

Date: Monday, February 23, 2009
Time: 3:00 p.m.
Place: Council Chamber, City Hall

PRESENT:

Board

R. Jenkins Assistant Director - Current Planning Division (Chair)
B. Toderian Director of Planning
J. Ridge Deputy City Manager
T. Timm General Manager of Engineering Services

Advisory Panel

J. Wall Representative of the Design Professions (Urban Design Panel)
S. Tatomir Representative of the Design Professions
N. Shearing Representative of the Development Industry
J. Stovell Representative of the Development Industry
M. Braun Representative of the General Public
D. Chung Representative of the General Public
H. Hung Representative of the General Public
K. Maust Representative of the Vancouver Heritage Commission

Regrets

C. Nystedt Representative of the General Public

ALSO PRESENT:

City Staff:

R. Michaels Assistant Director, Enquiry Centre - Development Services
P. Storer Engineer - Projects
D. Morgan Development Planner
S. Barker Project Facilitator

1006 & 1007 - 1238 SEYMOUR STREET - DE412692 - ZONE DD

J. Congdon Not in attendance

1258 WEST BROADWAY - DE412570 - ZONE C3-A

W. Leung W.T. Leung Architects Inc.
B. Krause W.T. Leung Architects Inc.
D. Swift Durante Kruek Ltd.

Recording Secretary: L. Harvey

1. MINUTES

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of January 23, 2009 be approved with the following amendments:

Page 2, amend 2nd line under Minutes by deleting "Other" at the beginning of the sentence and "also" in the middle of the sentence.

Page 2, under Development Planner's Opening Comments, line 1, correct the spelling of Anita Molaro's name.

Page 2, under Development Planner's Opening Comments, line 2, change "Bentley" to *Hudson*.

Page 3, 7th bullet, to read:

The fence will be replaced with the same *type of fencing* that is currently around TransLink's property.

Page 5, 2nd paragraph under Panel Opinion, amend last line to read, "....support *of* the application".

Page 6, Mr. Toderian's comments to read:

Mr. Toderian thanked the public for coming to the Board meeting. Mr. Toderian noted that the city is running out of the space that would provide for this kind of uses. There are only a few areas that had been planned for impactful uses and Council *would be challenged with that* when they consider *uses across the city*. He added that the work program *currently isn't contemplating pushing* these kinds of uses out of the area and the expansion of the VTC *is* not out of character with the evolving *staff thinking for the area*. Mr. Toderian noted that in principle, the city believes in *eventual* public ownership of the waterfront. City staff doesn't have the tools to demand public access to the water through the Development Permit application *at this point, but will be able to at subdivision stage in the future*. Mr. Toderian noted that there is a broader public interest to keep up with transit which is a critical aspect of a sustainable region and a green city. He said he supported TransLink's efforts but was disappointed that they weren't keeping their agreement regarding the TDM. Mr. Toderian said he was counting on TransLink regularizing the existing fencing and didn't want to see a barbed wire expression. He said he hadn't realized that the green shielding of the fence was meant to block the view of the buses from the river's edge and encouraged TransLink to think about being able to see the water's edge through the fence for a more interesting public realm.

2. BUSINESS ARISING FROM THE MINUTES

None.

3. 2006 & 2007 - 1238 SEYMOUR STREET - DE412692 - ZONE DD
(COMPLETE APPLICATION)

Applicant: Jason Congdon

Request: Transfer of density of 126 square feet to unit 1007 and 66 square feet to unit 1006 in this multiple dwelling building. The project includes a heritage density transfer from two donor sites identified as 640 West Pender and 50 Water Street.

Development Planner's Opening Comments

None.

Questions/Discussion

None.

Applicant's Comments

None.

Comments from other Speakers

None.

Panel Opinion

There were no comments from the Advisory Panel members. Members confirmed that their absence of commentary could be interpreted as support for the application.

Board Discussion

None.

Motion

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

THAT the Board APPROVE Development Application No. DE412692, in accordance with the Staff Report dated February 23, 2009.

4. 1258 WEST BROADWAY - DE412570 - ZONE C3-A
(PRELIMINARY APPLICATION)

Applicant: W.T. Leung Architects Inc.

Request: To develop this site with a 12-storey mixed-use building containing retail, office and residential uses (49 dwelling units) all over two levels of underground parking having vehicular access from the lane. This application seeks additional density by way of a transfer of heritage density to the site from donor site (to be identified).

