

Date: Monday, February 26, 2007
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) (Item 1)
M. Long Representative of the Design Professions (Urban Design Panel) (Items 2, 3 & 4)
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
C. Nystedt Representative of the General Public

Regrets

S. Tatmir Representative of the Design Professions
K. Maust Representative of the Vancouver Heritage Commission

ALSO PRESENT:**City Staff:**

M. Thomson City Surveyor
R. Segal Senior Development Planner
F. Molina Development Planner (Item 4)
J. Greer Project Facilitator (Items 2 & 3)
D. Robinson Project Facilitator (Items 2 & 3)
A. Higginson Project Facilitator (Item 1)
B. Boons Co-Manager of Processing Centre - Development (Item 4)
D. Ramslie Central Area Planning, Major Development Group (Item 2)
K. Robinson Project Planner, SEFC and Olympic Village Project Office (Items 2 & 3)
V. Morris Social Planner (Item 4)
I. Smith Manager Development, SEFC & Olympic Village Project Office (Items 2 & 3)
U. Arajs Landscape Development Specialist (Item 3)

699 HOWE STREET/802 WEST GEORGIA STREET - DE410870 - ZONE CD-1 (COMPLETE)

A. Endall Endall Elliot Associates
J. Hancock IBI/HB Architects
H. Heyvaerts IBI/HB Architects
R. Lemon Robert Lemon Architect Inc.
B. Langereis Delta Development Inc.
A. Bancroft-Jones Delta Development Inc.

108 ATHLETES WAY - PARCEL 6 (SEFC) - DE410879 - ZONE CD-1 (COMPLETE)

R. Bayley Merrick Architecture
R. Ciccozzi Merrick Architecture

1600 COLUMBIA STREET - PARCEL 3 (SEFC) - DE410877 - ZONE CD-1 (COMPLETE)

R. Bayley Merrick Architecture
M. Sakumoto Merrick Architecture

833 HOMER STREET (400 ROBSON STREET) - DE410566 - ZONE CD-1 (COMPLETE)

M. Bruckner IBI/HB Architects
H. Man Magellan Developments (20/20) Inc.
J. Stamp Durante Kruek Architects

Recording Secretary: L. Harvey

1. 699 HOWE STREET/801 WEST GEORGIA STREET - DE410870 - ZONE CD-1 (COMPLETE)

Applicant: Endall Elliot Associates with IBI/HB Architects

Request: To undertake renovations and upgrades to the Hotel Georgia (801 West Georgia Street) and to construct a 48-storey tower containing retail, office, hotel (ancillary fitness facility), and residential uses, on the site immediately north of the Hotel, addressed as 699 Howe Street.

Development Planner's Opening Comments

Ralph Segal, Senior Development Planner, introduced the application for the redevelopment of the Hotel Georgia. Mr. Segal briefly reviewed the previous applications for the site. He noted that the tower will be the third tallest building in downtown Vancouver. The Hotel Georgia will be retained and will include furthering the heritage component as well as the construction of a 511 foot tower. The new tower will contain office as well as hotel functions and residential lobbies with residential suites from the thirteenth to forty-eighth floor. In terms of uses the project is consistent with the CD-1 Zoning. The proposal is slightly over the permitted density and will need to be brought into compliance. Most of that is the result of an excess number of open balconies which the applicant intends to reduce. The proposal is slightly deficient (about 1,000 sq. ft.) in the minimum 9 FSR commercial component which will need to be found to meet the By-law. There is a deficiency in the parking, however staff is supporting a relaxation on the basis of shared parking and subject to a Parking Management Plan.

The proposal is consistent with the form and development in terms of its volumetric aspects, however the tower height needs to be reduced by approximately five feet. Architecturally, the Urban Design Panel strongly supported the scheme and thought it was a strong architectural statement. The Panel had some comments on how the tower design could be simplified.

Mr. Segal reviewed the recommendations contained in the Development Permit Staff Committee report dated February 14, 2007. The recommendation was for support of the proposal, with advice and comments provided.

Questions/Discussion

Mr. Shearing asked for clarity on the design development on the façade of the tower. Mr. Segal replied that the commentary from the Urban Design Panel stated that there were too many expressions of varying glass types. In terms of the quality of design development, Staff are asking for more detailing.

