

Date: Monday, December 20, 2004
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

F. Scobie Director of Development Services (Chair)
L. Beasley Co-Director of Planning
B. MacGregor Deputy City Manager
T. Timm Deputy City Engineer

Advisory Panel

B. Haden Representative of the Design Professions (Urban Design Panel)
J. Hancock Representative of the Design Professions
J. McLean Representative of the Development Industry (Items 4-7)
E. Mah Representative of the Development Industry (Item 5-7)
D. Chung Representative of the General Public
C. Henschel Representative of the General Public
K. McNaney Representative of the General Public

Regrets

G. Chung Representative of the General Public

ALSO PRESENT:**City Staff:**

M.B. Rondeau Development Planner
P. Pinsker Parking & Development Engineer
B. Adair Development Planner
A. DiNozzi Assistant City Surveyor
B. Boons Chair, Development Permit Staff Committee

1245 Homer Street

B. James Schouw

605 Robson Street

M. Thompson Musson Cattell Mackey Partners
R. Tomes

525 West Broadway

P. Busby Busby Perkins + Will Architects
D. Dove Busby Perkins + Will Architects
A. Grant PCI Holdings
A. Croft PCI Holdings
C. Lee
B. Wallace N. D. Lea Traffic Consultants

Recording Secretary: Rae Ratslef, Raincoast Ventures

1. MINUTES

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meetings of November 22 and December 6, 2004 be approved.

2. BUSINESS ARISING FROM THE MINUTES

None.

3. 760 PACIFIC BOULEVARD/750 PACIFIC BOULEVARD/10 TERRY FOX WAY

Bill Boons, Chair, Development Permit Staff Committee, introduced the December 14, 2004 memorandum pertaining to the parking requirements for the casino and other uses in the Plaza of Nations.

Referring to the section of the memorandum titled "Updated Parking Calculations", Mr. Boons advised that discussions with the applicant and a review of the revised plans submitted in response to the "prior to" conditions, had resulted in a reduction in the total parking requirement for the site from 599 to 504 spaces. Engineering Services' advice regarding surface parking spaces, spaces in parking structures ancillary to other developments, and spaces in stand-alone parking structures in the area was referenced, noting that this had provided staff with comfort that there would not be a parking shortfall.

Information was provided on the normal process for seeking parking relaxations. However, because parking was not anticipated to be an issue, staff was recommending approval. If supported, it was noted that the neighbours would be notified of the Board's decision and would have an opportunity to exercise any appeal rights.

Questions/Discussion

In response to a question, Paul Pinsker, Parking & Development Engineer, advised that there were 566 quasi-stadium spaces available in close proximity to the Plaza of Nations, based on daytime needs at BC Place. It was offered that these spaces would be available during the evenings, when primary demand for parking was exerted by the casino. The history of parking relaxations in the vicinity of the Plaza of Nations was referenced, adding that, at the conclusion of the temporary four-year permit, a new assessment would be required.

Applicant's Comments

None.

Comments from other Speakers

None.

Panel Opinion

Panel members indicated their unanimous support for the proposed amendment.

Board Discussion

Mr. MacGregor referenced the ample parking available in the area, and acknowledged the results of the parking analysis.

Mr. Beasley supported the recommendation recognizing that the analysis had been done, and given that this was a four-year approval. The importance of an analysis in four years should an application be submitted to extend this permitted use, and of ensuring that the proponents understood that, was noted, particularly given that, as the ambient parking levels went down due to development in the area, other solutions would have to be identified.

Mr. Timm indicated his support, and agreed with comments of other members regarding the ample parking in the area. He agreed to the need to reconsider the situation after the four-year period, and spoke of the advantages of not tying the parking in the area to the casino.

Mr. Scobie indicated his appreciation that a notification would be sent to residents in the area, noting that it would provide the opportunity for any community concerns to be expressed via the Board of Variance.

Mr. Beasley agreed with the point, offering that the availability of existing parking in the area was the reason for going this route, at present. As such, the impacts on citizens were anticipated to be quite modest.

Motion

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

THAT the Board APPROVE a parking relaxation related to DE408507 from that approved on August 16, 2004 to reduce the number of spaces to 365 spaces, (including 146 spaces dealt with and approved under DE408622) being those available on site.

**4. 1245 HOMER STREET - DE408892 - ZONE DD
(COMPLETE APPLICATION)**

Applicant: B. James Schouw

Request: Interior alterations to 1247 Homer Street to convert an enclosed balcony (previously excluded from the computation of FSR) into Master Bedroom area by removing the interior glazed partition and door, thereby seeking 64 sq. ft. by way of a transfer of heritage floor space pursuant to Section 3.12 of the Downtown Official Development Plan.

Staff Opening Comments

Bill Boons, Chair, Development Permit Staff Committee, introduced the application, noting that staff was supportive of this proposal for a small heritage density transfer to accommodate the conversion of an existing enclosed balcony to enlarge an adjacent master bedroom.

