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869 BEATTY STREET (COMPLETE APPLICATION)  
DE419309- DD

KT/GL/LM

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**APPLICANT:**

Aikid Design Management Inc.  
Attn: William Jackson  
114-1230 Haro Street  
Vancouver, BC  
V6E 4J9

**PROPERTY OWNER:**

Robert C.H. Leung  
703-531 Beatty Street  
Vancouver, BC  
V6B 0C5

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**EXECUTIVE SUMMARY**

- **Proposal:** Interior alteration/addition to the existing Artist Studio - Class B with Associated Residential Unit to add approximately 160 sq. ft. to the mezzanine

See Appendix A - Standard Condition

Appendix B - Standard Notes and Conditions of Development Permit

Appendix C - Plans and Elevations

Appendix D - Letters "A" and "B" from the receiver and donor regarding the purchase of heritage density

- **Issues:** None

**STAFF RECOMMENDATION: APPROVE**

THAT the Board APPROVE the Heritage Density Transfer request contained in Development Application No. DE419309 submitted, the plans and information forming a part thereof, thereby permitting interior alterations to add 163 sq.ft. to an existing mezzanine in Penthouse Unit 403 to the existing Artist Studio - Class B with associated residential unit building on this site, using a Heritage Density Transfer of 163 sq.ft., subject to the following conditions:

- 1.0 That the condition 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		75.0 ft. x 79.9 ft.	
Site Area		5993 sq. ft.	
Floor Area <sup>1</sup>	29,962.5 sq.ft.	29,951.4 sq.ft.	30,114.4 sq.ft.
FSR	5.00	5.00	5.02
Parking	29	2	2

<sup>1</sup> **Floor Area:** Under Section 3.14 of the DODP, an additional 10 percent heritage density transfer (maximum 5.5 FSR or 165,000.0 sq. ft.) may be considered by the DP Board.