Mr. Braun asked what the material would be on the office tower. Mr. Segal replied that it will be terracotta as a design response to the Hotel Georgia. Mr. Braun also asked what staff's objectives were for Condition 1.6. Mr. Segal replied that staff are suggesting more continuity of the podium expression with a more solid approach that carries around the corner to the north elevation as seen on the Howe Street side.

Mr. Toderian asked if additional density was given to the project in return for architectural excellence or is it, given the density and height, an expectation of the City's. Mr. Segal replied that additional density was granted for the heritage. He added that architectural expression would have played into the height of the tower.

Regarding Condition 1.2, Mr. Toderian noted that the Urban Design Panel suggested simplifying the tower and the Note to Applicant is suggesting strengthening. He wanted to know what was

being asked for from the applicant. Mr. Segal replied that the Panel acknowledged that a strong statement was being made on the most prominent corner of the building and there was some conjecture as to whether the canted screen elements were the right way to go or whether they needed to take on the most dominate aspect of the cap. There was a sense that there were too many and too varied a series of planes and the Panel suggested that not everything was being done in terms of sculpting the top to express the verticality of the building. Mr. Segal added that in most cases simplifying results in strengthening.

Regarding Condition 1.7, Mr. Toderian asked what design development was expected to the porte-cochere. Mr. Segal replied that there still needs to be some design development and verification of materials so that it all comes together in the right way.

Mr. Franci asked if there was an opportunity to view the additional materials that indicate the direction being taken by the applicant in responding to some of the conditions being recommended by the Staff Committee. Mr. Scobie replied that the Board normally doesn't deal with where a proposal might go in terms of response to conditions because the Board deals with the development proposal as submitted, to which conditions in the report relate. The applicant may wish to indicate the direction they are taking in addressing the conditions. Mr. Scobie added that it would be for Board information only if the Board agreed to see the materials of contemplated project evolution. The Board indicated it wished to see these materials as part of the applicant's presentation.

Mr. Stovell asked about the glazing. Mr. Segal replied that it would be best to have the architect answer the question in their presentation.

Mr. Shearing noted that the applicant is being asked to preserve one or more of the original guest bedrooms as noted in Condition A.1.19. He asked if they would include modern conveniences. Mr. Segal replied that the condition had been asked for by the Heritage staff and that the general suite layout of the Hotel Georgia was being revamped. Mr. Segal added that the applicant could better answer the question.

Regarding Condition B.1.3, Mr. Shearing wanted to know the importance of the date. Mr. Scobie replied that it is normal practice for the Board to establish a condition for resubmission that is six months from the date of the original decision. It is to ensure that applicants bring their resubmission and response to the conditions within a reasonable length of time.

Mr. Timm inquired about the proximity between the new tower and the interface with the HSBC building across the lane to the west. Mr. Segal replied that in terms of the suite layout, there are two suites on that side of the building with their primary orientation to the north and south. Mr. Segal added that Condition 1.3 calls for the most critical area on the northwest corner to be pulled back three or four feet to strengthen the orientation of the suites.

Mr. Timm noted that there seemed to be a disagreement between some of the conditions regarding weather protection, canopies and heritage impacts. Mr. Segal stated that policy normally seeks weather protection on all highly pedestrianized streets. The existing canopy on Georgia Street has been extended with new canopies on either side and that is the portion where Heritage staff are asking for the purest heritage response. On Hornby Street there is less emphasis of the heritage purity and the Staff Committee condition recommends as much weather protection as possible on the new building. Mr. Timm asked if the Heritage Commission or Heritage staff recommended the removal of the canopies on Georgia Street. Mr. Segal stated that Mr. Lemon, Architect and Heritage Consultant, should respond to the question.

Regarding the Parking Management Plan, Mr. Timm asked if that was to address shared use between the hotel and other commercial uses in the building. Mr. Segal and Mr. Thomson agreed that was the case. Mr. Timm then suggested adding "*non-residential*" to Condition A.2.8.