Development Planner's Opening Comments

Dale Morgan, Development Planner, introduced the application for a 12-storey mixed use development which will include 10 floors of residential use. Mr. Morgan noted that the conditions are not major and include massing of the penthouse, overlook with the neighbouring building, reducing solar response on the west elevation, softening the appearance of the blank party wall, material treatment in the public realm and clarification of the sustainable features on the drawings.

Mr. Morgan described the site context noting the neighbouring buildings, zoning and urban design considerations as well as building heights and massing. He also described the shadow impacts. The applicant proposes height that is a little over the maximum in the guidelines but is comparable with other recent towers on West Broadway and is equal in height with the tower to the west of the site. Mr. Morgan noted that the conditions recommend reduction of the mechanical penthouse.

Mr. Morgan noted that the materials are well resolved. The east and south elevation are clad in brick and the public realm is well handled with continuous weather protection along the store frontage. The applicant proposes to meet LEED™ Silver equivalency. Staff are recommending the applicant undertake energy modelling and add an extensive green roof. Mr. Morgan noted that this building will be an important addition to West Broadway.

Mr. Morgan reviewed the recommendations contained in the Staff Committee Report dated February 11, 2009. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Mr. Morgan:

- There is no policy in the C3-A district with respect to side yard separation. Had the neighbour been moved more to the west there could have been an 80 foot separation between the two buildings. An 80 foot separation is designed for taller buildings in the downtown core.
- If the Preliminary Application is approved, the Board can decide whether the Complete Application should come back to the Board or seek approval from the Director of Planning.
- The building will have five units per floor of which four units will be corner suites. The suites are mostly one bedroom with the penthouse having three bedrooms.
- Staff feel there could be more design development regarding the materials but are pleased with what is being proposed.

- Enclosed balconies provide more living space and are allowed up to 8% of the floor area and have to meet the intent of the Balcony Enclosure Guidelines. Condition A.1.4 states that the enclosed balconies should be expressed on the exterior of the building.

Applicant's Comments

Mr. Leung said he was satisfied with Conditions 1.2 through 1.5 in the Staff Committee Report. He was concerned that wrapping the corner and continuing the length of the entry forecourt would make the area too dark as noted in Condition 1.4. He added that the area had been changed to a lighter colour for that reason. Mr. Leung suggested that he could wrap the material around the base of the building instead. Mr. Leung asked the Board to consider deleting A.2.3 regarding the parking ramp noting that other buildings on West Broadway had been built with 20 foot wide ramps. He also added that since the building will be mostly residential, the ramp would not be accommodating commercial vehicles. Mr. Leung said it was the intention of the owner to move into the penthouse. It is the owner's intention that the suites would be rentals even though they will be registered as strata titled units.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team:

- The applicant is confident that the project will go ahead even with the downturn in the economy and have instructions to start building as soon as possible. The owner is contemplating the project being a rental building.
- Once a building permit is issued, the applicant would lose their permit if they cease construction for six months or more. They would also lose the building fees that were paid to the City.
- The applicant said they care about the amount of colour on the building and would be willing to make adjustments to the colour palette on the front elevation.
- The building will be strata titled but will be a rental building. There are around 10-12 other buildings in the central West Broadway area that are market rental/strata titled buildings.
- Condition 1.3 refers to the blank party wall and the applicant agrees that more can be done to soften the expanse.
- Once the applicant gets preliminary approval of the application they will be looking for a donor site for the heritage density transfer.

Comments from other Speakers

None.

Panel Opinion

Mr. Wall noted that the Urban Design Panel supported the application. They looked at the issue of tower separation and the scale of the separation and thought it was appropriate for the scale of the building. However, they did think there were some privacy issues between the two buildings although the neighbouring building's units look out and away and are not looking at each other. Mr. Wall suggested that the units that look out towards the south and north could have more privacy glazing. The Panel thought the overall expression and composition of the building was well done. The Panel did have a concern regarding sustainability and encouraged the application to go further. They thought the south façade could use some passive shading and that increasing the spandrel glass on the west façade would be an improvement. There was a consensus from the Panel regarding the entry pavilion as they thought the applicant should create more pedestrian interest. The Panel thought the landscaping would create an interesting pocket and a break from the retail. Mr. Wall suggested that the applicant be given more leeway with Condition 1.4 regarding where the

basalt begins and ends in the entry forecourt. He thought some consideration should be given to the applicant's request to relax the parking ramp from 24 feet in width to 20 feet. Mr. Wall noted that there are expectations from the Panel that they see the application at the complete stage. Mr. Wall added that the project was very supportable and recommended approval for the application.

