

Date: Tuesday, April 2, 2002
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

F. Scobie	Director of Development Services (Chair)
A. McAfee	Director of City Plans
B. MacGregor	Deputy City Manager
D. Rudberg	General Manager of Engineering Services

Advisory Panel

W. Francl	Representative of the Design Professions (Urban Design Panel)
J. Hancock	Representative of the Design Professions
J. Ross	Representative of Development Industry
R. Bruce Scott	Representative of General Public

Regrets

P. Kavanagh	Representative of Development Industry
D. Chung	Representative of General Public
M. Mortensen	Representative of General Public
J. Leduc	Representative of General Public

ALSO PRESENT:

R. Segal	Development Planner
A. Molaro	Development Planner
M. Thomson	City Surveyor
L. Schmidt	Project Facilitator
B. Taylor	Director, Office of Cultural Affairs

Item 3 - 1133 Seymour Street

D. Hewitt	Hewitt & Kwasnicky Architects Inc.
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Clerk to the Board: C. Hubbard

1. MINUTES

It was moved by Dr. McAfee, seconded by Mr. Rudberg, and was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of March 18, 2002 be approved.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 1133 SEYMOUR STREET - DE405395 - ZONE DD
(COMPLETE AFTER PRELIMINARY)**

Applicant: Hewitt & Kwasnicky Architects Inc.

Request: To construct two residential towers (32 storeys [Tower A] and 26 storeys [Tower B]) integrated with a three-storey podium facing Seymour Street containing retail at street level facing Davie Street, four offices at ground level and four townhouses above, a 14,401 sq. ft. cultural amenity facility and four levels of underground parking accessed off the lane.

To increase the building density from 5.00 to 8.08 FSR (120,000 square foot increase) for residential use in exchange for the Vancouver International Film Centre facility to the City as a civic amenity.

The Chair noted that Larry Beasley has declared a conflict of interest with respect to this application. In place of Mr. Beasley, Ann McAfee, Co-Director of Planning, is in attendance. Dr. McAfee also participated in the Board's consideration of the preliminary submission on August 7, 2001.

Development Planner's Opening Comments

Senior Development Planner, Ralph Segal, presented this complete application, referring to models, posted drawings and the Staff Committee Report dated March 20, 2002. The preliminary submission was approved in principle by the Board on August 7, 2001. The proposal includes 120,000 sq.ft. of bonus floor area in exchange for the Vancouver International Film Centre (VIFC) facility located at ground level between the two towers. The bonus density was approved by Council on September 20, 2001, although the various legal arrangements remain to be finalized. Following a brief review of the site context, Mr. Segal highlighted the issues identified by staff, namely, the width of Tower B, Davie Street podium massing, and public realm treatment along the Seymour Street frontage.

At the preliminary stage, the applicant was requested to reduce the width of both towers. While the width of Tower A is still over 90 ft., its configuration and articulation are such that staff believe the intent of this condition has been achieved. However, Tower B has its 93.5 ft. width fully fronting the proposed new Downtown South park. Staff therefore seek better compliance with the Downtown South Design Guidelines for Tower B. The guideline calls for tower widths in the order of 75 - 85 ft., although a maximum of 90 ft. is permissible. Staff believe the necessary reworking of the floorplate and unit plans can be achieved. Noting that greater height is not supportable, staff accept that some encroachment into the rear yard setback (up to 5 ft. for portions of the tower) may be necessary to accommodate a revised, slimmer profile facing the park.

The preliminary submission proposed a 3-storey streetwall for the Davie Street elevation. The Davie Street podium has been reworked to achieve a better transition with the neighbouring Dance Centre, and staff support the lane/Davie corner element encroaching into the Davie Street 10 ft. setback to screen the utilitarian functions at the rear of the dance centre. There are also existing hydro poles in the lane. However, the podium height has now been reduced to one storey and staff recommend returning to the preliminary scheme which had retail at ground level and two storeys of residential above. Architectural improvements to the lane facade are also being sought.