Mr. Boon advised that the application would not result in any physical changes to the exterior of the building, and would not compromise the building envelope. Confidence was expressed that any related Building Code issues could be resolved, and approval was recommended.

Questions/Discussion

Mr. Scobie referenced the technical computation, acknowledging difficulties of measuring with exactitude. Confirmation was provided that relaxation being sought was for .01 FSR.

Applicant's Comments

None.

Comments from other Speakers

None.

Panel Opinion

Panel members indicated their unanimous support of the application.

Board Discussion

Mr. Timm commented on the need for the whole concept of enclosed balconies to be revisited, recognizing that it was a way to increase floor space. The progression of decisions regarding enclosed balconies leading to the creation of floor space, through purchase of heritage density, was referenced.

Mr. MacGregor recalled past consideration of similar applications, suggesting that this application was supportable, but that the issue raised by Mr. Timm did merit consideration.

Mr. Beasley indicated that the issue raised was on the agenda of the Planning Department to consider, recognizing that it was not a primary concern at this time.

Mr. Scobie agreed with comments by Mr. Timm regarding the need for a review of the fundamental principle leading to the 8% balcony exclusion. Support was also expressed for the matter having been brought before the Board through a heritage transfer, noting that the Board of Variance would not have been empowered to deal with the issue as a variance to the DODP.

Motion

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

THAT the Board APPROVE Development Application No. 408892, in accordance with the Development Permit Staff Committee Report dated December 20, 2004.

**5. 605 ROBSON STREET - DE408590 - ZONE DD
(COMPLETE APPLICATION)**

Applicant: Musson Cattell Mackey Partnership

Request: Interior and exterior alterations to construct 2,632 sq. ft. of additions to the east and north sides of the ground floor, thereby expanding the Retail Store portion of the existing 16-storey Retail Store/General Office/School-Arts or Self-Improvement building on this site, and seeking 2,632 sq. ft. by way of a transfer of heritage floor space pursuant to Section 3.12 of the Downtown Official Development Plan.

Development Planner's Opening Comments

Referencing posted drawings, Bob Adair, Development Planner, introduced the application in the context of the surrounding neighbourhood, noting that the addition of 0.15 FSR was proposed to be purchased from the "heritage bank". It was added that the proposed heritage density transfer was within the 10% allowed, and met the intent of the Downtown Development Guidelines.

Staff's recommendation for approval of the application was noted, with conditions attached relating to: a landscape plan and expansion of the pedestrian weather protection system.

Questions/Discussion

Mr. Scobie discussed FSR existing as a consequence of a previous dedication based on site area at time of application rather than at the time of the initial development permit issuance. Staff confirmed that the increase being sought was from 9.45 to 9.60 FSR.

Clarification was provided that Standard Note to Applicant B.2.3 dealing with the Private Property Tree By-law, was not relevant in this instance and could therefore be struck. With regard to Standard Note to Applicant B.2.1, the applicant confirmed that there would be no landscaping on private property. However, it was noted that there were open portions of the site on private property, i.e. decks at upper level and small portions of private property at grade. As such, the condition was determined to be relevant.

In relation to Standard Condition A.2.4, confirmation was provided that the addition of one street tree was contemplated.

Applicant's Comments

Concerning the weather protection at the corner, Mark Thompson, Architect, noted that the applicant was seeking a relaxation as to how it could be achieved. Preference for it to be noted as a consideration item, as opposed to a requirement, was expressed.

Mr. Adair referenced Robson Street as a major pedestrian route and shopping street, and expressed the need for as much protection as possible for pedestrians. The possibility of having some protection closer to the corner was noted, however, willingness was expressed to work with the applicant in terms of how to achieve it. Utilizing the posted drawings, Mr. Adair indicated the amount of weather protection proposed and what was being sought by the proposed condition.

Bob Tomes noted that the corner was the most difficult area to cover, and clarified that the applicant's intent was to seek flexibility in how coverage could best be provided.

Comments from other Speakers

None.

Panel Opinion

Messrs Haden, Hancock, Chung and McNaney expressed support for the application.

Mr. Mah expressed belief that filling in the arcade was an improvement to the building. He indicated his support for the proposed weather protection, noting that it would be a 'big plus' to wrap the protection around the corner.

Mr. Henschel expressed support, noting that it could be splendidly sculptural.

Board Discussion

None.

Motion

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

THAT the Board APPROVE Development Application No. 408590, in accordance with the Development Permit Staff Committee Report dated December 8, 2004, with amendment to delete Standard Note to Applicant B.2.3.

**6. 525 WEST BROADWAY - DE408752 - ZONE C-3A
(PRELIMINARY APPLICATION)**

Applicant: Busby Perkins & Will Architects

Request: Preliminary application for a mixed-use building with office, retail, restaurant and residential uses totaling 3.3 FSR, including a 10 percent heritage transfer of density. A rapid transit station entrance is also proposed as part of this development application.

