

Date: Monday, December 18, 2006
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

F. Scobie Director of Development Services (Chair)
B. Toderian Director of Planning
B. MacGregor Deputy City Manager
T. Timm General Manager of Engineering Services

Advisory Panel

W. Franci Representative of the Design Professions (Urban Design Panel)
R. Acton Representative of the Design Professions
N. Shearing Representative of the Development Industry
J. Scott Representative of the Development Industry
M. Braun Representative of the General Public
D. Chung Representative of the General Public
K. Hung Representative of the General Public
C. Nystedt Representative of the General Public

Regrets

R. Keate Representative of the Vancouver Heritage Commission

ALSO PRESENT:**City Staff:**

J. Greer Project Facilitator
A. Higginson Project Facilitator
D. Morgan Development Planner
R. Segal Senior Development Planner
M. Thomson City Surveyor

2321 SCOTIA STREET - DE410347 - ZONE C-3A

L. Adams Neale Staniszki Doll Adams Architects
K. Wong Neale Staniszki Doll Adams Architects
J. Stamp Durante Kruek Architects

1153 WEST GEORGIA STREET - DE410715 - ZONE CD-1

M. Thompson Musson Cattell Mackey Partnership
S. Lang West Georgia Holdings Inc.
J. Durante Durante Kruek Architects

Recording Secretary: L. Harvey

1. MINUTES

It was moved by Mr. Timm, seconded by Mr. Toderian and was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of November 20, 2006 be approved with the following amendments:

Amend Regrets to add: *K. Hung*

Amend p. 15, Board Discussion to read: Mr. Toderian congratulated the architect and supported Mr. Timm's amendments to the conditions. He stated that he struggled on the issue of the roof but agreed to delete Condition 1.1, *while encouraging the Park Board to fully consider lifecycle costing in their ultimate selection of roof materials* noting that there is an obligation to the taxpayer *to make the best long-term fiscal decision.*

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of December 4, 2006 be approved with the following amendments:

Amend p. 5, seventh paragraph, to read: Mr. Toderian said he would leave it to Staff and the applicant to *hold a workshop to address consistently identified station design issues prior to the Board's consideration of the two final station designs in mid-January.*

Add to p. 8, second paragraph, to read: *He noted his disappointment that the Board had not seen any response regarding comments made on previous stations reviewed by the Board and thus had little confidence in the ability of design development conditions to take the design to a point where it would be acceptable.*

Amend p. 9, Motion to read: It was moved by Mr. MacGregor and seconded by Mr. Timm *with Mr. Toderian dissenting*, and was the decision of the Board:

2. BUSINESS ARISING FROM THE MINUTES

None.

3. 2321 SCOTIA STREET - DE410347 - ZONE C-3A (COMPLETE APPLICATION)

Applicant: Neale Staniszakis Doll Adams

Request: To construct a 9-storey multiple dwelling with 2 levels of underground parking.

Development Planner's Opening Comments

Dale Morgan, Development Planner, introduced the application for a discretionary increase in density and height to allow for a nine storey residential development located one block east of Kingsway where it merges with Main Street. The application is in a C-3A zone in the Mount Pleasant area. Mr. Morgan described the background and history of the site, noting the Brewery Creek guidelines and the Wellness Walkways project.

There are three key urban design objectives as outlined in the C-3A Guidelines. New development should: maintain the visual prominence of the historic Lee Building and reinforce the surrounding areas; be neighbourly and compatible with scale providing a good transition to the lower scale of RM-4; and, provide public, ground enhancements including landscape amenity in recognition of the historic Brewery Creek and Wellness Walkways.

Mr. Morgan noted that the application was reviewed twice by the Urban Design Panel. The first review identified issues relating to scale, massing and character. Following a substantial redesign, the second review resulted in unanimous support from the Panel, and Staff concur that the issues have been successfully resolved.

The proposed height of 97 feet is higher than the 70 feet suggested in the Guidelines and Staff considered this supportable because it respects the historical context established by the Lee Building and is consistent with other recent C-3A developments. He went on to describe the massing of the building and the shadow studies.

The applicant is proposing to use brick on the lower massing up to the sixth floor level with glass and metal panelling above.

Mr. Morgan described the liveability of the development noting the proposed ground-oriented townhouses along Scotia Street and East 7th Avenue. All the units will have direct access to outdoor space and there is a proposed children's play area on the 5th floor level as well as some garden plots.

There are numerous dwelling units with "stacked" balconies having enclosed balconies located directly behind open balconies, that do not meet liveability standards for daylight access into the interior rooms and Staff recommended these be modified. He added that the Urban Design Panel had suggested a green roof on top of the main roof level and Staff presents this as an item for the applicant's consideration.

Mr. Morgan described the open space, Wellness Walkway and landscaping, noting the open space at the south end of the site in recognition of the historic Brewery Creek. He noted that the trees along the Scotia Street edge may not survive the redevelopment of the site and the Staff Committee is asking the applicant to remove the trees, subject to an arborist's report, and provision of an additional row of trees. The Staff Committee is also asking the applicant to relocate the Class B loading space to soften the landscaping along the lane edge.