Ms. Nystedt inquired about Condition 1.9. Mr. Segal stated that the condition is for addressing the connection between the owner/developer and the scheme as may be approved in the development application regarding the exterior materials and detailing to have the owner in writing state a commitment to follow through to construction.

Ms. Nystedt inquired about the density transfer. Mr. Segal replied that the heritage density will come from the Koret Building at 55 East Cordova Street. Ms. Nystedt was concerned about the lack of parking in the area as a result of the parking structure being torn down. She inquired as to how many spaces there were presently for the hotel. Mr. Segal replied that there will be between 130-150 spaces. Ms. Nystedt stated that she was trying to get a sense of the impact of losing approximately 100 spaces currently available to serve parking demand in the area. Mr. Segal noted that the assessment for parking demands for the hotel, the tower and the new density concluded that there will be sufficient parking. Mr. Thomson added that the current parkade contains approximately 144 spaces and staff has looked at the parking requirements and are comfortable that the application addresses the needs of the development with regards to the commercial and residential parking requirements. Also, he noted that it does rely on the Parking Management Plan in terms of the sharing between the hotel and the office uses.

Mr. Braun asked if any thought had been given to the effect the removal of the canopies might have on future outdoor seating. Mr. Segal suggested that the applicant could answer the question.

Mr. Hung asked if the residents of the tower would share the facilities of the hotel. Mr. Segal replied that the elevator will be keyed for the residents to have access to the hotel facilities. The residents will not need to go through the main lobby of the hotel. Mr. Segal added that the legality of the residents' access will be ensured through legal agreements.

Mr. Scobie asked why a letter was being required from the applicant as recommended in Condition 1.9. Mr. Segal replied that it is an attempt to secure a greater level of certainty in regards to the exceptional quality of the finishes, exterior, glazing systems and detailing. It is an attempt on a building that is of a higher order of quality than most developments in the downtown and to close the loop between the City, the architects who are the agents of the applicant/owner and the applicant/owner themselves. It is simply a greater level of closure so that all the parties involved know what is expected. Mr. Segal added that it was the first time that such an undertaking was being asked for from an owner regarding the exterior of the building.

Applicant's Comments

Jim Hancock, Architect, stated that there were some minor concerns on some of the conditions.

Hilde Heyvaerts, Architect, gave an overview of some of the design refinements to the tower since the Urban Design Panel meeting. She noted that the sharpness of the top had been simplified and the vertical element had been enlarged. The balconies have been made smaller with a major change to the north elevation by introducing a vertical element and the terracotta base returns the corner adjacent to the Metropolitan Hotel. Ms. Heyvaerts added that they are continuing to work on refining the tower.

Alan Endall, Architect, asked for clarification on Condition 1.8 regarding the weather protection on Howe Street. He noted that Condition A.1.17 came from the Heritage Planning staff, requesting the deletion of the glass canopy on the Georgia Street frontage but not on the Howe Street frontage. He added that if they were to delete the glass canopies on either side of the building's Georgia Street existing marquee it would be inconsistent with keeping the glass canopies on the Howe Street frontage. Mr. Endall requested either deleting "Georgia Street" from Condition A.1.17 or deleting the condition all together.

Mr. Endall requested amending the Note to Applicant in Condition A.1.7 to read "residential bicycle parking spaces *may* be located lower than the first underground parking level if direct elevator access to grade is provided". Ms. Heyvaerts added that people with bicycles would not go through the main lobby but would use a secondary entrance/exit.

Mr. Endall requested amending Condition A.1.12 to recognize that the outward door swing from exit stairways onto the lane need to be recessed so that the doors won't swing past the property line.

Robert Lemon, Heritage Architect, asked to have Condition 1.19 deleted as there are no original guest rooms existing in the hotel and very little archival evidence to use to reproduce a guest room. Mr. Lemon also asked to have Condition A.1.20 deleted regarding the windows. He noted that the existing windows will be kept on the 2nd floor of the hotel but around 30% of the guest room windows have already been replaced. The Heritage Commission accepted their recommendation to replace the sash windows for the guest rooms.

Mr. Endall requested amending Condition B.2.6 by removing "occupants and/or commercial tenants". He noted that the area being excluded from the FSR for amenity is for residential amenity and only available to the residents of the building. He also asked to have "users/tenants" deleted from the second paragraph.

