedback on the compatibility of the proposed with the historic character of Chinatown, and with applicable planning policy and guidelines. It was acknowledged that the applicant has made an effort to fit into emerging zoning policies.
- Brian Roche, Developer, Rendition Development Inc., provided information on his professional background and discussed his prior development experience in Chinatown. With reference to posted drawings and the displayed model, Christopher Gowing, Architect, MGBA, commented on the building context, façade, views, floor plans, landscape, section, and materials.
- The applicant and staff received comments and responded to questions regarding: unit mix; potential subdivision of commercial; rear façade; parking arrangement and access; orientation of the courtyard; treatment on the laneway; vertical pedestrian connection at grade; overall form and character; importance of the richness of the palette in a smaller site; proportions of the different major elements of the building; how new developments relate to existing light wells; ground floor set back; terraced open areas; massing of the proposal relative to the surrounding developments.

MOVED by Gregory Borowski
AND SECONDED by Edmund Ma

THAT the Chinatown Historic Area Planning Committee:

- a) **EXPRESS GENERAL SUPPORT** for the form of development and the configuration proposed for 239 Keefer Street, DP-2017-00703; and
- b) Encourage further design development relative to:
 - Composition and division of the front elevation including strengthening the distinction between the lower and upper façade;
 - Potential to divide the retail space into multiple spaces;
 - Provision of the outdoor space on the office levels;
 - Exploring opportunities for lane facing activation;
 - Colour, materiality, proportions, composition and scale of detailing at different levels of the building.

ENGINEERING SERVICES

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

BUILDING REVIEW BRANCH

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

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

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

NOTIFICATION

A site sign was placed on the site facing Keefer Street. On August 25, 2017, 1,446 notification postcards were sent to neighbouring property owners advising them of the application, and offering additional information on the City's website. The postcard and the development application materials were posted online at vancouver.ca/devapps. An updated postcard was sent out to the same property owners notifying them of an Open House to be held on September 27, 2017 and noting that the Development Permit Board date for this application had been rescheduled to November 27, 2017. This information was also e-mailed to 474 people representing community groups and interested parties in the area, and was posted online on the development applications webpage as well as the City's community events web page. Similar postcards and e-mails were sent advising of further changes to the Development Permit Board date.

Open House

The Open House was held on September 27, 2017 at the Chinese Cultural Centre located at 50 East Pender Street. Thirty-five people signed in at the open house and 14 written comment sheets were received. In summary, 12 respondents supported the application and two respondents noted concerns with the lack of affordable housing in the neighbourhood.

Notification Responses

One response to the notification postcard was received by e-mail supporting the application.

Ten e-mailed responses were received all specifically asking the City not to approve any market housing in Chinatown until the City has completed its current review of zoning policies and guidelines in the Chinatown zones.

Staff Response: There is no existing moratorium on the processing of applications while the Chinatown zoning polices are under review by staff. This application generally aligns with the emerging staff recommendations to Council regarding changes to the HA-1A zoning; however, staff are required to assess this application under the current HA-1A District Schedule and Guidelines.

A petition was submitted, signed by 1,586 people, that calls on the City to reject the new zoning plan for Chinatown and to implement a plan that would limit the development of market housing until such time as the number of social housing units in the neighbourhood are equal to the number of market housing units. This petition did not specifically name this application at 239 Keefer Street; however, the respondent that submitted the petition noted that the intent of the petition applied to all new development permit applications in Chinatown that did not include social housing as part of the proposal.

Staff Response: The development permit application is for a mixed-use development with market residential units, which is an allowable use under the HA-1A District Schedule. It is expected that dwelling units will be sold at current market rates. There is no requirement under the existing HA-1A zoning and policies to provide social housing.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

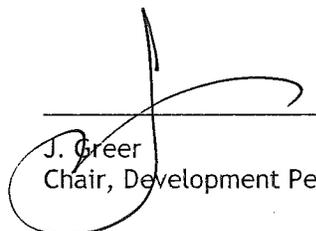
The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law it requires decisions by both the Development Permit Board and the Director of Planning.

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

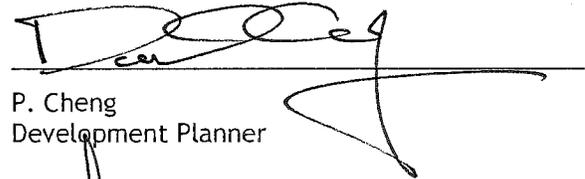
Decisions by the Director of Planning are required with respect to relaxing Section 4.6 of the HA-1A District Schedule, Rear Yard and Setback, of the Zoning and Development By-law.

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it seeks a relaxation of one Class B Loading space as required under Section 5 - Off-Street Loading Space Regulations.

