
1045 ROBSON STREET (COMPLETE APPLICATION)
DE417051 - ZONE DD

PC/LB/DA/LH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
Paul Storer, Engineering Services

Also Present:

P. Cheng, Urban Design & Development Planning
L. Berdahl, Development Services
D. Autiero, Development Services

APPLICANT:

Francl Architecture
Attention: Scott Mitchell
1684 West 2nd Avenue
Vancouver, BC
V6J 1H4

PROPERTY OWNER:

Adanac Properties Inc.
PO Box 33
#760 - 1040 West Georgia Street
Vancouver, BC
V6E 4H1

EXECUTIVE SUMMARY

- **Proposal:** To develop the site with a 2-storey retail store including a Heritage Density Transfer of 714 square feet from the donor site at 53 West Hasting Street and the securing of offsite parking located at the neighboring site of 1025 Robson Street.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Plans and Elevations

● **Issues:**

1. Transfer of Heritage Density
2. Pedestrian weather protection
3. Covenant for six (6) parking spaces at 1025 Robson Street

- **Urban Design Panel: Not Applicable**
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE417051 submitted, the plans and information forming a part thereof, thereby permitting the development of a two storey retail building, including a Heritage Density Transfer of 714 square feet from the donor site 53 West Hastings Street and the securing of offsite parking from 1025 Robson Street, 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.

• **Technical Analysis:**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size			66.0 ft. x 131.0 ft.
Site Area			8,646.0 sq.ft.
Floor Area ¹			Main floor 7,243.5 sq.ft. Mezzanine 2,116.9 sq.ft. Total 9,360.0 sq.ft.
FSR	1.0		1.08
Height	69.9 ft.		Top of Parapet Wall 34.39 sq.ft.
Parking ²	8 spaces	6 spaces	6 spaces to be secured by covenant at 1025 Robson Street
Bicycle Parking ³		Retail Class A Class B 2 6	Retail Class A Class B 2 0
Loading ⁴		Retail Class A Class B 0 2	Retail Class A Class B 0 1

¹ **Note on Floor Area:** This application is proposing to utilize the DD Zoning allowance for increasing overall density of the site by up to 10% by use of a Heritage Density Transfer.

² **Parking:** The Applicant has indicated that they will be providing the required parking for this site by securing the six parking spaces from an adjoining site at 1025 Robson Street. Please see condition A.1.5 and A.1.6 for the securement of these parking spaces.

³ **Bicycle Parking:** Standard Condition A.1.3 seeks compliance with Section 6.2.1.2 - Bicycle Parking of the Parking By-law.

⁴ **Loading:** Staff support the relaxation of loading spaces from 2 spaces to 1 with the provision that additional height be provided for the one loading spaces. The Parking By-law indicates that when two loading spaces are provided, additional heights are to be provided to the second loading space. An increased height to the loading space is necessary to allow for different vehicle types to utilize loading area. See condition A.2.3.