Following a substantial redesign, this proposal received strong support from the Urban Design Panel which stated it set a very high standard for future development in the area. Mr. Morgan advised that Staff supported the application and recommended approval with conditions as set out in the Staff Committee's report.

Questions/Discussion

Mr. Toderian expressed concern relative to security on the lane given the design of the #1 Kingsway now under construction. He asked whether this concern had been raised by Staff with respect to CPTED. Mr. Morgan advised that the Community Centre will have people coming and going and the residential units in the proposal are well set back.

Mr. Toderian also asked about the sustainability approaches and Mr. Morgan replied that the applicant will not be seeking LEED certification but the applicant will be using highly efficient mechanical units, drought resistant plants and the orientation of the building is to reduce sun exposure in the afternoon.

Mr. Timm inquired about Condition 1.1 noting the public realm wasn't within the jurisdiction of the Board. Mr. Morgan replied that there will be a separate application to Engineering Services. Mr. Timm thought the wording was odd in the Note to Applicant regarding saving the trees.

Mr. Timm inquired about the Note to Applicant in Condition 1.4 regarding the access from the dwelling unit. Mr. Morgan replied that if access was for everyone in the building, the applicant would need to provide elevator access which would increase the height of the building, and therefore, the note is to clarify that access will only be for the owner of the unit.

Mr. Timm inquired about the policy regarding urban agriculture. Mr. Morgan replied that there isn't one, however, the proposed landscape will provide for edible landscaping.

Mr. Timm asked if the security gate mentioned in A.2.6 would be moved closer to the lane and as a result would there be less room for vehicles before adversely impacting the lane. Mr. Thomson agreed that would be the result.

Mr. MacGregor inquired about the height of the Community Centre at #1 Kingsway. Mr. Morgan replied that there was an error in the Staff Committee Report and that the height should be 105 feet, not 99 feet as noted in the report. He added that the proposed building is lower than the Community Centre.

Mr. MacGregor asked how far the closest unit would be to the edge of the lane. Mr. Morgan replied that it would be approximately 20 feet. Using the context boards, Mr. Morgan indicated the location of the unit to the lane. Mr. Segal added that there are other townhouse units in other applications that have been as little as 10 feet from a lane edge.

Mr. MacGregor wanted to know how the City would ensure that the work would be done on city streets adjacent to the property. Mr. Thomson, City Surveyor, replied that the applicant would contribute the money and the City Engineer ensures that the work would be done.

Mr. Chung wanted to know if location of the loading space to be adjacent to the parking ramp would intrude into the backyard of any of the units. Mr. Morgan replied that it would not as it is an open area and the landscaping would buffer the edge.

Mr. Hung inquired as to the age and size of the trees adjacent to Scotia Street being recommended for removal by Staff. Mr. Morgan stated that the trees seem to be at the end of their life cycle and are not in good condition. The root structure is exposed and would be damaged more when the development takes place.

Mr. Acton asked for clarity on the meandering path. Mr. Morgan stated that it was representative of part of Brewery Creek and is a feature of the landscape.

Mr. Timm asked if there had been any discussion on how to define the edge of the lane. Mr. Morgan replied that there is a landscape condition calling for a raised curb on that edge.

Mr. Toderian asked if there would be a new yard or patio interface with the lane if the loading area was moved. Mr. Morgan replied that if the loading area was moved the landscaping interface would be improved and staff would look to see that the adjacent townhouse unit would have an orientation to the lane.

Mr. Scobie noted the additional Environmental Protection condition that was distributed by staff in the form of a memo.

Mr. Scobie asked if the townhouses facing the lane were all accessible from an interior corridor. Mr. Morgan replied that they will have access from the interior.

Mr. Scobie suggested a change to Condition A.2.5 so that it would read "15% slope *or greater*" and Mr. Thomson agreed.

Mr. Scobie noted that there was a word missing in Condition B.2.6 and should read "located *on* the main floor".

Mr. Scobie asked if Staff would agree to delete Conditions A.1.19 and A.1.20 as the intent is to see those conditions satisfied. Mr. Scobie also asked about Condition A.1.18 noting that storage still might be needed.

Applicant's Comments

Mr. Adams stated that they agree with all of the recommended conditions believing most are technical in nature. He stated that they wanted to comment on a few and noted that they will have an arborist look at the trees along Scotia Street to see if they can be saved. He added that they would like to save the trees as they add character to the street. Mr. Adams had concerns about Condition 1.2 c) and d) concerning moving the transformer and loading bay. He stated that as proposed they would be adjacent to the loading bay across the lane from the #1 Kingsway project and would be less intrusive to the units in the building. Mr. Adams stated that all the lane units are apartments and not townhouses and will have access from the interior corridor. Mr. Adams mentioned that they have dedicated 10% of the site for public amenity with a seating area at the corner of 7th Avenue and Scotia Street and are looking at adding public art. He noted that the meandering path is wheelchair accessible with change in material and colour.

Mr. Adams asked for feedback from the Board regarding enclosed balconies. He noted that they had designed the project with enclosed balconies in front of the bedrooms with a balcony in front of the enclosed balcony to increase the liveability of the spaces. He wanted more clarity on the guidelines.