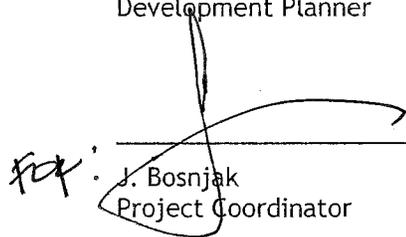
The Staff Committee supports the relaxations proposed and the proposed development with the conditions contained in this report.



J. Greer
Chair, Development Permit Staff Committee



P. Cheng
Development Planner



J. Bosnjak
Project Coordinator

Project Facilitator: T. Tenney

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 compliance with Section 4.3 - Height, of the HA-1A District Schedule of the Zoning and Development By-law;

Note to Applicant: Top of parapet/guard rail is to meet section 10.11 of the Zoning and Development Bylaw. Discretionary height increases required to achieve barrier-free access to this space will be considered as per the City of Vancouver bulletin on 'Roof Mounted Energy Technologies and Green Roofs - Discretionary Height Increases'. Conversely, building cornices and parapets may be excluded from building height calculation up to 2.2m, under section 4.3.4 of the HA-1A District Schedule.

- A.1.2 updating of the floor area statistics;

Note to Applicant: Statistics are to show retail mezzanine level, open balcony in office area, storage rooms above grade and enclosed balconies.

- A.1.3 compliance with Section 4.10 - Horizontal Angle of Daylight, of the HA-1A District Schedule of the Zoning and Development By-law;

Note to Applicant: There are internal habitable rooms in Units S1/N1/N5 and N6.

- A.1.4 compliance with Sections 4.8.1 and 4.8.4 - Disability Spaces, of the Parking By-law, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: A total of 2 spaces for the residential area and one space for the commercial area are required for this proposal. Replacing the proposed car-share space with a disability space would satisfy the requirements.

- A.1.5 provision of details of bicycle rooms, in accordance with Section 6 of the Parking By-law, which demonstrates the following:

- i. a minimum of 20 percent of the bicycle spaces to be secured via lockers;
- ii. a maximum of 30 percent of the bicycle spaces to be vertical spaces;
- iii. a provision of one electrical receptacle per two bicycle spaces for the charging of electric bicycles; and
- iv. notation on the plans that, "Construction of the bicycle rooms to be in accordance with Section 6.3 of the Parking By-law";

Note to Applicant: End-of-trip facilities will also be required as per the Vancouver Building By-law.

- A.1.6 relabeling of any habitable room with the name "Home Office" or "Suite" found in Units N5/N6/N7;

- A.1.7 detailed floor and roof elevations for each floor and roof level in the building, as related to the existing grades on site;
-

Note to Applicant: Top of stairwells, guard rails, parapets, etc. are all to be shown clearly on the roof plan and all elevation/section plans.

- A.1.8 provision of section showing the skylight hatch door on roof;

Note to Applicant: Top of skylight hatch door is to be no greater than 3' - 11" from top of roof slab to top of hatch. If it is over the height then that area will be counted in floor area as well as overall height (is not a relaxation under Section 10.11).

- A.1.9 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: The storage area[s] may be below grade with individual lockers in a common space or may be provided in suite; however, laundry facilities should not be located inside such storage areas. Refer to Bulk Storage - Residential Development bulletin for more information. Windows or slider doors are not permitted in a storage room.

- A.1.10 deletion of all references to the proposed signage, or notation on plans confirming that: "All signage is shown for reference only and is not approved under this Development Permit. Signage is regulated by the Sign By-law and requires separate approvals. The owner assumes responsibility to achieve compliance with the Sign By-law and to obtain the required sign permits.";

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

Standard Landscape Conditions

- A.1.11 design development to improve livability and functionality of the common open space terraces, as follows:

- i. Relocate north facing terraces where there is better solar orientation;
- ii. Expand programming to provide opportunities for social gathering and use, such as Urban Agriculture;
- iii. Create balance and organization in the arrangement of elements, rather than random placement;
- iv. Increase amount of planting, including trees, for more significant green roofs, with planters close to the edges for visibility from the street;
- v. Provide planters flush with paving, rather than raised, wherever possible;
- vi. Design details of the proposed play structures.

Note to Applicant: Urban Agriculture plots should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

- A.1.12 provision of landscape plans for Levels 7 and 8;

- A.1.13 provision of additional edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure,

universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

- A.1.14 provision of section details at a minimum scale of 1/2"=1'-0" scale to illustrate all typical proposed landscape elements including red lantern lights, planters, arbours and trellises, and other features.

Note to Applicant: Planter section details must confirm depth of proposed planting on structures exceeds BCSLA Landscape Standard, in order to be deep enough to accommodate rootballs of proposed trees and shrubs well into the future.

- A.1.15 design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression.

