

Date: Monday, February 13, 2006
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
P. Judd General Manager of Engineering Services

Advisory Panel

A. Endall Representative of the Design Professions (Urban Design Panel)
R. Acton Representative of the Design Professions (Items 1-3 only)
J. McLean Representative of the Development Industry
J. Scott Representative of the Development Industry
M. Braun Representative of the General Public

Regrets

R. Keate Representative of the Vancouver Heritage Commission
C. Henschel Representative of the General Public
K. Hung Representative of the General Public
G. Chung Representative of the General Public

ALSO PRESENT:**City Staff:**

R. Segal Senior Development Planner (1133 Homer Street)
M.B. Rondeau Development Planner (1022 Seymour Street)
D. Robinson Project Facilitator (1133 Homer Street)
J. Greer Project Facilitator (1022 Seymour Street)
M. Thomson City Surveyor

1133 Homer Street

M. Bruckner IBI/HB
J. Hancock IBI/HB
W. Wang IBI/HB
J. Stamp Durante Kruek Ltd.

1022 Seymour Street

S. Lyon GBL Architects
I. Jozkow GBL Architects

Recording Secretary: D. Kempton

1. MINUTES

Mr. Scobie noted that the Minutes of the Development Permit Board and Advisory Panel Meeting of January 30, 2006 were not available for review and would be deferred to the next meeting.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 1133 HOMER STREET - DE409193 - ZONE DD
(COMPLETE AFTER PRELIMINARY APPLICATION)**

Applicant: Hancock Brückner Eng & Wright Architects

Request: To construct a 16-storey residential tower incorporating an 8-storey podium, with 192 dwelling units and three levels of underground parking accessed from the lane, including a heritage density transfer of approximately 5,276 sq. ft. from 46 Water Street for a total FSR of 5.18.

Development Planner's Opening Comments

Mr. Segal, Development Planner, introduced this application for a 16-storey residential tower which was previously reviewed by the Development Permit Board at the preliminary application stage. Mr. Segal noted that there are no upfront prior-to design conditions in the report dated January 18, 2006.

The preliminary application received approval-in-principle from the Development Permit Board with minor design conditions which have all been satisfied in this complete application. Mr. Segal stated that there is a notably lesser amount of heritage density being brought to the site as a result of design refinements. The amount of heritage density requested in the complete application is slightly more than half of what was requested at the preliminary application stage.

Mr. Segal reviewed the notification results and said that the issues identified by neighbouring residents were fundamental massing issues that were concluded at the preliminary application stage. He noted an additional proposed landscape condition A.1.18 that was distributed to the Board in a memo dated February 13, 2006.

The Staff Committee recommendation is for approval of the application, subject to the conditions outlined in the report dated January 18, 2006.

Questions/Discussion

Mr. Beasley sought clarification regarding the treatment of the blank south party wall. Mr. Segal said the south party wall materials proposed are painted concrete with reveals and vertical elements. The vertical elements will be spandrel glass; however the applicant would not object to transforming the vertical elements into brick.

In response to a further question from Mr. Beasley regarding the possibility of using brick on the entire south party wall, Mr. Segal said that solution would be an improvement.

In response to a question from Mr. Braun about the proposed roof treatment above the 15th level, Mr. Segal responded that the treatment will be tar and gravel with the possibility of coloured gravel. Staff felt that was the best solution since the view cone height limit does not allow access to the roof.

Mr. MacGregor sought clarification with regard to the Environmental Protection Branch comments on page 10 of the report and also condition B.2.9. Mr. MacGregor wondered whether it would be more appropriate to add the words “, or equivalent instrument,” after “Certificate of Compliance” in condition B.2.9 in the event that there is no contamination found on the site whereby a Certificate of Compliance would not be issued. Doug Robinson, Project Facilitator, responded that only a portion of the site has received a Certificate of Compliance from the Ministry of Environment and the remaining lots are still under investigation. He agreed that the addition of the words “or equivalent instrument” could easily be accommodated within condition B.2.9.

In response to a question from Mr. MacGregor regarding the lot numbers cited in condition B.2.9, Mr. Scobie said the legal description of the property is Lots 29 - 38; although B.2.9 only identifies Lots 29 - 33. Mr. Robinson said that condition B.2.9 should be amended to read Lots 29 - 38.