Mr. Segal stated that enclosed balconies should be on the exterior face of the building. The issue of gaining more space by enclosing the balcony has always been the primary function. The guidelines are to avoid circumstances where the room behind an enclosed balcony would be far back from the exterior of the building, reducing the amount of the light getting into the habitable room. When the enclosed balcony is stacked behind an open balcony there might be distances in excess of 12, 14, or 16 feet before the window in the bedroom. That would have a

negative impact on the liveability of the bedroom and compromise the horizontal angle of daylight.

Questions/Discussion

Mr. Toderian asked if enclosed balconies were exempt from FSR. Mr. Segal replied that they are exempt and that the whole intent is to gain the FSR exclusion. Removing the wall of the enclosed balcony and including it into the main floor space would make the suite non-conforming.

Mr. Toderian inquired about the sustainability approaches. Mr. Adams replied that there was a sustainability statement in the package and although the LEED checklist was used, the building wouldn't seek LEED accreditation but if it were it would be LEED Silver.

Mr. Braun asked what a green roof treatment would add to the load to the building. Mr. Adams confirmed that it would increase that load, but was not a significant issue.

Mr. Francl inquired about the roof top access, noting there was some discussion about the access at the Urban Design Panel, and wanted to know what the penalty would be to allow general access. Mr. Adams replied that it would mean the elevator would need to go up another floor and require an elevator lobby which would add to the building height and block views. He added that there would also need to be a common stair to the roof.

Mr. Scobie asked if the new building code required stairway access. Mr. Adams replied that it is not a Building By-law issue, but a stairway is required under the Elevator Act.

Mr. Timm was concerned about the loading bay, noting that it should not extend any closer to 7th Avenue and he wanted to know if the applicant could meet the requirement of 30 feet. Mr. Adams stated that they would need to review the layout.

Mr. Shearing asked if the Community Centre was required to supply roof top gardens. Ms. Stamp, Landscape Architect, replied that the Community Centre did not have roof top gardens but there were some gardens on the 3rd floor roof of #1 Kingsway. Mr. Scobie added that the Community Centre was approved before Council's Policy on gardens plots.

Mr. Scobie inquired if the applicant planned the location of the loading bay opposite the loading bay of the Community Centre and whether there would be a conflict with them being opposite each other. Mr. Adams replied that there had been a lot of discussion, and the consensus was with the building being a residential development, the loading bay would be used less frequently (with most of the use at the end of the month) therefore, there shouldn't be a conflict.

Mr. Scobie also inquired if the applicant would reduce the amount of parking as noted in Condition A.1.5. Mr. Adams replied that they would work with staff to insure there was one stall per unit.

In response to a question from Mr. Scobie, Mr. Adams said he did not have any issues with the Processing Centre - Building comments as identified in Appendix C of the report.

Comments from other Speakers

None.

Panel Opinion

Mr. Francl noted that the Urban Design Panel strongly supported the application. With regards to Condition 1.1 and improving the public realm along Scotia Street, Mr. Francl stated that every opportunity for improvement should be taken. Regarding Condition 1.2, Mr. Francl stated that he supported items a) and b). Regarding item c) he suggested the transformer could stay beside the exit stairs and he would support the relocation of the loading bay that would allow for more opportunities for landscaping and would improve the appearance of the building as viewed from the street. Mr. Francl supported Condition 1.3. With regards to Condition 1.4 and the access to the roof, he stated that the Urban Design Panel supported increasing the height of the elevator to give all residents in the building access to the roof. He added that any access to the roof would be acceptable whether it was from the individual units on the floor below or for general building use. Mr. Francl stated that the Urban Design Panel did not support enclosed balconies behind open balconies and suggested Condition A.1.2 should be left as written in the report.

Mr. Acton felt the project was a good example of an approach for C-3A and demonstrated a good working relationship between Staff and the applicant. He added that he appreciated the clear and sensitive massing and the good horizontal expression that contrasted well with the glazed portions of the buildings. Mr. Acton felt the trellis on the 5th floor level was a little weak and needed to have some design development. He agreed that Condition 1.1 was important to protect the trees on the site. He said he would support Condition 1.2 b) regarding additional planting adjacent to the ramp. Mr. Acton liked the applicant's proposed location of the loading bay, but suggested improving the access. He liked the idea of the historic plaque reference as noted in Condition 1.3. Mr. Acton felt there was an amiable solution between the applicant and Staff regarding Condition 1.4. Regarding edible landscaping, Mr. Acton felt that unless it was Council policy or a by-law it should be only a suggestion for the applicant to provide edible plants. He agreed with Condition A.1.2 regarding the balconies and felt it might be time to revisit the guidelines to provide more clarity and reduce confusion.

Mr. Shearing felt it was a great project and would be a benefit to the neighbourhood. He agreed anything that could be done to save the trees was a good idea and would support Condition 1.1. However, he suggested changing the wording to be more positive. Regarding Condition 1.2 a), Mr. Shearing stated that he would leave the trees where they are as they would be better taken care of if they were left in their present location. He agreed with the application's proposed location of the loading bay. He supported Conditions 1.3 and 1.4. Regarding the enclosed balconies, he stated that he understood what the architect was trying to provide in terms of flexibility. He added that the difficulty lies with the interpretation in the guidelines and may need some clarification. He would support Condition A.1.2. Mr. Shearing was concerned how the garden plots would be maintained over time by the Strata Council. He noted that the City needs to match, on its projects, the urban agriculture efforts being demanded of developers.