- A.1.16 provision of a high-efficiency automatic irrigation system to be provided for all planters on parkade slab;

- A.1.17 provision of a Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- A.1.18 provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

“Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board”.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.

- A.1.19 provision of compliance with the COV Bird Strategy, by providing plants which include bird-friendly habitat.

A.2.0 Standard Engineering Conditions

- A.2.1 provision of a shared use agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class B loading space between the retail, office and residential and label the space as ‘Residential, Office and Commercial Loading’.

Note to Applicant: The shared use agreement should specify allocated time periods for shared use by residential vs. commercial units, and include a loading management plan to satisfy Upfront Condition 1.5.

- A.2.2 make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement & Indemnity Agreement 373637M (commercial crossing) and extension agreement N42863 prior to building occupancy.

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

- A.2.3 deletion of the encroachment into Street or make arrangements to retain 7th level cornice (Drawing DP-09) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for those building elements proposed to encroach onto City property.

Note to Application: an application to the City Surveyor is required. For general information, see the Encroachment Guide:

(http://vancouver.ca/files/cov/building_encroachment_guide.pdf). The developer should be advised that building encroachments onto City Street may cause problems when strata titling a property due to section 244(1)(f) of the Strata Property Act. In such cases, the City of Vancouver may not necessarily support the provision of easements for any parts of the building on City Street. If strata titling is proposed, the applicant is advised to seek independent legal advice on the matter.

- A.2.4 provision of a canopy application for all new canopies and awnings that encroach onto City property is required.

Note to Applicant: note that canopies must be fully demountable and drained to the buildings internal drainage systems. Please submit a copy of the site and elevation drawings of the proposed canopy for review.

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

- i. existing wood pole in lane may be in conflict with car elevator access. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation may be required.

Note to Applicant: Show the existing utility pole in the lane at east property line on drawing DP-04.

- ii. provide a signed letter from the BC Safety Authority which supports the provision of the vehicle elevator/ lift device.

- iii. provision of a review of the parking and loading design by a qualified Transportation consultant. This must analyse vehicle and truck turning movements and show:

- Vehicle turning swathes to confirm efficient manoeuvring into and out of parking spaces to and from the car elevator.

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

- Vehicle turning swathes for vehicles entering and exiting the car elevator at the commercial lane.

Note to Applicant: These swathes to also show existing utility poles in the lane and to account for up to 2m lane width to be occupied by existing dumpsters and potential commercial vehicles parked in the lane.

- iv. provision of updated drawings, including a section drawing through the car elevator with the dimensions, the minimum vertical clearance of the car elevator and the elevator doors/gates shown on the drawings.

- v. provision of design elevations all four corners of the loading bay, throughout the parking levels and at all entrances.
-

- vi. provision of an internal stair free loading corridor with access to all uses.
- vii. provision of a double load throat for the Class B loading to allow for manoeuvring into and out of the loading bay from the Gore Avenue approach.
- viii. provide the full width at the opening of the Class B loading bay.
- ix. provision of an automatic door opener on the door providing access to the residential bicycle room.
- x. provision of an updated plan showing the stair free access routes from the Class A bicycle spaces to reach the outside.

Note to Applicant: Engineering does not support the use of a car elevator for bicycle access.

- xi. confirm that the passenger elevator dimensions shown on the drawing are for the interior cab size.
 - xii. passenger elevators to be designed to allow bicycles to enter and exit the elevator in a forward direction and to provide enough space to accommodate two bicycles.
- A.2.6 provision of Chinatown public realm treatment on Keefer Street adjacent the site.

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

- A.3.1 a qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work.
- A.3.2 provision of a Notice of Commencement of Independent Remediation submitted to the Ministry of Environment with a copy to the City of Vancouver, in the event that contamination of any environmental media are encountered.
- Upon completion of remediation, a Notification of Completion of Independent Remediation must be submitted to the Ministry of Environment and a copy to the City of Vancouver.
 - Dewatering activities during remediation may require a Waste Discharge Permit.
 - Submit a copy of the completion of remediation report with supporting data signed by an Approved Professional confirming the lands have been remediated to the applicable land use prior to occupancy permit issuance.
- A.3.3 compliance with all relevant provincial Acts and Regulations (e.g. Environmental Management Act, Contaminated Sites Regulation, Hazardous Waste Regulation) and municipal Bylaws (e.g. Fire Bylaw, Sewer and Watercourse Bylaw).
-

B.1 Standard Notes to Applicant

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **(May 30, 2018)**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 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 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.1.4 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 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.4 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12th floor of 601 West Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
- B.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 System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

The applicant is to provide confirmation that all required electrical plant is provided for on-site. There is to be no reliance on secondary voltage from the existing overhead electrical

network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

It is presumed with your consultation so far with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

- B.2.6 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- B.2.7 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- B.2.8 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

- B.2.9 **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.**
-