Applicant's Comments

Wei Wang, IBI/HB, responded to an earlier question from Mr. Acton regarding one of the proposed material treatments for the south party wall. Ms. Wang described the material as two panels of laminate glass with natural, dried plant material resembling grass in between the panels. Ms. Wang said if the Board would prefer to see brick used rather than the proposed material described, that would be acceptable. She felt that the special material proposed would be a better reflection for the landscaped courtyard of the adjacent building.

Martin Bruckner, IBI/HB, described some of the project details and rationale. He noted that the upper floors were pushed back to improve views to the sky for the residents of 488 Helmcken and the 3 townhouses fronting Helmcken Street are lofted with a two-storey front portion. This change was made to meet a preliminary condition that called for a minimum 2.6 ft. height difference between the townhouse and the sidewalk. Some floor area was sacrificed to achieve this but the result is quite a nice townhouse configuration.

Jennifer Stamp, Landscape Architect, described the landscape plans and summarized the changes that had been made since the preliminary application stage.

Questions/Discussion

Mr. Bruckner confirmed that the applicant team does not have any concerns with resolution of the Building By-Law and Fire Department issues identified in Appendix C of the report.

Comments from other Speakers

None.

Panel Opinion

Mr. Endall said that the Urban Design Panel felt comfortable enough with the application at the preliminary stage that it concluded the proposal need not return to Panel at the complete application stage. Mr. Endall said since that time the proposal has gotten better as the applicant responded to the issues identified in the preliminary application. He recommended that the Board approve the application.

Mr. Acton said he was fascinated by the proposed party wall materiality with the grass captured in the glass. He felt that something unique was being proposed and supported the applicant in working with staff to find the appropriate expression of that. Mr. Acton said that the neighbours will co-exist for quite awhile so anything that can be done to improve the party wall will be appreciated. He recommended approval of the application.

Mr. McLean did not have any issues with the application and recommended approval.

Mr. Scott supported the application although he was concerned about the environmental issue that Mr. MacGregor raised. He felt that the site remediation issue should be clarified because it could be problematic for the proponent.

Mr. Braun recommended approval of the application subject to the insertion of a design development condition for the south wall. He would like to see flexibility in the wording of the condition so that the applicant can work with staff to find the best solution in terms of the material used.

Board Discussion

Mr. MacGregor said this is a very attractive project. He moved approval with several amendments to the conditions, accepting a friendly amendment from Mr. Beasley to insert a new condition 1.1.

Mr. Beasley seconded the motion for approval with the addition of his proposed new condition 1.1. He said that this project is well resolved and he appreciated the good working relationship between staff and the applicant team.

Motion

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

THAT the Board APPROVE Development Application No. 409193, in accordance with the Development Permit Staff Committee Report dated January 18, 2006 with the following amendments:

Add 1.1:

design development of the south property walls to moderate the blank condition using brick or other quality materials, to the satisfaction of the Director of Planning;

Amend the body of the report p.5, technical table, Permitted (Maximum) Tower Floor Plate to delete "5,000 sq.ft." and replace with *6,500 sq.ft.*

Amend the body of the report p.11, the last sentence to delete the reference to condition "A.3.1 & A.3.2" and replace with *B.2.8 & B.2.9.*

Add A.1.18 and Note to Applicant:

clarify the provision of an irrigation system for common areas, roof decks and patios. Hose bibs are to be provided and noted on the drawings;

Note to Applicant: The irrigation system design and installation shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

Amend B.2.9 to read:

A Certificate of Compliance, *or equivalent instrument*, shall be issued prior to occupancy for Lots 29 - 38 inclusive.

4. 1022 SEYMOUR STREET - DE409843 - ZONE DD
(COMPLETE APPLICATION)

Applicant: GBL Architect Group

Request: To develop this site with a mixed-use building containing retail on the ground floor, office on the ground, 2nd and 3rd floors and 18 storeys of residential all over 3 levels of underground parking. Further, the project includes the transfer of approximately 10,879.5 sq. ft. (6.2 %) to this site, from a donor site at 526 Beatty Street, for a total FSR of 5.33.

Development Planner's Opening Comments

Ms. Rondeau, Development Planner, introduced this application for market residential and office use on Seymour Street. Ms. Rondeau noted that the site has a large frontage but is restricted in height by a view cone at 177 ft.