Staff recommend four conditions dealing with the public realm treatment on Seymour Street. There is no longer a desire on the part of the VIFC to pursue the idea of projecting film across into the park, nor is it supported by Planning, the Park Board and Cultural Affairs staff. At the preliminary stage, it was agreed to pursue the matter, with consideration being given to deleting the double row of street trees in front of the VIFC to allow it to occur. However, since visual interference is no longer an issue, staff recommend providing the double row of trees for the full Seymour Street frontage. Other landscape refinements are sought in the conditions.

Subject to satisfactory resolution of the conditions contained in its report, the Staff Committee recommends approval of the application. Mr. Segal also tabled some amendments to the conditions, namely, a new condition 1.9, replacement wording for A.2.6 and a new B.2.8. He noted that this complex project has progressed since the preliminary stage but considerable work remains to be done. The Staff Committee expressed concern that the complete submission failed to respond fully to a variety of conditions applied at the preliminary stage.

Discussion/Questions

Staff provided the following clarification in response to questions from Board and Panel members:

- a width of 80 - 85 ft. is preferred for Tower B but its resolution is subject to negotiation between staff and the architect, with some consideration being given to minor encroachments into the rear yard setback to achieve a slimmer profile. Staff believe the southeast corner in particular needs to be pulled back to reduce the mass facing the park and reduce shadow impact;
- if the ground floor office space is later proposed to be converted to residential use it would require reverting to the configuration proposed at the preliminary stage, raising the ground floor to achieve sufficient separation and privacy. The change from residential to office was initiated by the applicant and it is a permissible use in this location;
- there is an excess of parking in the residential component and some adjustments may be required with respect to the distribution of the spaces in order to achieve the 8 spaces to be shared with VIFC. The 13 required spaces for VIFC are part of the negotiated legal arrangements between the property owner and VIFC and relate to the bonus density;
- the bonus density has proven to be well within the range applied to similar facilities. Burke Taylor, Director, Office of Cultural Affairs, noted the amount of density bonus has in fact been reduced to ensure it complies with the general formula that has been used as a precedent. A comparative analysis was prepared previously for Council. Copies of this analysis will be forwarded to Panel members for information;
- the guidelines seek a minimum 30 ft. streetwall for Davie Street.

Applicant's Comments

David Hewitt, Architect, in response to an earlier question from the Board concerning the rooftop landscaping above the theatre, confirmed that full precautions will be taken to protect any occupied space below. Care will also be taken to isolate mechanical equipment from sound transmission within the theatre. With respect to the width of the towers, Mr. Hewitt noted there was considerable discussion at the preliminary stage about overshadowing the park across the street, particularly from Tower A, which has now been modified. The width of Tower B has also been reduced, but not significantly. He explained that initial discussions with Planning and Social Planning were for a bonus of 100,000 sq.ft. for the theatre facility. However, based on the real estate pro forma, it became evident that the developer would be providing a facility that would equate to a bonus density of about 150,000 sq.ft. Subsequent negotiations with the Planning Department reduced the bonus to 120,000 sq.ft. Since the bonus density could not be incorporated into Tower A because it was at the height limit, it was put into Tower B. Planning also requested that Tower B more orthogonally address the street and the park, with its broadest width facing Davie Street. The proposed scheme is therefore the result of incorporating the additional density without increasing the height. However, in response to condition 1.1, to reduce the width of Tower B to comply the guidelines, Mr. Hewitt advised they are comfortable they can make it work provided the rear yard setback can be relaxed.

With respect to the podium level on Davie Street, Mr. Hewitt said they recognize the requirement for the streetwall. In the preliminary scheme the podium contained the double height amenity spaces which have now been relocated to the rooftop podium level. However, in response to the conditions, Mr. Hewitt confirmed they are now comfortable they can make it work by adding some residential units above the retail.

In summary, Mr. Hewitt confirmed they are in agreement with the conditions recommended in the Staff Committee Report. With respect to the new B.2.8, Mr. Hewitt requested an amendment to define the ground floor use as commercial rather than office, to give the developer greater flexibility. Mr. Segal pointed out that the description "commercial use" can include retail and/or service uses which are only permitted on Davie Street, although office use is permissible elsewhere in Downtown South. Mr. Hewitt said they believe there will be a lot of interest in this space from the film community, for film related activities that are not purely an office function.