Development Planner's Opening Comments

Referencing posted drawings, Mary Beth Rondeau, Development Planner, introduced the application in the context of the surrounding neighbourhood. Elements of the application, including its proposed two restaurants, commercial, office and residential areas, were referenced. In relation to height, Ms. Rondeau advised that three public objectives were being achieved with the proposed height, including maintaining views to City Hall, and preservation of pedestrian views of the Lions.

Ms. Rondeau reviewed proposed conditions of the application, pertaining to: improvements to overall public realm; better resolution of upper massing and improved livability for residential units; provision of rapid transit (RAV) station entrance; agreement to enter into negotiations to ensure that an underground link was made from the station entrance; provision of 3.75m building setback on Broadway; design development of the commercial street frontages; design development of the architectural character; design development to provide sustainable housing features; commitment to not consolidate the two larger retail units; and mediation of traffic and noise impacts.

Mr. Rondeau also circulated a proposed amendment to Condition 1.3. A letter submitted, related to traffic concerns was also acknowledged, noting that the author was present. Staff recommended that the Board approve the application in principle, subject to conditions noted.

Questions/Discussion

In response to Mr. Beasley's anxiousness about what would occur at the sidewalk levels around the site, Ms. Rondeau led members through a review of what was anticipated at street level.

Mr. Beasley acknowledged that the food store floor level was lower at Cambie and roughly at grade on 8th Avenue and questioned how to achieve a more positive interface than what had been described along the Cambie Street frontage. He also asked whether there had been any discussion about how to handle the roof scape in a more creative manner.

Ms. Rondeau responded the roof scape was planned to incorporate standard screening and penthouse design. It was added that staff would support any "green roof" treatment, but that, at the very least, a reflective treatment would be utilized.

In relation to the Urban Design Panel's lamenting the loss of the cross pathways that currently existed on the site, Mr. Beasley sought clarification concerning staff's response. Ms. Rondeau indicated staff's interest in revitalizing the streets, rather than in creating pedestrian pathways through the site.

Mr. Beasley referenced Condition 1.7, referring to the architectural character and use of materials, and sought staff's related logic. Ms. Rondeau noted that the application spoke to simple massing. As such, staff were most interested in ensuring that the site developed simple character and appropriate accompanying details at the complete application stage. She added that, without comfort in this regard, there would be anxiety about the massing.

Mr. Beasley noticed that the western edge of the building was in line with a view slot provided by developments in blocks to the north, and questioned whether consideration had been given to creating a public rather than private open space area in that locale. Confirmation was provided that there could be some provision for public views, possibly through a restaurant, but that, as the residential was to stay in that area, there was need to consider residential privacy issues.

In response to questions from Mr. Haden, Ms. Rondeau indicated that the RAV entrance included in the design was intended as one of the two most important entrances to the RAV station beneath Cambie Street, and clarified the intent for an outdoor area on the podium between the restaurant and retail.

Mr. MacGregor recalled that a food store had been proposed in a neighbouring development. Ms. Rondeau indicated that the approved neighbouring development did include a food store but it was much smaller.

It was noted that the loading for the food store shared the same entrance with all other proposed uses. Ms. Rondeau indicated that conditions in the report suggested adjustments to facilitate parking and loading traffic and maneuvering.

Mr. MacGregor sought elaboration in terms of the massing and its relationship to the C-3A guidelines. Ms. Rondeau referenced diagrams on page 11 of the report, noting that massing had been looked at from the 8th Avenue and Broadway sides separately. It was added that Condition 1.2 requested the upper massing to be oriented more north-south. Confirmation was provided that the massing is wider than the guidelines at the mid-rise.

Mr. MacGregor expressed concern regarding the area allowed for pedestrian movement, and the capacity of sidewalks, recognizing the busyness of the area at present - without consideration of future pedestrian increases as a consequence of the RAV entrance. Ms. Rondeau indicated that setbacks as recommended in the conditions of approval had been determined via discussions with City staff working on RAV, and were all that were required, to the best of their knowledge. Even so, Mr. MacGregor expressed concern regarding how the pedestrian environment would work, suggesting that there was a history of under-designing for these sites. Ms. Rondeau offered that staff would not be averse to having the development respond to the concerns raised.

Mr. Henschel sought clarification for the rationale of the massing, particularly the idea behind the split massing and the angle. Ms. Rondeau offered staff understands that it responded to the functional aspects of the different uses.

Mr. Henschel questioned why changes to the massing were not being sought, particularly along the podium level, which he suggested looked very homogenous. Ms. Rondeau replied that these concerns had been addressed in the conditions pertaining to architectural design.

Mr. Beasley asked whether Condition 1.2 would result in the profile being brought into line with the Guidelines, recognizing that this was not explicit in the condition. Ms. Rondeau indicated the conditions will, if approved, result in a different massing of the two mid-rise elements, in a more north-south orientation, with greater compliance to the guidelines.

Mr. Scobie referenced the condition to exclude the area that provided for the station connection. He offered that the C-3A District Schedule included various areas for exclusions, relating to: amenity areas providing a service to the public, where floors are used for the taking on or discharging of passengers, and interior public space. As such, rationale for an amendment to by-law to exclude space attributed to the transit connection was requested.