Mr. Scott liked the building and felt it was in keeping with the new ideas for the area. He liked the brick and the look of the building adding that it would set a high standard for the neighbourhood. He added that he particularly liked the Brewery Creek pathway as the Wellness Walk is used a lot in the area. He stated that he liked the units on the lane and felt they would add to the security in the area. Mr. Scott agreed that the trees on Scotia Street should be saved if possible. He said he would support Conditions 1.2 a) and b), but felt that c), d) and f) should be framed as suggestions rather than requirements. He liked Condition 1.3 and stated that he would like to see a green roof as suggested in Condition 1.4 as he felt it would add value to the development. He also supported having increased access to the roof. Mr. Scott

agreed that the guidelines regarding enclosed balconies should be revisited. He added that he was very supportive of the project.

Ms. Nystedt felt the project was a very positive addition to the neighbourhood. She stated that she thought it was unfortunate that LEED certification was not a requirement.

Mr. Chung agreed that the project was well designed and liked the additional brick on the first six floors as well as the contrast on the top three floors. He supported Condition 1.2 a) and b). He suggested adding Plexiglas over the trellis to stop water from getting onto the ramp. Mr. Chung stated that the transformer was in the right place and agreed that the loading bay was in the best location. He also agreed that there should be increased access to the roof.

Ms. Hung stated that she felt this was a high quality project and particularly liked the garden plots, children's play area, and amenity area on the fifth floor. She noted that the sustainable elements were standard, and felt that since the applicant was asking for more density the applicant should be required to supply a green roof. Ms. Hung stated that she had some difficulty with the language in Condition 1.1 and would like to see the trees retained but would also support the separated sidewalk. She was in favour of the loading bay as proposed, and noted that there is never a good place for a loading bay except underground. Ms. Hung would not support stacked balconies and would like to see the plan re-worked, noting that there would be a lack of ventilation into the suites.

Mr. Braun agreed that it was a high quality project and a good addition to the neighbourhood. He would recommend approval. He would encourage the Board to leave the loading bay in the current location. He agreed that Condition 1.4 regarding the green roof should be a given in the project rather than a consideration and would rephrase the condition to read: "*provide a green roof treatment on the main roof with consideration of private roof access*". He added that it would improve the over look from adjoining buildings and he would also like to see the entire roof structure given a green roof. He commended the applicant for the social planning exhibited in the development with the addition of the urban agriculture and garden plots.

Board Discussion

Mr. Toderian commended the architect and Staff for responding to the Urban Design Panel's comments. He added that the resolution of the issues had been well done making for a nice building. He was pleased with the massing and the lightness of the upper floors through the use of materials and thought it was cleverly done. He added that the approach taken regarding the lane added to the development. He moved approval of the application, with several amendments to the conditions.

Mr. MacGregor sought some further amendments to the conditions, to which Mr. Toderian concurred. Mr. MacGregor agreed that it was a fine building.

Mr. Timm supported the other Board members' conclusions. He noted that it was a good development and a great addition to the neighbourhood.

Motion

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

THAT the Board APPROVE Development Application No. DE410347, in accordance with the Development Permit Staff Committee report dated December 6, 2006, with the following amendments:

Amend Condition 1.1 to read;

Arrangements to the satisfaction of the General Manager of Engineering Services to either:

- a) *If the Arborist's report referenced in Condition A.1.9 determines that the trees on Scotia Street cannot be saved, then design development, and construction of the design, with all costs to the applicant to relocate the sidewalk away from the curb including provision of a four foot grass boulevard at the curb edge with additional street trees; or*
- b) *If the Arborist's report as referenced in Condition A.1.9 determines that the trees can be saved, then provision of the standard damage deposits to ensure the existing sidewalk and boulevard treatment is maintained and/or restored as necessary;*

Note to Applicant: *If circumstance "b" is selected prior to development permit issuance then arrangements are required (deposit or letter of credit) to secure provision of circumstance "a" should the trees be lost during construction.*

Amend Condition 1.2 to read;

design development to improve the dwelling unit interface along the lane and soften the landscape treatment taking into account the following:

- a) *Confirmation on the drawings that the height of the metal fence does not exceed four feet in height, providing details. See also Standard Condition A.1.11;*
- b) *Provide additional planting adjacent to the vehicular ramp opening and a trellis structure overhead to soften edges and screen from the view above;*
- c) *Reconfigure the northwest corner of the site adjacent to the lane, realigning stairs with the exit door and continuing landscape treatment that is consistent with the rest of the lane edge;*
- d) *Improve orientation and access to the outdoor space at the lane for the ground floor dwelling unit, northwest corner.*

Amend Condition 1.4 to read;

design development to provide a green roof treatment on the main roof with common stairway and elevator access having the most minimalist footprint and guard with minimal visual impact or roof access hatches from the dwelling units directly below at the ninth floor level.