• Legal Description

Lot: 24
Block: 4
Plan: 92
District Lot: 185

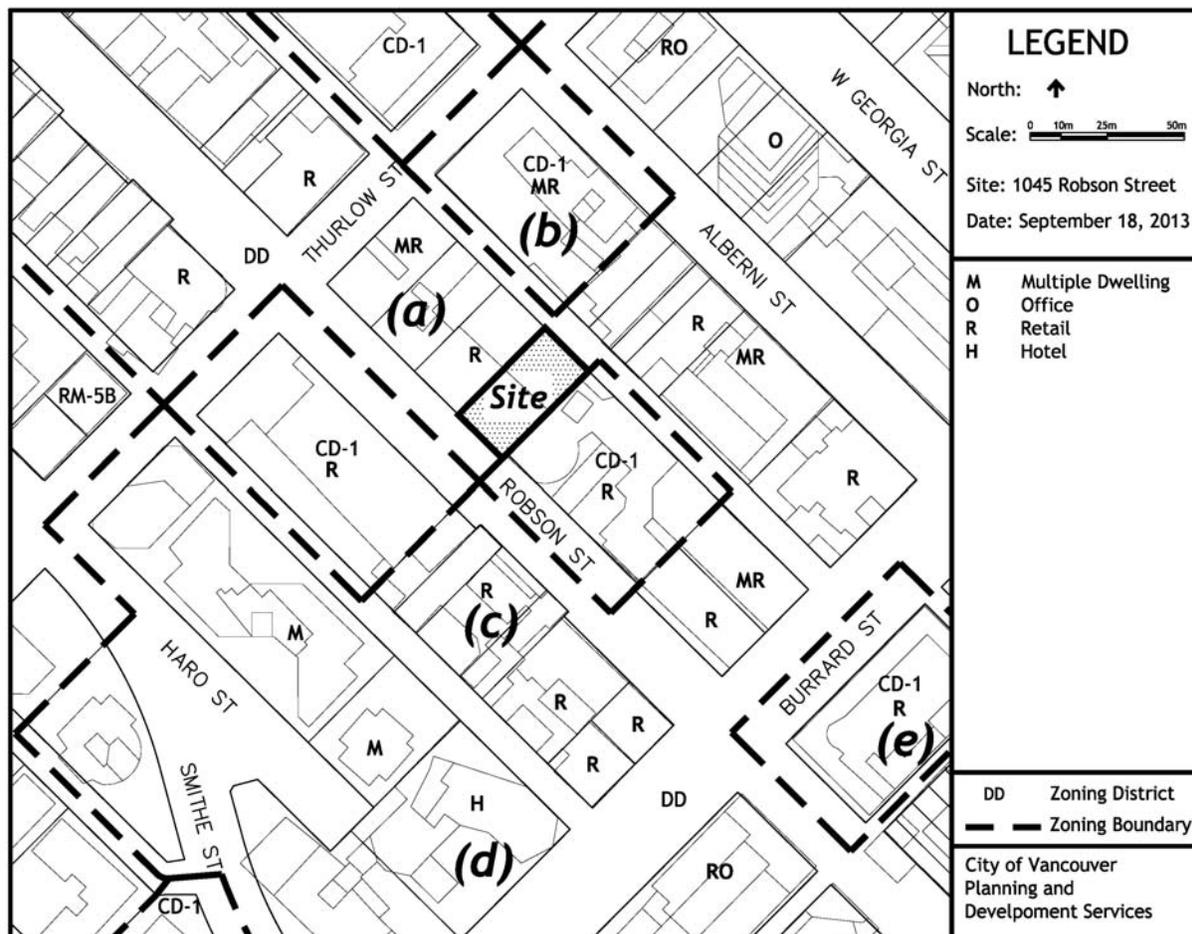
• History of Application:

13 09 18 Complete DE submitted
13 10 02 Development Permit Staff Committee

• Site: The site is located on the north side of Robson Street, midblock between Thurlow Street and Burrard Street.

• Context: Significant adjacent development includes:

- (a) 784 Thurlow Street - The Manhattan (5 storey commercial and residential building)
- (b) 1060 Alberni Street - The Carlyle (21 storey commercial and residential building)
- (c) 1034 Robson Street - Club Monaco (2 Storey commercial building)
- (d) 845 Burrard Street - Sutton Place Hotel (20 storey hotel)
- (e) 969 Burrard Street - Victoria Secret/CTV (3 storey commercial building)



• **Background:**

In August 2013, Staff met with the applicant to discuss the proposed development for a single-storey commercial retail building on this site. The site is currently used as an open surface parking lot. As such, staff supported the redevelopment of this site to better fulfill the intent of the zoning, which is to reinforce this section of Robson Street as a pedestrian-oriented shopping street.

The applicant stated from the onset that they would be seeking a total of an additional 714 square feet of Heritage Density above the base density of 1.0 FSR. While this is permissible under Downtown Official Development Plan, the transfer of Heritage Density must be approved by the Development Permit Board. The applicant has indicated that they will be purchasing the Heritage Density from 53 W Hasting Street.

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

1. **Downtown Official Development Plan**

In Sub-area "E", density up to 1.0 FSR for any non-residential use and a basic maximum building height of 21.3m is permitted in area E. The Development Permit Board may permit an increase in the floor space ratio for any use where the increase results from a transfer of heritage floor space, up to a maximum of 10 percent over the total permitted floor space ratio.