Ms. Rondeau noted that the first two exclusions related primarily to office amenity, and that the clause relating to interior space was written for atria, and was proposed to be broadened. The by-law was circulated by Mr. Scobie to members to determine whether it had sufficient latitude or required amendment to address what was trying to be achieved in this instance.

Concerning Condition 1.11, Mr. Scobie noted that the roof covering would create FSR that would need to be reconciled. Ms. Rondeau confirmed staff's recognition of this.

Mr. Scobie referenced the table on page 5 of the staff report pertaining to loading. The applicant was asked to illustrate issues with respect to loading, and to reconcile staff's figures with the figures presented in the design rationale.

In relation to the massing, Mr. Scobie sought an explanation for the two public plazas on the scheme (referenced in the applicant's rationale). Clarification was offered that the applicant was referring to the plazas at the entrance to the drugstore and to the corner plaza at Broadway and Cambie.

In response to a request from Mr. Scobie, Ms. Rondeau discussed scenarios anticipated in terms of future developments for remaining properties to the west on the block. Confirmation was provided that the massing-out of the site had been contemplated in the context of possible future developments. Although consideration was given to a possible 10-foot ~~dedication to the north for possible lane from the west lane, it was not seen as being desirable.~~ *Mr. DiNozzi confirmed. lane dedication adjacent the westerly limit of the site, connecting to a potential lane from the west, it was concluded that it would not be desirable to add a lane to this block.*

Mr. Mah sought comments on the fact that there were some residential units that had window space only facing the office. Ms. Rondeau noted that the development did comply in terms of the space between the residential and office, adding that staff did have concern regarding the long facades, which went down into the shared open space.

Mr. McNaney requested clarification regarding the public realm landscaping requirements on the site, as compared to the east side of Cambie. Ms. Rondeau responded that there were

different guidelines for the east side of Cambie for the promenade, and that staff was reluctant to go for wide set backs and double row tree planting on this side.

Mr. Timm referenced the massing being wider at the mid-rise, noting that it did not achieve the full height. Ms. Rondeau acknowledged that this was primarily given site constraints related to view considerations.

Applicant's Comments

Peter Busby offered that the site was bounded by severe restrictions for height and view zones, which was the applicant's reason for bringing in a preliminary development application.

Mr. Busby advised that the applicant had no concern with Conditions 1.1 and 1.2, noting that the massing was intended to maximize views. Notwithstanding that, the applicant agreed that adjusting the massings to orient them more north-south would allow a clearer view through the site at mid-block, and would allow units on both sides of the residential to have access to views.

Regarding the public precinct in Condition 1.1 pertaining to plaza and street setbacks, Mr. Busby agreed that the shopping should be brought to the street wherever possible. The idea to resolve the public realm treatment and relationship to the development along both Broadway and Cambie was noted.

The applicant's comfort with the wording of Conditions 1.7 and 1.8 was noted.

With regard to questions by the Urban Design Panel, Mr. Busby commented that the elevation on Cambie was most difficult to deal with, noting that the concrete edge could be mitigated. He added that the frontage along Cambie to 8th Avenue would be designed so as to provide a greater view down into an active grocery and flower retail.

Regarding the roofscape it was offered that animation and use for that could be realized.

Mr. Busby offered that the cross pathway opportunity on the site was an illusion created by the existing site plan. Notwithstanding that, he noted that the proposed podium deck would be accessible to the restaurant, office, commercial and retail functions. It was added that, due to elevation considerations, it was not possible to connect down to 8th Avenue due to the grocery floor area requirements.

Mr. Busby indicated that Condition 1.7 was supportable, noting that the applicant was clear that this was a new precedent on the 'downtowning' of Broadway. Desire to keep the elevations and massing simple, as an architectural statement, was noted.

Mr. Busby added that addressing the view north could be accommodated, in response to earlier comments from Mr. MacGregor.

Brian Wallace, Traffic Consultant, responded to questions regarding the shared loading and parking areas. He noted that, because of the mixed-use nature of the project, it was desirable to have a loading area that would serve all parties. As well, he noted that the different size of vehicles had been contemplated in the design to provide for three semi-trailer spaces with the remainder being more flexible in terms of different uses.

With respect to the driveway entrance, Mr. Wallace noted that efforts had been made to minimize and consolidate the vehicular crossing on 8th Avenue. He described the design of the

space, and illustrated the route of semi-trailers directly into the loading area, noting that all vehicle traffic in and out of the parkade would utilize a curved roadway to access parking. He also described how the proposed configuration managed exiting from both loading and parking areas.

In terms of reorientation of massing above the podium, Mr. Busby confirmed that the complete development application would come close to meeting the C-3A massing guidelines. He agreed that there was no need for a by-law amendment to exclude the RAV access from FSR.

Concerning the views of residential units facing office, Mr. Busby offered that this would be resolved through Condition 1.2 and remassing. He added that the cap of the height had prevented specific guideline adherence to the mid-rise component.