Ms. Rondeau advised that there are a number of conditions that would require substantive changes to the proposal and staff have worked with the applicant to find solutions to those issues. With respect to Condition 1.2 which suggests a height reduction of the higher podium on the north end, Ms. Rondeau said it is above the 70 ft. height limit in the Guidelines and staff have received a letter from one of the neighbours which expressed concern about the height. She said that the lost FSR could be relocated to the tower with some reduction of the floor-to-floor heights in the tower, providing an extra floor within the view cone maximum. The applicant has agreed to this change.

Ms. Rondeau discussed the materials, noting that Condition 1.1 addresses the Urban Design Panel suggestion to simplify the architectural elements and continue the brick material to match the south podium height. The Panel also had concerns about the office glass element seeming to dark and Ms. Rondeau pointed out that the model has since been changed and the applicant is searching for a clearer glass for the office component, as well as the retail element.

With respect to the lane, staff suggested a scaling back of the 105 ft. length of wall on the lane with a 2 ft. clear landscape setback along the wall to provide softness on the edge. The remaining conditions generally address simplifying the image of the building character and some massing redistribution. The Staff Committee recommendation is for approval of the application, subject to the conditions outlined in the report dated January 18, 2006.

Questions/Discussion

Mr. Endall sought clarification regarding Condition 1.1 which suggests that the retail on Nelson Street should be considered to be part of the glassy office expression rather than part of the brick vocabulary and yet later contradicts itself by asking that brick be continued on the lane frontage. Ms. Rondeau responded that it is not the elimination of brick, just less brick that is desired, as well as consistency as the material wraps around the corner.

With respect to the anticipated reduction in FSR, Mr. Scobie asked how that will affect the business arrangement regarding the transfer of heritage density. Ms. Rondeau said it has been

proven that sites restricted by view cones are very difficult to achieve density of above 5.0 FSR and get the massing to work; therefore Condition 1.3 will result in the reduction of transferable area.

Applicant's Comments

Stu Lyon, GBL Architects, said that the office use included in this proposal is an interesting component rather than the typical all-residential scheme. He noted that 28,000 sq.ft. of office spaced seemed appropriate at this busy corner site on Seymour and Nelson Street. The developer intends to occupy this space.

The applicant team has been working with the Planning Department staff since the Urban Design Panel meeting to make changes to the proposal and is quite happy with how the project is evolving. He confirmed that the podium height will be reduced below 70 ft. and that FSR may be relocated to the tower by adding an additional floor without exceeding the maximum view cone height limit.

In response to the question from Mr. Scobie regarding how the loss of FSR might affect the business arrangement for purchase of heritage density, Mr. Lyon responded that the agreement would have to be looked at. He said that was not sure of the details of the arrangement that his client had with the donor site.

With respect to the other conditions, Mr. Lyon agreed with the conditions recommended in the Staff Committee report and is willing to work with staff to address them.

Questions/Discussion

In terms of the staff suggestions for reducing the commercial parking coverage, Mr. Scobie sought clarification with regard to the mechanisms for separating the commercial and residential visitor parking. Mike Thomson, City Surveyor, responded that the residential visitor parking could but will not necessarily be separated from the commercial parking in terms of a gate. It will be labeled on the plans as to which spaces are commercial and which are for residential visitor parking use. Beyond that it is a property use inspection and enforcement issue.

Mr. Scobie questioned how the elevator penthouse would be dealt with since it was not shown on the model and how adding the additional FSR to the tower may affect that. Mr. Lyon responded that the top units in the building will be two-storey units wrapped around the elevator penthouse and will not go over the maximum height limit, including the penthouse. He confirmed that the mechanical penthouse will not penetrate the view cone.

Panel Opinion

Mr. Endall said he was not present when this application was reviewed by the Urban Design Panel. There were only 6 members of the Urban Design Panel in attendance and although the application received support, it was not unanimous. The Panel suggestions to reduce the number of materials and simplify the massing of the project have been addressed in the conditions of the report. Mr. Endall suggested an amendment to condition 1.1 that would suggest the type of materials or experience on the Nelson Street frontage be continued around the corner and along the lane for consistency of the Nelson Street and lane frontages.