2. **Central Area Pedestrian Weather Protection (Except Downtown South)**

New development in the downtown areas identified as core shopping areas are required to provide a substantial amount of weather protection over the public sidewalk. Ideally, an unbroken, continuous canopy along the entire frontage of the site is desirable in order to actively encourage pedestrian traffic. Specific emphasis for weather protection is given to areas that are directly fronting retail storefront display windows to encourage browsing and casual viewing of merchandise.

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

1. **Downtown Official Development Plan**

FSR: The proposed includes a heritage density transfer of 714 sq ft. This transfer of density will increase the total floor area to 9,360.0 sq ft or 1.08 FSR. The proposal meets the density and FSR provisions of the Plan, subject to approval by the Development Permit Board.

The proposed building height of 34.39 ft. is well below the permitted maximum of 69.9 ft.

2. **Central Area Pedestrian Weather Protection (Except Downtown South).**

In response to these guidelines, the application proposes two separate glass canopies extending 7 ft. in depth over the public sidewalk. The proposed weather protection is discontinuous at three instances along the site frontage. In the assessment of this design, staff have taken into consideration the spirit of the guidelines as well as the applicant's desire for a strong architectural expression of the pilasters and commercial signage on the building's main façade, which may be visually compromised by an unbroken canopy. Staff recommend that weather protection be made continuous for only the portion of the site frontage that is nearest to the store entrance and display windows, while allowing for some unprotected area on the extreme east portion of the façade where visually-uninterrupted commercial signage is highly desired (Condition A.1.1).

• **Conclusion:**

Staff recommend approval of this application and the proposed increase of floor space resulting from the transfer of heritage density, with minor conditions to ensure strong pedestrian weather protection and a dedicated number of off-site parking stalls.

ENGINEERING SERVICES

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)

Additional work is required to ensure that the development meets the general principles for CPTED performance. See condition A.1.7

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, fire fighting access and energy utilization requirements.

NOTIFICATION

On September 18, 2013, 217 notification postcards were sent to neighbouring property owners advising them of the application, and offering additional information on the city's website.

There has been one respondent to this notification indicating that they don't support the relaxation to the loading.

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 and Official Development Plan it requires decisions by the Development Permit Board.

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.

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 loading. The Staff Committee supports the relaxations proposed.

J. Greer
Chair, Development Permit Staff Committee

P. Cheng
Senior Architect/Development Planner

L. Berdahl
Project Coordinator

Project Facilitator: D. Autiero

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 Urban Design Conditions

- A.1.1 design development to the proposed canopy to provide continuous weather protection from the west property line to within 10'-9" of the east property line, with a minimum depth of 8 ft. from the building face;

Standard Conditions

- A.1.2 Provision of Letter "B" which includes confirmation from the owner of the "donor" site that the agreement has been finalized, and confirming the new "balance" of transferable density remaining on the donor site;

Note to Applicant: Note to Applicant: A sample of the Letter "B" will be made available on request to the Project Facilitator.

- A.1.3 provision of an enclosed bicycle Class A storage room;

Note to Applicant: This must be provided as part of the building to the requirements of the Parking By-Law and are not to be left as part of a tenant improvement.

- A.1.4 provision of six offsite parking spaces;

Note to Applicant: See conditions A.1.5 and A.1.6 for other mechanisms to providing these six spaces.

- A.1.5 the owners of the off-site parking area on LOT E BLOCK 4 DISTRICT LOT 185 PLAN 17738 must grant to the City a Statutory Right-of-Way under Section 218 of the Land Title Act, by which six (6) parking spaces are reserved exclusively for the use of the owners, occupants and invitees of your development site on LOT 24 BLOCK 4 DISTRICT LOT 185 PLAN 92.

The owners of the off-site parking area must also grant to the City a restrictive covenant under Section 219 of the Land Title Act, by which the off-site parking area must be used to provide the SIX (6) parking spaces for the benefit of the development site. Further, the owners of the development site must agree under Section 219 of the Land Title Act to release the City and indemnify and save harmless the City from and against all claims arising from loss of the off-site parking rights. These agreements must be drawn to the satisfaction of the Director of Legal Services and must be registered in the Land Title Office at the owner's expense.