Delete Note to Applicant in Condition 1.4;

Amend Condition A.1.9 to read;

provision of an arborist report on the five back boulevard trees along Scotia Street, confirming *whether or not* these trees can be retained;

Delete Note to Applicant in Condition A.1.9;

Delete *as* in Condition A.1.10;

Delete *adjacent to the shared use garden plots* in Condition A.1.18;

Change barrel to *barrow* in Note to Applicant in Condition A.1.18;

Delete Condition A.1.19;

Delete Condition A.1.20;

Add new Condition A.1.19 to read;
submission of a preliminary LEED checklist to identify sustainability features of the building design to qualify for LEED Silver certification;

Amend Condition A.2.4 to read;
provision of required loading bay length for parallel spaces *without extending the loading bay any closer to 7th Avenue;*

Amend Condition A.2.5 to read;
provision of heated ramps for all ramps with a 15% *or greater* slope that are exposed to weather;

Delete Condition A.2.6;

Delete Note to Applicant in A.2.10;

Delete Note to Applicant in A.2.14;

Re-number Conditions A.2.7 through A.2.15 to A.2.6 to A.2.14;

Add a new Condition A.4;
Standard Licenses & Inspections (Environmental Protection Branch) Conditions

Add a new Condition A.4.1;
confirmation shall be submitted, to the satisfaction of the Environmental Protection Branch, that a clearance with respect to soils contamination issues has been issued by the Ministry of Water, Land and Air Protection.

Amend B.2.6 to add *on* after "Amenity areas of 1,372 square feet, located";

4. 1153 WEST GEORGIA STREET - DE410715 - ZONE CD-1
(COMPLETE APPLICATION)

Applicant: Musson Cattell Mackey Partnership

Request: To develop this site with a 59-storey mixed-use hotel, office and residential tower over six levels of underground parking.

Development Planner's Opening Comments

Ralph Segal, Senior Development Planner, introduced the application for a 59-storey building with residential above the 25th floor and a high-end hotel on the lower floors with hotel functions in a two-storey podium. Mr. Segal described the location of the project in relationship to the surrounding buildings in the area using the context model. Part of the public realm component will be an expansive public open space on Georgia Street. At the rezoning stage there was a proposal for a double height space called the Palm Court and a further two-storey podium element leaving an open plaza. It was concluded that the two-storey element should be deleted and the hotel functions contained in the two storey element repositioned into the Palm Court. The Urban Design Panel felt it would be better for the dynamic tower form to come cleanly to grade and not have the two-storey podium element. Also there were some difficulties with the Palm Court and its positioning and functioning as an interior space with a public right-of-way and other provisions that would be required.

Mr. Segal noted that there are still a number of highly detailed items needing to be resolved. One of them has to do with some further design refinements on the landscaping of the plaza. There are some Engineering concerns around the loading bay and some refinement to the residential amenity space is required. Mr. Segal advised that the Staff Committee supported the application and recommended approval with conditions as set out in the Staff Committee's report.

Questions/Discussion

Mr. MacGregor inquired about the colour of the glazing and as to whether or not the design of the building could change before it was built. Mr. Segal replied that there would be building permit drawings and if they came back not having the design as seen in the presentation, the applicant wouldn't be granted a building permit. He added that there are standard conditions calling for glass samples and specifications as noted in Condition A.1.10. The glazing will be clear and as light as possible and the model represents fairly closely what will be built.

Mr. MacGregor also inquired about the floor plate size. Mr. Segal stated that it would be 7,651.3 square feet. He also asked if a wind analysis had been done. Mr. Segal stated that they hadn't called for a wind study. The applicant added that a study was underway.

Mr. Braun sought clarity on Condition 1.2 regarding the height of the curtain wall at the top of the tower. Mr. Segal stated that there will be solar tubes for domestic hot water on the curving ends at the top of the tower which will bring the height of the building to 600 feet.

Mr. Toderian asked if the 9 FSR for commercial was mostly hotel. Mr. Segal replied that it was mostly hotel with a bit of retail. Mr. Toderian asked what provisions were in place to ensure that the hotel won't convert to residential. Mr. Segal replied that they would need a rezoning to change the use of the building.

Mr. Toderian inquired about LEED accreditation for the building. Mr. Segal replied that they have asked for the applicant to apply for LEED certification. Mr. Segal noted that the applicant can't seek accreditation until the building is completed and occupied. He added that the LEED checklist has been submitted and the approach is to get to LEED Silver.

Mr. Toderian asked how the public plaza edge was going to be animated. Mr. Segal, referring to the ground floor and the landscape plans on the context boards, described the treatment for the plaza. Mr. Toderian also inquired as to whether the restaurant in the hotel function would be open to the public. Mr. Segal replied that would best be left to the applicant to answer.

Mr. Toderian asked if there would be additional amenity space provided for the residents. Mr. Segal replied that access will be given to the hotel amenity, but there is concern there will be an extra charge or restrictions, and that is why Conditions A.1.20 and B.2.6 has been added to the report to ensure a separate residential amenity space be provided.