Mr. Tatomir said he thought City staff had done a good job, however he thought the liveability of the bedrooms should be addressed. Mr. Tatomir noted that the West Broadway elevation would be more successful if the commercial tenants were chosen to bring more pedestrian traffic. Mr. Tatomir thanked the Board for his two years on the Advisory Panel and wished the new members well. Mr. Tatomir recommended approval for the application.

Mr. Stovell said he supported the project. He said he thought the driveway off the lane should be narrowed. Mr. Stovell thought it was unfair to ask the applicant to make up for the deficiency regarding the separation between the two buildings.

Mr. Shearing was in support of the application. Mr. Shearing didn't see the need for the project to come back to the Development Permit Board or the Urban Design Panel and thought it would send a message to the development community that having a well defined application would help move the process along faster.

Ms. Maust thought the project was well resolved and had earned the 3 FSR and heritage density. She thought the width of the parking ramp needed to be looked at carefully and said she would like to see some colourful solar shading.

Mr. Chung thought the report was thorough. He agreed that the width of the driveway could be reduced as long as it was still safe adding that Engineering Services should make that decision. Mr. Chung thought the south elevation seemed bland and hoped the colour scheme could be further refined. He added that he thought it was a well resolved building.

Mr. Hung commended the design team for a job well done. He thought the units were liveable and liked the courtyard at the residential entry. Mr. Hung supported changing the width of the driveway as long as Engineering Services approved the change. He said he would also like to see more colour added to the building. Mr. Hung recommended approval for the application.

Mr. Braun recommended approval for the application. However, he suggested the Board add a condition regarding the material palette as he too thought the building was a little bland. He added that he thought there were opportunities to create distinction. Mr. Braun recommended the application go to the Director of Planning for final approval as the application didn't need to come back to the Board.

Board Discussion

Mr. Toderian thanked the applicant and asked him to thank the owner for providing unsecured rental housing. He noted that having more rental housing was important and was in agreement that the application had a good chance to proceed regardless of the change in the real estate market. He hoped the owner had their financing in place to take advantage of the lower construction costs. Mr. Toderian thought the Board did not need to see the application at the complete state. He felt the Board could do the applicant a favour and state that a further review by the Urban Design Panel and Development Permit Board was not necessary. Mr. Toderian stated that he was not convinced that the landscape was the only way to address the blank wall noting that West Broadway is a dynamic street. Mr. Toderian added that he appreciated the comments from the Advisory Panel and thought the building was well resolved but could use a little more expressiveness. He suggested that Condition A.2.3 could be modified to reflect a reduction in the width of the parking ramp.

Mr. Timm said he was disturbed with the separation of the building regarding the privacy perspective. He said he was happy with the modifications the Board had suggested for Condition A.2.3 regarding the parking ramp. He added that if ramps of 20 feet were functioning well in nearby buildings then he didn't see any reason why that width wouldn't work with this parking ramp. He added that between now and the complete application, staff would look at the width of the ramp.

Mr. Ridge was in support of the recommended amendments to the Staff Committee Report and was happy to support the application.

Motion

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

THAT the Board APPROVE Development Application No. DE412570, in accordance with the Staff Committee Report dated February 11, 2009, with the following amendments:

Amend Condition 1.3 to read:

design development *through additional* landscape treatment *or other creative design approach, at the* third floor roof level, east side yard, to mitigate and soften the appearance of the neighbouring blank party wall;

Amend Condition 1.4 by deleting the Note to Applicant;

Amend Condition 4.0 to read:

That the complete application be dealt with by the *Director of Planning without the need for further Urban Design Panel review unless further design development results in substantive changes.*

Add a new Condition 1.6 to read:

The applicant is encouraged to consider additional colour treatment of the east, south and west expressions.

Amend the Note to Applicant in Condition A.2.3. to read:

A width of 24 ft is recommended. *This condition is subject to relaxation by the Director of Planning, in consultation with the City Engineer at the complete stage based on further staff review of similar existing ramps.*

5. OTHER BUSINESS

Mr. Jenkins thanked the outgoing members of the Advisory Panel for their assistance during their tenure on the Development Permit Board.

6. ADJOURNMENT

There being no further business, the meeting adjourned at 4:35 PM.

L. Harvey
Assistant to the Board

R. Jenkins
Chair

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