Mr. Hewitt responded to questions from the Board and Panel.

Comments from Other Speakers

None.

Panel Opinion

Mr. Francl advised the application was unanimously supported by the Urban Design Panel. The Panel found it to be well a designed and quite exciting scheme. Mr. Francl expressed some disappointment that the film screening across into the park is no longer being considered, given the amount of discussion that took place on the matter. Nevertheless, he said he found the facade of the film centre quite handsome, whether illuminated or not and with or without street trees in front. With respect to the portal element along Davie Street, Mr. Francl strongly agreed that the podium should be increased to 3-storey height to give a stronger base to the tower. Regarding the width of Tower B, he also agreed that it should be reduced to closer to 85 - 86 ft. Subject to resolution of these issues, Mr. Francl recommended approval of the application.

Mr. Hancock recommended approval and was pleased to hear that the applicant is able to comply with the conditions. He stressed that all the conditions are very important, noting this is a very dense project at 8.08 FSR. With respect to the use of the ground floor office space, Mr. Hancock said it would be good if there could be a wording that would allow film-related uses but not retail, otherwise to keep it as office.

Mr. Ross also recommended approval. He was pleased to hear that the applicant has a workable solution for reconfiguring the width of Tower B. He noted it appears there is still a lot of work to be done on the project, as indicated by the conditions. With respect to the ground floor office space, Mr. Ross said he would prefer to see a lively use rather than vacancies, and something related to the film centre would be ideal.

Mr. Scott recommended approval and said he was impressed with the changes made to Tower A. He commented it is unfortunate (on all applications) that the scale models and elevations brought before the Board fail to show the utilities in the lanes. He recommended they be included on future projects so that they are more realistic.

Board Discussion

Mr. Rudberg said he was a bit surprised to be dealing with some of the same issues that were discussed at the preliminary stage, particularly with respect to tower width. There was a strong indication from the Board at the preliminary stage that it wanted to see the guidelines met because of issues raised by the Park Board about shadowing. However, it appears the applicant now intends to fully comply with the conditions. Mr. Rudberg said he was also disappointed there will be no interactive use between the film centre and the park, but it appears not to be supported by all the parties. He suggested it is a lost opportunity. In moving approval of the application, Mr. Rudberg noted it works both for the public and private sectors.

Mr. MacGregor seconded the motion. He commented that staff are frequently criticized for the length of time it takes to process applications and to deal with issues that arise. In this instance, the applicant failed to comply with the conditions approved by the Board at the preliminary stage. The time involved in dealing with the same issues at this complete stage could have been better spent dealing with other applications awaiting processing.

Mr. Scobie added that part of the reason for preliminary applications is to provide clarity to applicants and all interested parties early in the process, moving to more detailed issues at the complete stage. He agreed it is

time-consuming for staff to continue to identify and revisit issues that have already been decided. The preliminary application process will only work to the extent that all parties make it work effectively.

Motion

It was moved by Mr. Rudberg and seconded by Mr. MacGregor, and was the decision of the Board:

THAT the Board APPROVE Development Application No. 405395, in accordance with the Development Permit Staff Committee Report dated March 20, 2002, with the following amendments:

Add 1.9:

design development to architecturally treat the exposed north party wall to improve its visual quality;

Delete A.2.2;

Reword A.2.6:

arrangements shall be made for compliance with the Downtown South Public Realm Treatment including street trees, tree grates, pedestrian light fixtures, etc., to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: Street trees must conform to standard spacing and clearance. Tree species must be approved by the Park Board. Before purchase of trees, final tree locations are to be determined to the satisfaction of the General Manager of Engineering Services. Also, a separate application to Engineering Services is required for street trees, tree grates, and any other non-standard treatment of City sidewalks. Submit a copy of the landscape plan directly to Engineering for review.

Add a new B.2.8:

The ground floor office spaces are to be permanently maintained as office use. No residential use shall be permitted in these ground floor spaces.

4. OTHER BUSINESS

None.

There being no further business, the meeting adjourned at 4.35 pm.

C. Hubbard
Clerk to the Board

/ch

F. Scobie
Chair