Mr. Braun sought clarity on the extra amenity room and if it was necessary. Mr. Segal stated that he would leave it to the applicant to clarify.

Ms. Nystedt inquired about the hotel lobby drop-off and check-in space. Mr. Segal replied that the drop-off occurs in a setback on the lane level. The applicant added that there will be an escalator on the Georgia Street level similar to the Four Seasons Hotel. She asked if there had been a traffic analysis and Mr. Thomson replied that Condition A.2.10 refers to a traffic impact study that has not been completed at this stage.

Mr. Acton sought clarification on the Urban Design Panel's comments on the solar tubes. Mr. Segal replied that a couple of the UDP members suggested pulling the curved façade to the top of the building to amplify the design of the building and that the solar tubes shouldn't be marginalized. Using the model, Mr. Segal further described the location of the solar tubes. He added that the tower will have a green roof that won't be accessible other than for maintenance.

Mr. Shearing inquired on the design of the plaza. Mr. Segal replied that the condition is intended to be open-ended to encourage flexibility in the design. The Urban Design Panel felt the treatment was somewhat static and that there was not a lot of pedestrian amenity. Public art was another component and should occur in the plaza.

Mr. Scott sought clarity on the function of the solar tubes. Mr. Segal replied that they will be for domestic hot water.

Mr. MacGregor inquired about Condition B.2.7 and if any phasing was planned for the development. Mr. Segal replied that it was a standard condition and there was no phasing planned.

Mr. Scobie inquired about the open balconies and as to whether they were viable for the height of the building. Mr. Segal stated that they are confident that the elements are going to be functional. He noted that there are other similar height towers with open balconies and roof decks in the city. Mr. Scobie noted that in Appendix D, Page 22, the floor plan shows shared access to a common balcony. Mr. Segal replied that the applicant has stated that they are modifying the plan and each unit will have its own separate balcony. Mr. Scobie also asked about enclosed balconies, noting that the floor plan shows enclosed balconies on the 25th floor and family rooms in the same unit configuration on the 32nd floor. Mr. Segal replied that Condition A.1.4 addresses this issue and they expect some adjustments to the unit layouts.

Mr. Scobie inquired about A.1.11 with regards to the irrigation system and suggested changing the wording to read "*high*" irrigation system.

Mr. Scobie asked if the traffic consultant's report was expected to come back with real issues that could threaten the project. Mr. Thomson replied that it should have been a condition at rezoning and was missed by staff and was being brought forward now. He added that there won't be significant items that would question the viability of the project.

Mr. Timm asked what was meant in Condition A.1.4 regarding the balconies having a distinct architectural expression. Mr. Segal replied that this guideline would be dropped as the overall expression of the building takes over and would be more important than expressing an individual balcony.

Mr. Toderian sought further clarification on the enclosed balconies as opposed to programmable FSR space that could be used for family rooms. Mr. Segal replied that staff looks at the plan arrangement and their function to see if they meet the intent of the guidelines.

Mr. Toderian asked for clarity on the wording in Condition A.2.1 regarding the Transportation Impact Study. Mr. Thomson replied that there may be some changes to the timing of traffic signals within the area which is something that Engineering does regularly. He added that the applicant has a good traffic consultant and staff can work effectively with them. Mr. Timm also added that the applicant could be responsible for additional costs.

Applicant's Comments

Mr. Thompson, Architect, said that the conditions were achievable. In reply to Mr. MacGregor's question regarding the design being feasible, Mr. Thompson stated that they are confident that they can achieve the design shown on the model. He added that they have investigated the sustainability features in some detail.

In response to the question about access to the amenities within the hotel, Mr. Thompson stated that they have been designed and located for the project as a whole. This would include the health club, meeting space, restaurant, and back of the house facilities for the hotel. The building will be hotel combination residential, and will have one management system. Residents will be able to utilize room service, maid service, cleaning, and valet service for the parking.

With respect to Condition A.1.5 for bicycle storage, Mr. Thompson would like to supply only twelve storage spaces as they felt that would be a reasonable number for the site. Regarding the amenity provision in Condition A.1.20, he noted that there will be significant meeting space in the hotel to use for residential strata meetings and felt providing a 400 square foot amenity room was redundant.

Jane Durante, Durante Kruek Architects, stated that the plaza is in a bit of a holding pattern as they find a way to integrate public art into the plaza. She added that they are in the process of interviewing artists. Ms. Durante noted that the plans are to have an elegant plaza with trees and some fairly large scale public art. In regards to the irrigation system, she stated that they are planning on using drip irrigation and rainwater as shown on the drawings.

Mr. Thompson stated that they would like to see Condition A.1.21 changed from a provision to a consideration as it was not a condition of the rezoning.

Mr. Thompson noted that they have engaged a transportation consultant and have been working with Engineering regarding the Transportation Impact Study and will continue to work with Engineering to resolve any issues.

Mr. Thompson asked for a relaxation with regards to the loading space and garbage as stated in Condition A.2.6 and A.2.8 as the conditions don't address the way the project will be used.