A letter dated December 20, 2004 from Busby Perkins + Will was circulated, proposing alternate wording for Conditions 1.4, 1.5, 1.9, A.1.2 and A.1.4.

Andrew Grant referred to concerns regarding Condition 1.4, noting that a lot of work had been done on the project given the significant impact that RAV would have on it. Amendment to the condition to allow for more flexible and reasonable resolution was requested.

In further regard to Condition 1.4, Mr. Grant noted that the development application was submitted under current C-3A zoning and was not a rezoning application to which far reaching exactions might be imposed. He accepted the need for RAV and the benefits to the neighbourhood, noting that it had brought about many planning challenges for the applicant. It was offered that the development of the site would occur at the same time that the RAV construction was taking place, which offered an opportunity to find a reasonable resolution to issues.

Up until two weeks ago, the applicant understood that the station would be adjacent to the site, and now was of the understanding that the connection would be an underground pedestrian link. Significant concerns regarding this were addressed, noting that on-grade pedestrian streets were more supportable than inward malls. Concern about creating a tunnel which would take people off the corner as an alternative to crossing the intersection, was noted. Encouragement was expressed that there should be more thinking around the necessity for the underground link to the RAV station at Cambie Street.

It was added that the Royal Bank owned the key corner and was very concerned about the security implications of the underground link, which was viewed as a negative. If their concerns could not be placated, the applicant indicated that it could jeopardize the ability of the development to proceed. It was offered that a reasonable process in Condition 1.4 would need to address that concern.

Members were informed that PCI had understood that the policy pertaining to RAV was that the developer provided the space and that RAV would be responsible to fit out and finish the site. The applicant had agreed to provide space for the station link, which was consuming 1,500 sq.ft. of retail space (having a revenue value of over \$625,000) for a public contribution in perpetuity. The applicant had since been advised that it would have to fit out the RAV link, and had agreed to do so, at a cost of more than \$500,000, despite reservations about its practicality and safety related issues.

Mr. Grant noted that condition 1.4 referred to what was happening off the property, which indicated that there could be an expectation for the applicant to participate in costs for the

underground link. The applicant did not believe that it would be reasonable to bear the cost of or even a portion of the cost for this off site improvement, and had concern that the wording did not allow for a reasonable process. He offered that the wording obligated the applicant to ensure that the underground link was constructed, and to negotiate conclusively with seven parties. Concern was expressed that the cost/benefit discussion could lead to further exactions, and that the wording allowed no way for addressing an impasse.

Mr. Grant noted his intent to purchase heritage density from a third party at a cost of \$1.325 million, suggesting that the applicant could instead receive it from the City to off-set costs related to RAV-related facilities to be provided by the developer. He indicated his willingness to explore redirecting monies to this type of cost, if deemed proper by the City.

Mr. Busby suggested amendment to Condition 1.5 to allow for further discussion on the necessity of proposed setbacks. The intent to work with staff to assess the needs in more detail, prior to committing to the Condition, was noted.

Regarding Standard Condition A.1.2, Mr. Busby noted that he was seeking provision to exclude covered roof decks/patios from FSR calculation.

Concerning Standard Condition A.1.4 relating to change and shower facilities, Mr. Busby requested the opportunity to leave the wording open so that the facilities could be connected to amenity facilities above grade if possible.

Mr. Beasley referenced that the width of the sidewalk was of little concern, as compared to what was happening on the sidewalk. In terms of food stores with windows, he noted that there had been difficulties in the past with food and other displays being pushed against windows, resulting in a passive frontage. The possibility that this could be addressed with a further setback to accommodate outdoor tables, or a fruit and vegetable stand, etc. was noted.

Mr. Busby responded that the suggestions offered were reasonable. He indicated support for a condition requiring a plan for display and visibility and development of additional retail opportunities at the transition along Cambie and on 8th Avenue. Mr. Busby added that allowing flexibility in the proposed condition would allow for those suggestions to be realized.

In terms of a green roof, Mr. Beasley asked whether there was difficulty regarding further consideration of how to do that. Mr. Grant responded that the applicant did not have a lot of height or financial ability, but would be prepared to consider it.

Mr. Hancock questioned plans for re-use of 15-year old building materials from the existing building on the site. Response was that steel studs, dry wall and other materials would be recycled as possible, but that it was not a successful building to be re-used in its entirety.

Mr. Timm offered that this was a prime location for a very heavily used transit interchange and that this should be seen as a plus to a site. The applicant's apparent lack of interest in participating in that, and seeming willingness to turn their back on the opportunity, was noted.

Mr. Grant responded that, in respect to the sidewalk, the setbacks and sidewalks widths, there was need for room to accommodate various solutions, noting that even staff were not in total agreement in this regard. As such, rather than being specific, suggestion was made to let time take care of what the right width would be. It was clarified that the applicant was not resisting wider sidewalks, but that it needed to be well thought out.