The required agreements shall be granted priority over all charges, which, in the opinion of the Director of Legal Services, might result in defeating the operation of the agreement or the extinguishment of same;

The City's Legal Services Department has been asked to assign a solicitor to this file and to begin preparation of the necessary legal agreements. Your legal representative may contact the Assistant Director of Legal Services at 604.873.7512 after October 22, 2013 to find out who has been assigned and to discuss any legal matters regarding your application.

Note to Applicant: One space is required to be a disability space.

A.1.6 identify these 6 parking spaces as parking for the adjacent property with signage or other identifying markings which are not obstructed when a vehicle is parked, noted on plans to the satisfaction of the General Manager of Engineering Services and Director of Legal Services.

Note to Applicant: Provide signage on the rear of the building at 1045 Robson Street to identify the location of the off-street parking next door at 1025 Robson St (DE417221).

A.1.7 design development to meet CPTED design principles in the proposed loading bay by the following:

- a) ensuring that the bay is completely enclosed by walls and a lockable gate;
- b) the provision of night-lighting (motion-detected or continuous) and;
- c) an architectural treatment to the exterior walls at the rear of the site that will discourage graffiti.

Note to Applicant: The loading space may remain open to above, without a roof, but the perimeter should be secure.

A.1.8 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.1.9 an acoustical consultant's report shall be submitted which assesses noise impacts on the site and recommends noise mitigation measures in order to achieve noise criteria;

A.1.10 written confirmation shall be submitted by the applicant that:

- 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

Standard Landscape Conditions:

A.1.11 provision of a typical section through the planting area, confirming adequate depth and type of growing medium and drainage layer; and

A.1.12 provision of irrigation proposed;

Note to Applicant: If automatic irrigation is proposed, it can be confirmed by a notation. If manual, then provision of hose bib locations to be shown on the plan, and provision of a maintenance schedule for watering during the first year following installation (to ensure proper plant establishment), signed and dated by the property owner.

A.2 Standard Engineering Conditions

- A.2.1 make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement and Indemnity Agreement 129552M (restricting the construction of buildings on the South 7' of the site) 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.2.2 arrangements shall be made to the satisfaction of the General Manager of Engineering Services and Approving Officer for the dedication of the South 7' of the site for road purposes;

Note to Applicant: A subdivision is required to effect the dedication. A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at:

<http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

- A.2.3 provision of a minimum 12' 6" vertical clearance for the proposed loading space;

Note to Applicant: This would be required if two spaces were provided and we are seeking this clearance to accommodate a larger range of trucks to deliver to the site.

- A.2.4 provision of a new sidewalk along Robson Street;

Note to Applicant: Add the following statement to the landscape plan and provide a revised drawing directly to Engineering for records.

"sidewalks are to be reconstructed from curb to property line fully at the applicant's expense"

"This plan is Not for construction of any public property facilities, prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services and be issued as "For construction" 8 weeks' notice is requested. No work on public property may begin until plans receive "for construction" approval and related permits are issued. Please contact Frank Battista at 604-873-7317 or Kevin Cavell at 604-873-7773 for details".)

- A.2.5 a canopy application is required;

Note to Applicant: Ensure the canopy is fully de-mountable and meets the requirements of the Building By-law.

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 Sept 25, 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 **February 1, 2013**, 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 Separate sign application will be required for any exterior signage.

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 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.
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B.2.5 In the event, contamination of any environmental media are encountered, a Notice of Commencement of Independent Remediation must be submitted to the Ministry of Environment and copied to the City of Vancouver.

- Upon completion of remediation, a Notification of Completion of Independent Remediation must be submitted to the Ministry of Environment and copied to the City of Vancouver.
- Dewatering activities during remediation may require a Waste Discharge Permit.
- Submit a copy of the completion of remediation report signed by an Approved Professional stating the lands have been remediated to the applicable land use prior to issuance of an Occupancy Permit.