• **Legal Description**

Strata Lot: 20  
 Strata Plan: LMS3816  
 District Lot: 541

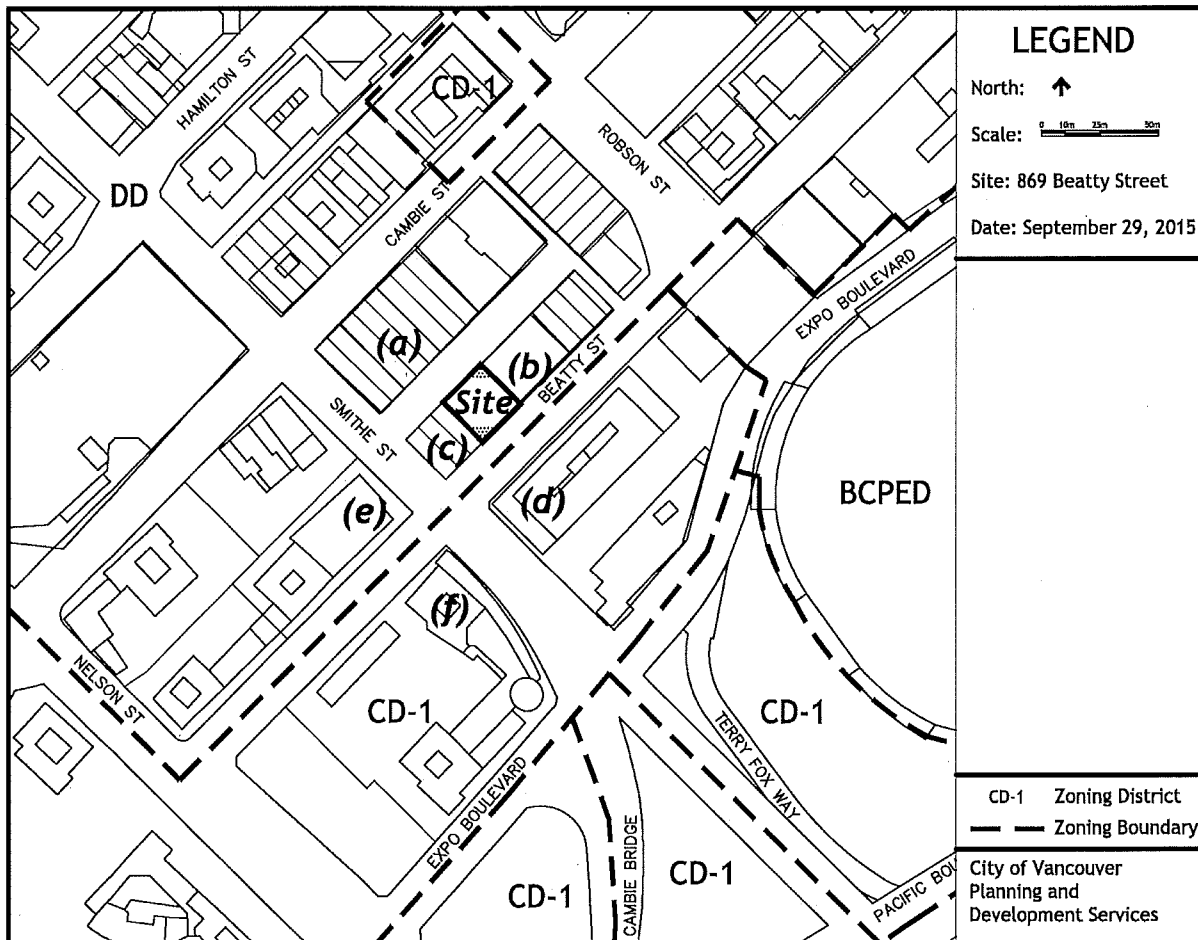
• **History of Application:**

15 07 13 Complete DE submitted

• **Site:** The site is located mid-block, on the west side of Beatty Street between Smithe Street and Robson Street.

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

- a) 888 Cambie Street, three-storey mixed-use institutional building
- b) 857 Beatty Street, five-storey residential (artist studios) building
- c) 101 Smithe Street, five-storey institutional building
- d) Pivotal Building - 858 Beatty Street, eight-storey mixed use office and retail building
- e) Yaletown Nine Three Nine - 939 Beatty Street, 29-storey mixed-use residential and retail building
- f) The Max - 928 Beatty Street, 32-storey mixed-use residential and retail building



- **Background:** This building, originally constructed in 1910, is currently on the Heritage Inventory as a Heritage "C" building. BP21876, issued May 21, 1928, approved repair after fire to this existing building. DE401419, issued December 11, 1996, approved the addition of a fourth storey and changed the use of the existing three-storey plus basement building from cabaret on the 1<sup>st</sup> floor and storage warehouse on the basement, second, and third storeys to provide a neighbourhood pub/restaurant on the first storey, storage for artist live/work studios and pub/restaurant in the basement and 21 Class 'B' artist live/work studios with associated dwelling units on the 2<sup>nd</sup> to 4<sup>th</sup> storeys. DE401419 also relaxed the parking from 29 spaces to 2 spaces. DE401419 was validated by BU404758 and final inspection was granted on April 8, 1999.

The applicant has indicated the purchase of heritage density is from 12 Water Street. See Appendix D, confirming the purchase of qualifying density in submitted Letters "A" and "B".

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

1. Downtown Official Development Plan (DODP)

The site is within area C3 of the Downtown District. Section 3.1 of the DODP states, in part:

*in the area denoted by the letter 'C3', the total density for all permitted uses must not exceed a floor space ratio of 5.00, and, for new construction, an addition to an existing building that increases the residential floor area, or a change of use in an existing building that increases the residential floor area, the total density for non-residential uses must not be less than a floor space ratio of 2.00;*

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.*

2. Downtown South Guidelines (excluding Granville Street)

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

1. Downtown Official Development Plan

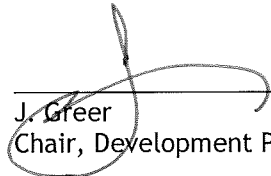
**FSR:** The By-law allows up to a maximum of 5.00 FSR for all permitted uses, plus up to 10 percent additional heritage density transfer allowed under Section 3.14.

The proposed floor space addition under this application is 163 sq. ft. thereby increasing density transfers for this site from 0 sq. ft. to 163.0 sq. ft. or 0.03 FSR, which equates to 2.7 percent of the maximum 10 percent heritage density transfer eligible for this site. The proposal meets the density and FSR provisions of the DODP.

2. Downtown South Guidelines (excluding Granville Street)

No exterior alterations to this existing development are proposed. The livability of the unit affected will be improved. The intent of the Guidelines is maintained.

- **Conclusion:** Staff support this proposal for a small heritage density transfer with the conditions attached.



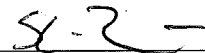
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J. Greer  
Chair, Development Permit Staff Committee



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G. Lyons  
Development Planner



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K. Trafford  
Project Coordinator

**A.1 Standard Condition**

- A.1.1 Provision of Letter "B" (sample copy attached) 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.

**B.1 Standard Notes to Applicant**

- B.1.1 It should be noted that if condition 1.0 has not been complied with on, or before **April 1, 2016**, 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 By-law 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 Condition of Development Permit:**

- B.2.1 This site is affected by the Development Cost Levy By-law No. 6924. Levies will be required to be paid prior to issuance of Building Permits.
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