Mr. Grant added that the applicant was not resisting the idea of RAV and was agreeing to provide for and pay for the fitting out of the access, although the wisdom of this underground access was questioned as compared to grade-level pedestrian circulation. Consequently, issues around safety and security of the underground link, needed further resolution. He commented that his company owned the property accommodating the New Westminster Skytrain station, and was knowledgeable of some of the types of concerns to anticipate. Mr. Grant noted that his company embraced RAV, but had concerns about the emergence of policies related to RAV and the need to be fair and reasonable. The need to be cooperative, with an open mind, to reach a reasonable compromise was noted.

Mr. Scobie referenced Appendix C flagging Processing Centre - Building and Fire & Rescue Services comments. The applicant expressed no impediments to proceeding with the scheme noted therein.

In relation to the public plazas, Mr. Busby confirmed that Ms. Rondeau had appropriately identified their locations. He also confirmed the intent to develop a sign concept, consistent with the Sign By-law that would be integrated into the development concept.

Comments from Other Speakers

Merve Therriault, local resident, sought information regarding the heights of buildings to the west of the site, at Southeast False Creek, and at the Canadian Tire and Grosvenor sites on the east side of Cambie Street. The height limitations on this site were questioned.

Ms. Rondeau explained the different zonings in place and being considered, and the context for the area of Southeast False Creek and the Canadian Tire and Grosvenor sites, adding that zoning for Southeast False Creek area was pending.

Concerning Southeast False Creek, Mr. Beasley indicated that Council had supported low and mid-rise schemes with step down to an ambient maximum height of 12 storeys with occasional relaxation to 15 storeys, but with most buildings being 6-8 storeys.

Christine Johnston, local resident, suggested that there was no need for two grocery stores across the street from one another, and suggested that a second grocery would be better located on Main Street. She indicated that she did not like the two tower or triangular concepts, and suggested that the greenspace in the middle of the development would be in shadow most of the day. Concern regarding the residential view into the office was also raised. She offered support for a classic style development with a single tower and a green space.

Andre Pekovich, local resident, referenced his previously distributed correspondence and circulated an additional letter. Local residents' attempts to work with each other and with the City to implement something that worked for the neighbourhood was noted, and offered to meet with the developer.

Mr. Pekovich indicated his interest in parking and traffic considerations, recognizing that there were many destination retail sites in the area. He offered that, in the one block area on both sides of Broadway, there would be considerable traffic pressure and that there was a need to be sensitive to local residents' needs.

Mr. Pekovich noted that the streets of the neighbourhood were already used as secondary traffic routes as Broadway and Cambie were overfilled, and commented that current traffic calming measures were not particularly sufficient.

Reference was made to the ND Lea report. Mr. Pekovich questioned the 2,000 parking spaces referred to, noting concern that the study was taken in August and was not an accurate reflection of traffic on the site throughout the rest of the year. Suggestion was made that the conservative traffic estimates in the report were low considering that there would be three destination stores in the area.

Mr. Pekovich raised a further concern pertaining to the implications for the RAV line - specifically that the station was proposed for south of Broadway, which suggested that the line would go under 10th Avenue. Mr. Pekovich expressed his intent to learn more about the future route for the line, noting that the neighbourhood would have concerns as previously expressed with an east-west transit line under 10th Avenue. In the event that they proceeded to tunneling Mr. Pekovich noted that there would be addition to the congestion during construction, which had not been taken into account.

Mr. Pekovich asked for any help that could be given in assessing the true traffic density in the area, and for finding ways to remedy it, suggesting that measures proposed so far were not enough.

Panel Opinion

Mr. Haden, on behalf of the Urban Design Panel, noted that the application had received unanimous support as a preliminary development application, seeing the enhanced massing along Broadway as being positive. While concerns were raised about the public realm, it was acknowledged that mixed use and sustainability aspects of the project should be viewed positively. Condition 1.2 was substantial in terms of what it would do with the resulting project, which was anticipated to be quite different. As such, note was made that it could be necessary to have guidance about the degree of conformance to C-3A guidelines.

Regarding RAV, Mr. Haden offered that there were political, financial and urban design dimensions to consider. He suggested that there was an issue of precedent and fairness to contemplate, and was convinced that it was an unfair necessity to impose the requirement for the applicant to achieve agreement on things that were beyond their control. It was added that the RAV entry needed to be distinctive, highly visible and generous, as part of an integrated corner treatment. The need to look at all edges with respect to the RAV entry, public space and sidewalk conditions was noted. Support was expressed for loosening the specificity of the conditions.

Regarding Condition 1.7, Mr. Haden offered that the project needed to be detailed properly, and as such that this condition was very important. He acknowledged that the area of Broadway north of Cambie was becoming a destination retail area, and that there was a need to look at traffic issues to consider the substantive amount of additional retail that would result in a lot of automobile access. Mr. Haden suggested approval of the application with comments noted.

Mr. Hancock offered that it was a credible opening scheme with the recommended conditions that would lead to significant change. He added that this could be a more urban, cleaner designed building, but that the concept of animation to all of the faces was important. Further comments were that the scheme needed differentiation of the expression of the penthouse, and that the idea of the diagonal cut through was a non-starter recognizing the need to keep the streets busy.