B.2.6 Notice of offsite migration must be submitted to the Ministry of Environment and copied to the City of Vancouver if offsite contaminant migration is suspected or identified. Supporting investigation and remediation data/reports must be provided to the City of Vancouver.

B.2.7 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.



FRANCL

1944 ROBSON

SEPHORA

RENDERED VIEW

A001

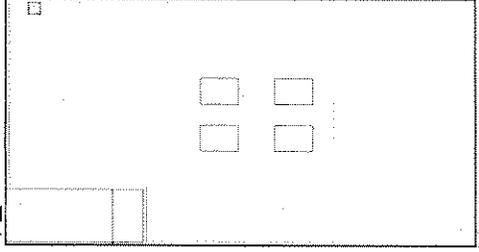
THIS PLAN IS PREPARED BY FRANCL ARCHITECTURE FOR THE PROJECT DESCRIBED ABOVE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE DESCRIBED HEREIN. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FRANCL ARCHITECTURE.



Drawn By: RL
Reviewed By: SM
Date: 08/17/17
Scale: 1/8" = 1'-0"

LANE
66'-0"

ENTER EXIT



124'-0"

1045 ROBSON
66'-0"

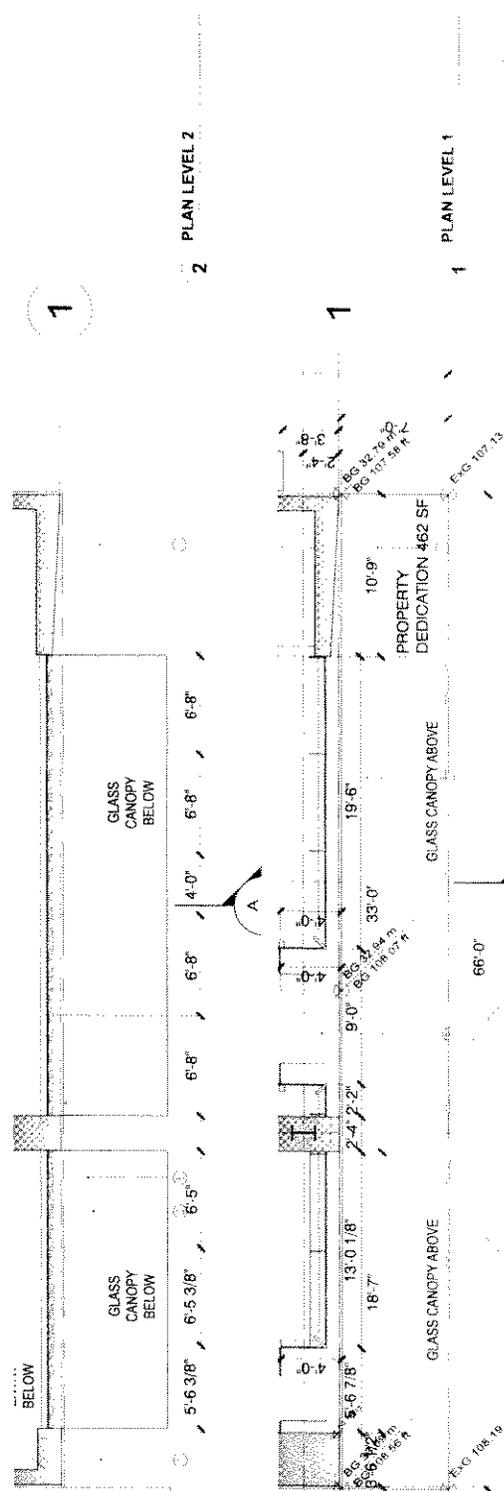
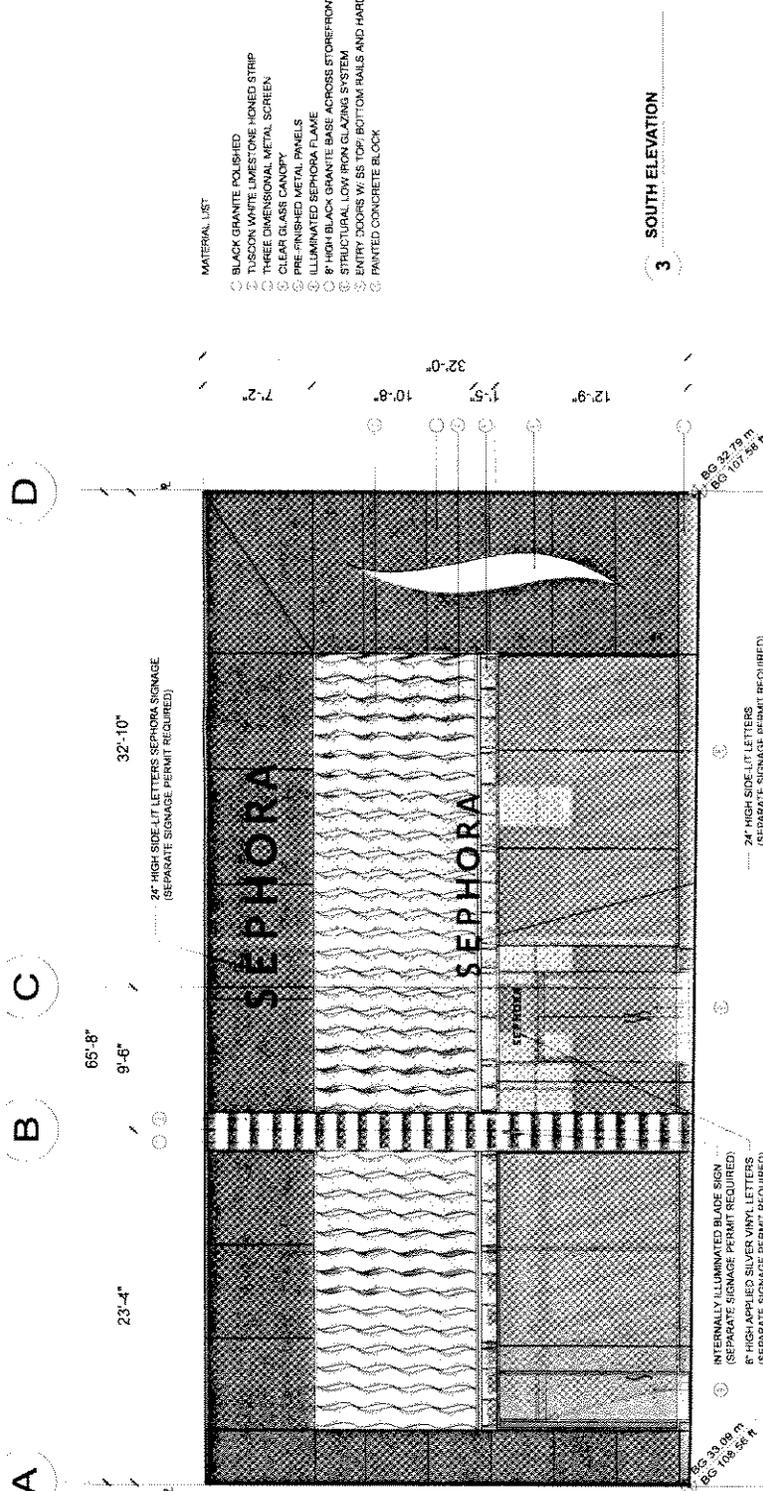
1067 ROBSON

ROBSON STREET

THURLOW STREET

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- MATERIAL LIST**
- 1. BLACK GRANITE POLISHED
 - 2. TUSCON WHITE LIMESTONE HONED STRIP
 - 3. THREE DIMENSIONAL METAL SCREEN
 - 4. CLEAR GLASS CANOPY
 - 5. PRE-FINISHED METAL PANELS
 - 6. ILLUMINATED SEPHORA FLAME
 - 7. 8" HIGH BLACK GRANITE BASE ACROSS STOREFRONT
 - 8. STRUCTURAL LOW IRON GLAZING SYSTEM
 - 9. ENTRY DOORS W/ SS TOP, BOTTOM HAILS AND HARDWARE
 - 10. PAINTED CONCRETE BLOCK



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