In Mr. Endall's personal opinion, there are a number of significant revisions for this project that include a fairly significant change to the material palate and massing and he had difficulty envisioning what those changes would look like. Mr. Endall said he would have felt more confident if some of the revisions were illustrated before the Board made their decision. He

recommended approval-in-principle so that the Board and Advisory Panel would have another opportunity to see the application.

Mr. McLean agreed with Mr. Endall that there are a lot of changes that will happen to this project; however in his mind those changes are not extreme. He heard the Development Planner and the applicant state that they have solutions to address the conditions and he felt that this was a high quality project with a nice lane elevation. Mr. McLean recommended approval subject to the conditions of the report.

Mr. Scott said that staff have worked closely with the proponent and for the Board to consider this as a preliminary application would be a setback. Mr. Scott felt that the proponent and staff could address the necessary changes since the application generally conformed to the Zoning and intent of the By-Law.

In response to the question from Mr. Scobie regarding how the elevator penthouse would be dealt with, Mr. Scott said that new elevators are using straps therefore penthouses are no longer as common. Also, these new elevators are more economical to build, faster, less problematic and mechanical penthouses may diminish as this new technology gains acceptance.

Mr. Scott felt it was drastic for staff to require a 10 ft. setback on the lane and encouraged them to work with the applicant to find a compromise so that the applicant would not lose FSR. He supported approval of the application.

Mr. Braun commended the applicant for including office space in this downtown project because he felt there was a need for it in Vancouver. He was sorry to see the applicant lose FSR because of condition 1.3.

Mr. Braun agreed with Mr. Endall that there are a lot of complex unresolved issues regarding the overall expression of the tower; however he was confident that the Director of Planning would ensure that the staff recommendations are implemented to achieve the desired outcomes. Mr. Braun supported approval as a complete application even though he felt that this was not an acceptable level of unresolved issues to have in a project.

Board Discussion

Mr. Beasley said this is a good project and the conditions, as written by staff, respected the comments from the Urban Design Panel and the surrounding neighbours. Mr. Beasley felt that the lane setback, as outlined in the Note to Applicant condition 1.3, was appropriate because of the proximity to neighbours on the other side of the lane.

With respect to the Advisory Panel comments that this application should be considered as a preliminary application, Mr. Beasley said he would have shared their concern if there was resistance from the applicant team to the conditions. In this case the applicant team has endorsed the conditions, is working well with staff, and staff are confident that the issues can be resolved. Mr. Beasley moved approval with several minor amendments to the conditions, as well as a change to the preamble of the report and the addition of a new condition A.1.19 as per the memo distributed to the Board dated February 13, 2006.

Mr. MacGregor asked Mr. Beasley if, as a result of his amendment to the preamble, the same wording should be incorporated into condition A.1.13. Mr. Beasley agreed that condition A.1.13 should also be amended to include the words "*up to*".

In response to a question from Mr. MacGregor, Mr. Greer, confirmed that on page 5 of the report the first paragraph, second to last line, the reference to Standard Condition "A.1.12" should be deleted and replaced with **A.1.13**.

Mr. Judd seconded the motion for approval of the application.

Motion

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

THAT the Board APPROVE Development Application No. 409843, in accordance with the Development Permit Staff Committee Report dated January 18, 2006 with the following amendments:

Amend the last sentence of the approval preamble to read:

Further, the project includes the transfer of **up to** approximately 10,879.5 sq.ft. (6.2%) to this site, from a donor site at 526 Beatty Street, for a total FSR of 5.33, subject to the following conditions:;

Amend p.5, first paragraph, second to last line, to delete "A.1.12" and replace with **A.1.13**.

Amend the last sentence of the Note to Applicant in 1.1 to read:

With appropriate detailing at the corner reconciling the Nelson Street and lane materials, brick should be used along the lane to replace the area shown as painted concrete;

Amend A.1.13 to add **up to** before "10,879.5 sq.ft";

Amend A.1.16 to delete "Nelson" and replace with **Seymour**;

Add new A.1.19 and Note to Applicant:

Clarify the provision of an irrigation system for common areas, roof decks and patios. Hose bibs to be provided and noted on drawings;

Note to Applicant: The irrigation system design and installation shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

Renumber the subsequent conditions beginning with the old A.1.19 which will become A.1.20;

5. OTHER BUSINESS

None.

There being no further business, the meeting adjourned at 4:25 p.m.

D. Kempton
Assistant to the Board

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F. Scobie
Chair