Mr. Hancock offered that reorientation of the massing was a good condition put forward by the Staff Committee, noting that he had difficulty with the courtyard that would largely be in shadow and that the interface between the residential and office needed resolution of privacy issues. He supported the FSR exclusion for floor space needed to provide RAV access under current C-3A zoning provisions, and suggested that the loading plan worked. Mr. Hancock also supported wording changes as proposed by the applicant, with a looser rather than prescriptive approach. Preference for seeing public plazas more defined, was noted, and he agreed with earlier comments regarding balancing access to RAV with financial difficulties that it imposed to this development. Mr. Hancock added that the sidewalks should be analyzed more clearly for a reasonable resolution, and recommended support of the application with the prior to's.

Mr. Mah looked forward to redevelopment of the site, offering that it was currently underutilized. At a time when all development costs seem to be escalating, he expressed understanding for the frustration of applicants with items that were beyond their control. He suggested rewording condition 1.4 to ensure that it was achievable by the applicant. He suggested that condition 1.5 be a consideration item so that the implications can be considered further. Mr. Mah indicated his support of wording for Conditions 1.9, A.1.2 and A.1.4 as suggested by the applicant. He indicated that greening of the roofs was a good idea and that an analysis in this regard should be considered. Mr. Mah expressed support for approval as a preliminary application.

Mr. Henschel recalled that this was a preliminary application, and offered that the RAV entry area design proposed was not significant enough for a major north-south, east-west connector on the sunny side of the street. The idea that the plazas should be in the area of the entry, integrated with retail uses at grade, in keeping with ideas in the original sketches, was noted. In order to allow that to happen, Mr. Henschel indicated that he would accept all of the proposed changes by the applicant to provide them with more flexibility to adjust the massing and to make the RAV entrance a focal point. The idea of this being a precedent for future RAV stations was noted, to avoid a small, unwelcoming, corner stairway look.

Mr. Chung agreed with comments regarding the orientation of the buildings and the massing. Regarding the sidewalk widths and active interface of the development with pedestrians, he agreed that they were very important. Concerning the underground link, Mr. Chung questioned whether it was necessary, offering the view that it would become abandoned if there were no retail. Support was expressed for people on the street, rather than in tunnels. If the tunnel was needed, he agreed to go with the wording proposed by the applicant to allow for more flexibility in its design.

Mr. McNaney liked the development program but he was not seeing that the conditional density was based primarily on the RAV linkage and that it was not a transit-oriented development. He noted the need for more thought to the streetscape, to gear it towards pedestrian interest. A refined RAV entrance was also supported, as were on-street dining options and animation to the streetscape. Mr. McNaney supported flexibility rather than prescriptivity in the conditions, and supported the application as a preliminary.

Board Discussion

Mr. MacGregor indicated that this was a critical site, with or without RAV, given important bus routes on Cambie and Broadway, and the importance of Cambie as an exit from downtown. He recognized the difficulty of the site, and referenced various comments offered on transit integration. He noted disappointment with the way that some ALRT entrances had been previously resolved. Mr. MacGregor added that, given the stage of evolution in the project that RAV was entering, there was hope that something better could be arrived at in this instance.

Mr. MacGregor agreed with conditions pertaining to massing, but expressed a desire for this site to achieve a higher density. The importance of dealing with traffic implications was noted. In relation to Condition 1.6(f), the need for staff to interpret it as consistent with previous applications was noted.

Mr. Beasley offered that the conditions recommended by staff were not unexpected and reinforced the need for this mixed-use development to be done well. He added that the interface with the sidewalk was not working and suggested that conditions relating to the food store would make sure that the interface did work and became very animated. Mr. Beasley suggested that it was better to have flexibility in the setbacks, to do more for the public realm, and that consideration needed to be given to ensure that there was space at the focal point for RAV. The need for blank walls to also be dealt with was emphasized.

Regarding architecture, Mr. Beasley commented that Condition 1.7 was essential, adding that if the architecture (massing and finishes) were not right, the development would be mundane. He stressed that the subtlety of materials was important and had to be right. Mr. Beasley did not agree to the suggestion that a one-tower approach would be a good idea, given the need to maintain views. He added that the roof scape was also important, and suggested that different facades could have different architectural character in managing heat and light, etc. rather than being treated in a conventional way. It was added that the view slots were important.

Regarding RAV, Mr. Beasley noted that there was need to design it in such a way as to facilitate people choosing RAV over their vehicles. He noted that RAV access ways were important and needed to be designed as friendly, identifiable facilities. It was noted that adjustments to the wording of condition 1.4 should make it possible for negotiation between preliminary and complete in this regard. The need to ensure that RAV access was well integrated was noted.

Mr. Beasley agreed with changes relating to traffic management as an important issue for the neighbourhood. He did not agree with proposed changes to the technical conditions about how to calculate density, noting the need for standardization in this regard. Mr. Beasley offered that it had been wise of the applicant to do a preliminary application because of the kinds of changes that had come from the review. He noted that, with the remassing and interfacing this could be a successful project, if the excellent quality of the architecture was carried through and realized in terms of detailing and materiality.