Questions/Discussion

Ms. Nystedt stated that this building is going to be a great addition to the city skyline. She stated that she was concerned about the general relaxation on parking considering the sheer volume of traffic in the area. She asked the applicant if they had considered shared vehicles. Mr. Lang, West Georgia Holdings Inc., stated that as part of the marketing program he anticipates the use of a shared vehicle and the use of a shared chauffeur.

Mr. MacGregor sought clarification on Condition A.1.5 regarding bicycles. Mr. Thompson noted the breakdown in the technical table on page 3 of the report regarding the requirements for bicycles.

Mr. Timm asked Mr. Thomson to clarify the By-law regarding bicycles. Mr. Thomson stated that the information in the technical table is calculated correctly and the Director of Planning, in consultation with the City Engineer, can relax the By-law.

Mr. Timm asked the applicant what assurances were in place for the hotel and residential to operate the way the applicant has stated. He added that the property could potentially be air spaced and he inquired if there would be some form of security around the shared use of amenities. Mr. Lang stated that it will be written into the strata agreement. Mr. Scobie added that if the property was subdivided into an air space parcel, it would require legal agreements at the subdivision stage to secure access. Mr. Scobie added that if there were any change of use a rezoning application would be required with a review of all the charges on title.

Mr. Toderian asked if the applicant was prepared to ensure the shared relationship continued into the future. Mr. Lang replied that the intent was to market the residential with the hotel amenity. Mr. Thomson added that the conditions deal effectively with the issue as it is a condition of the development permit that there is access to the amenity. He added that Conditions A.2.6 and A.2.8 are included so that there is a clear responsibility and guaranteed access for the residents.

Mr. Timm inquired as to why there needed to be a 400 square foot amenity space provided as stated in Condition A.1.20 when the residents will have access to the hotel meeting space. Mr. Thomson replied that there is a Rezoning condition as noted on page 9 of the report to provide an on-site residential amenity.

Mr. Toderian asked if there would be a user fee for the condo owners to use any of the hotel amenities. Mr. Lang replied that there might be some cost for clean up of the space or the hosting of the event but not for the use of the space. Mr. Scobie inquired of Staff if the wording in the condition was sufficient regarding the amenity space and Mr. Thomson replied that it was sufficient. Mr. Braun added that these issues are usually taken care of in the disclosure statement process.

Regarding Condition A.2.8, Mr. Braun asked if it was necessary to have separated access to the garbage. Mr. Thompson replied that his concern is that it works and it won't work in a single, combined room.

Mr. Shearing asked if resident access to the hotel amenities was a requirement in the rezoning. Mr. Scobie referred to page 9 of the report regarding a provision of an on-site residential amenity for the residents.

Mr. Scobie asked if residential units could be used as hotel rooms. Mr. Lang replied that the purchasers of the condo would have the ability to rent their units but there are no plans to use

the residential units as hotel space. However, they would be able to use the hotel services such as housekeeping and cleaning. He added that the residential elevators are distinct from the hotel elevators. He noted that it could be a security problem if they were to allow the units to be rented as hotel suites.

Mr. Francl inquired if there had been a change to the canopy design. Mr. Lang replied that the design was the original submission as seen by the Urban Design Panel.

Mr. Scobie asked Mr. Segal to clarify the FSR provisions in the CD-1 zoning and if they preclude the hotel expanding to encompass the residential units. Mr. Segal replied that a minimum of 9 FSR must be used for the hotel but doesn't prevent the commercial use from expanding beyond the 9 FSR. Mr. Timm added that there are provisions in place or they could come back with another development application.

Comments from other Speakers

None.

Panel Opinion

Mr. Francl noted that the Urban Design Panel thought the application was a highly commendable scheme. There was some discussion regarding the top of the tower and the observation was made that the sustainability of the building could be enhanced with more solar tubes added to take care of all the domestic hot water in the building and that they would support a taller building as a result. Mr. Francl added that the Panel felt the landscaping in the plaza was a little hard and could be more inviting to the general public and resolved to blend with the atrium. He noted that there was a strong feeling that the plaza be a public space with an easy transition into the building by using a permeable interface with the use of sliding doors or window systems that open.

Mr. Acton stated he liked the conditions for the landscaping on the plaza. He said that it makes perfect sense to have the hotel amenity available to the residents and would be a reason to buy one of the units. He said he could see the intent of adding the 400 square foot amenity and believed it would get resolved by the applicant. Mr. Acton thought that the wind testing and traffic studies could be worked out with the applicant and Engineering. He said he would like to see the balcony enclosure guidelines reviewed. Regarding the bicycle spaces, he agreed that this could be resolved between the applicant and Engineering. Mr. Acton stated that he would recommend support of the project.

Mr. Shearing complimented the architect for the design from the third floor up. He said that from the third floor down it seemed to have missed some opportunities. Mainly the plaza feels like a left over space in terms of its interior programming and needs some design development. He added that the tower cap needs a few tweaks on the architectural expression. Mr. Shearing stated that it could be a requirement for resident access to the hotel amenity to buy a package - or not - and that would make it simpler for the residents to choose how they would use the amenities. He agreed that supplying a small amenity space would satisfy the needs of the strata council. Mr. Shearing said he didn't understand the reluctance to provide more bicycle storage. Also he didn't know why the applicant was reluctant to submit to LEED. He agreed that the transportation impact study is a key piece, and was likely solvable and needed to be done.