Mr. Timm commented that applying C3A zoning to the site might not be the right approach because of RAV. He noted that the conditions would result in substantial changes to massing, adding that the floor plate configurations, and large facades along Broadway and 8th Avenue were very unusual. Mr. Timm indicated that the RAV connection was a very important interchange that needed to be facilitated, and that animation of the street and pedestrian activities was important. The need for more expansion of the sidewalk was noted, adding that the facade on Cambie would be a challenge because of the slope but that conditions dealing with animation in some form set expectations in this regard. He noted that concerns regarding massing had been addressed in the conditions.

Mr. Beasley acknowledged that the applicant and staff had discussed rezoning for a possible increase in permitted density, but that in consideration of the applicable height restrictions related to view preservation, rezoning was not an attractive enough pursuit, particularly given the related time and financial commitment that it would take.

Mr. Scobie offered further comments on the present inadequacy of the sidewalks at this intersection to adequately manage general and transit-related pedestrian volumes. RAV will further emphasize this as a transit interchange and greater accommodation needs to be provide for increased pedestrian volumes.

Motion

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

THAT the Board APPROVE IN PRINCIPLE Development Application No. 408752, in accordance with the Development Permit Staff Committee Report dated November 24, 2004, with the following amendments:

- Condition 1.2, following "massing" insert "along Broadway".
- Condition 1.3, begin with "Arrangements for the provision of a rapid transit (RAV) station entrance including possible fit out within the private property boundaries at or near the northwest corner of Cambie and Broadway in consultation with the RAV proponent"; and following "public use" insert "and to allow future alterations to the station entrance to enable a physical connection from the underground link".
- Condition 1.3, Note to Applicant, following "Zoning and Development Bylaw" insert "if necessary".
- Condition 1.4, replace with "agreement to the satisfaction of the Director of Legal Services, in consultation with involved city staff assigned responsibility for the negotiations, for an underground link from the station entrance on the subject site to the station platform.
- Condition 1.4, Note to Applicant, replace with "Any arrangement may require Council approval."
- Condition 1.5, add "subject to adjustments after review with staff of pedestrian demands, particularly for transit users, prior to the complete development application".
- Condition 1.6, add (e) "consideration for active uses related to the food store frontage which may include retailing installations, customer seating or more pervasive access into the premises; (f) "provision of a scheme for display of grocery store products as viewed through the windows"; and (g) "avoiding blank walls along the sidewalk".
- Condition 1.8, Note to Applicant, add following "roof materials" insert ", including on the roofs of the tower components,"
- Condition 1.9, delete and replace with "arrangements to the satisfaction of the Director of Legal Services in consultation with the Director of Planning for a commitment to not consolidate the two largest retail units, specifically the Grocery Store and the Drug Store".

- Condition 1.10, replace “for the following at the developer’s cost or as noted below” with “and Director of Legal Services for mitigation measures typical of the following”
- Condition 1.10, Note to Applicant, replace with “The above is not a complete list, mitigation measures must be identified with further review of the traffic studies and take into account approved and future developments in the area, in consultation with neighbours.
- Add Condition 1.12, as follows “Design development of landscaped areas on the podium to consider northerly views between the building north of 8th Avenue”.

7.0 OTHER BUSINESS

7.1 Development Permit Board Procedures

Mr. Scobie introduced proposed amendments to the Development Permit Board Procedures.

In reference to the proposed amendments, Mr. Timm spoke to the need to be clear concerning whether a meeting was being reconvened because the speakers’ list was not concluded, or for the purpose of hearing additional information.

Motion

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

THAT the Board APPROVE an amendment to the Development Permit Board Procedures section, by adding the following after bullet 6:

- When an application has numerous public delegations having ‘registered’ to speak in advance of the meeting, this “speakers list” should be used to invite delegations, in order to provide comments. If a listed speaker is not present when their name is called their name will be moved to the end of the list offering a second opportunity to be heard. If they are not present on this second occasion they may provide comments at the conclusion of all ‘registered speakers’ when the chair invites public delegations from those not registered in advance.
- When a meeting is to be reconvened for the purpose of hearing remaining ‘registered’ speakers, additional public delegations may ‘register’ in advance of the reconvened meeting.

7.2 Dedication After the Permit

Mr. Scobie indicated that he had initiated discussion with Legal Services regarding procedural requirements to deal with the legalities of dedication requirements as a condition of permit issuance, the results of which were the FSR being over what zoning permitted. The Board may exceed permitted FSR provisions of the ODP by using the “hardship” provision available in Section 3. It was noted that when the Director of

Planning dealt with an application, whether in a conventional zoning district or subject to an ODP, the same hardship provision was not available.

After discussion with Legal Services, he noted that the issue would be referred to Planning to review and report back through Council as a proposed amendment to the Zoning and Development Bylaw, if need be.

There being no further business, the meeting adjourned at 6:39 p.m.

R. Ratslef

F. Scobie
Chair