Mr. Scott stated that the project demonstrates excellence and is a beautiful building and will be exciting to see in the skyline. He would like to see the plaza improved to make it a dynamic space. He agreed that the traffic and wind studies are required but didn't think it should be a

condition of the development permit. He said that LEED is not a science and would change the wording in Condition A.1.21 to a consideration to provide as opposed to mandating the submission. He added that the LEED system can be restrictive. Mr. Scott stated that regarding the amenity he didn't see it as free but that it was provided and could be part of the package when buying a unit in the building. He added that he would strike A.1.20. Mr. Scott stated that he would support the project.

Mr. Braun stated that he would recommend the approval. He agreed that it was a magnificent building and could be iconic and the developer was to be commended as well as City staff for shepherding the process. Mr. Braun felt that Condition B.2.6 covered the amenity and urged the Board to delete Condition A.1.20 as it would serve the same purpose as the hotel amenities. He noted that it wouldn't be free as the space would still need to be cleaned after each use. Mr. Braun encouraged the Board to be flexible with Condition A.2.8 as well with Condition A.1.21 and A.1.5. He added that the building will be an asset to the city.

Board Discussion

Mr. MacGregor stated that this was a remarkable building and would become an iconic building in the city. He added that the applicant needs to do a wind study which could affect the grade level. He moved approval of the application with amendments to the conditions.

Mr. Toderian sought some further amendments to the conditions, to which Mr. MacGregor concurred. Mr. Toderian commented on the architecture and said he agreed with the Urban Design Panel's comments. He commended the developer, architect and Staff for an exceptional example of the twisting form. He felt the public plaza would greatly add to the overall area. Mr. Toderian expressed concerns with the enclosed balconies being used to achieve extra FSR noting that the space will be used for extra living space. He added that the guidelines will have to be looked at in the future to address the situation.

Mr. Timm supported the other Board members' conclusions. He agreed that this was an iconic building for the city which may come to identify Vancouver. He added that there are some areas that need work and further design development. He stated that the internal balconies cheapen the entire project and don't do it justice. It's an area that the City needs to look at around gaining the FSR on a legitimate basis and eliminating enclosed balconies.

Motion

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

THAT the Board APPROVE Development Application No. DE410715, in accordance with the Development Permit Staff Committee report dated November 22, 2006, with the following amendments:

Amend Note to Applicant in Condition 1.3 to read;

Note to Applicant:

- a. Consideration should be given in the landscape treatment to reflect the sculptural aspects of the tower. Extending a light, glass roof element over a portion of the plaza should also be considered to provide greater rain protection and cohesiveness as a public space;
- b. *Submission of wind study to confirm wind impacts such as downdraft from the tower are addressed to ensure pedestrian comfort;*

- c. *Cafe space in the plaza should be accessible to the public and not just patrons of the hotel; and*
- d. Standard Condition A.1.2 seeks to secure public access over the plaza.

Amend Note to Applicant Condition A.1.10 to read;
The glass sample(s) *including the model provided to the Development Permit Board* will be retained by the City to compare with glass installed during construction.

Amend Condition A.1.11 to read;
provision of *a high-efficiency* irrigation system in all common planted areas;

Amend Note to Applicant in Condition A.1.11 by adding the following at the end of the paragraph;
The irrigation system design and installation shall be in accordance with the Irrigation Association of B.C. Standards and Guidelines.

Delete *exclusive* before "use by residents" in Condition A.1.20

Amend Condition A.1.20 to read;
design development to provide an indoor amenity room with a wheelchair accessible washroom, for use by residents, adjacent to the outdoor amenity space, as outlined in the City's "High Density Housing for Families with Children guidelines", *with arrangements to the satisfaction of the Director of Social Planning, Director of Planning and the Director of Legal Services;*

Amend Note to Applicant in Condition A.2.1 to read;

Note to Applicant:

1. Plans are also required that clearly demonstrate the street and lane access requirements of a full-size tour bus, taking into account curb geometrics, traffic lane usage (curb signage), poles and the like.
2. *Should the Transportation Impact Study reveal that measures must be undertaken for the development to function properly, i.e. without undue impact on adjacent development, all costs are to be to the account of the development except for those that are routinely the responsibility of the City and arrangements must be to the satisfaction of the General Manager of Engineering Services.*

Amend Condition B.2.8 to read;
The glass sample *and assembly specifications (including caulking)* submitted to *and approved by* the Director of Planning shall become and form part of the specifications of the glazing to be installed for this development.

OTHER BUSINESS

- Mr. Scobie discussed the amendment to the Development Permit Board and Advisory Panel By-law amending by-law: re appointments and related matters.
- There was a brief discussion on the content of minutes and it was decided that the minutes continue to be in-depth rather than more of a summary overview.

- Mr. Scobie noted that a number of Advisory Panel members were completing their two-year terms. He thanked Mr. Acton, Mr. Scott and Ms. Hung, for their valuable contribution to the Board's deliberations.

There being no further business, the meeting adjourned at 9:30 pm

L. Harvey
Assistant to the Board

F. Scobie
Chair