Anne Bancroft-Jones, Delta Development Inc., asked for clarification regarding Condition 1.9. She asked if notes on the drawings would be sufficient rather than the applicant providing a letter of undertaking.

Mr. Scobie asked for staff to comment on the applicant's suggested changes.

Mr. Segal agreed that staff would accept the applicant's changes to Condition 1.8. Regarding Condition A.1.7, Mr. Thomson suggested adding "to the satisfaction of the General Manager of Engineering Services and the Director of Planning" to allow for some flexibility in how the design was brought forward. Mr. Segal suggested wording for Condition A.1.12. Regarding A.1.17 and A.1.19, Mr. Segal suggested deleting both conditions. Mr. Segal agreed to add "non-residential" to Condition A.2.8 and also the applicant's suggested changes for Condition B.2.6. Mr. Segal suggested leaving it to the Board to decide on Condition A.1.20.

Mr. MacGregor asked the applicant if the acoustical specifications could be met if the windows were retained as specified in A.1.20. Mr. Endall stated that the acoustical requirements could be met if they were to add an additional layer of glazing inboard from the existing windows. He added that about one third of the windows have already been replaced with metal windows and will be replaced with double glazed wood windows. A number of wood windows are in a state of deterioration and can't be reused. He stated that their preference is to have all the windows at the same level.

Questions/Discussion

Mr. Braun asked if the amenity rooms as noted in Condition B.2.6 would always be maintained. Mr. Scobie replied that this was a standard condition and the amenity rooms have to be maintained because the space is excluded from the floor space ratio (FSR).

Mr. Toderian noted the amount of thought and effort that has been put into the project regarding sustainability. He asked for clarity on the extent of geothermal that will be used in the buildings. Ms. Heyvaerts replied that the geothermal will mainly be used for the hotel because it is being drilled under the existing parkade and the hotel. They used a consultant to check how it could be drilled and the amount of energy that geothermal would yield. Mr. Toderian also asked if the applicant had looked at LEED™ certification. Ms. Heyvaerts stated that because they are consolidating two lots the heritage restoration would not yield enough to avoid compromising the new construction. However, Ms. Heyvaerts thought that they would be close to a LEED™ Silver rating. Mr. Endall added that they have been using the LEED™ framework as a guide for developing sustainable strategies for the overall project.

Mr. Toderian sought clarity on the photovoltaic solar cells and lighting on the buildings. Ms. Heyvaerts stated that they have a lighting consultant who came up with a scheme for lighting the building at night. The system will use LED lights and will be used to simulate rain drops on the building elevation. There will also be photovoltaic solar cells that operate the blinds so that they will drop automatically when the sun hits the windows.

Mr. Toderian inquired about the colour on the rear portion of the hotel. Mr. Endall stated that it was their intention to still proceed with the colour on the hotel but the hotel operator had not be finalized and they may have some say in the design.

Mr. Toderian asked Mr. Langereis of Delta Developments Inc. if he was aware of the implications in providing the letter of undertaking to the City. Mr. Langereis replied that they were a bit disappointed that there was a question of their being able to deliver what is being proposed. Mr. Toderian also asked Mr. Langereis about his thoughts on using geothermal. Mr. Langereis replied that they had used it previously and challenged the design team to add it to the project. In replying to a question from Mr. Toderian, Mr. Langereis stated that he was excited about the general mass and shape of the tower and the drama that was in the first submission that went to the Urban Design Panel. He added that the location is special and they want to pay respect to the Georgia and Howe Streets location.

Mr. Francl noted that there was a lot of commentary at the Urban Design Panel around simplifying the top of the tower. He asked if they had reduced the glass slope piece in order to reduce the five foot height overage. Mr. Hancock replied that it was a compromise to the height. Mr. Francl asked Mr. Segal if the building needed to fall within the height requirements. Mr. Segal replied that the CD-1 height limits are very specific.

Mr. Timm noted that the building is going to be prominent in the skyline and seen from some distance and that is where the tower top is going to be appreciated rather than from ground level in front of the building. He was concerned about the reduction of the top. With regards to balconies, Mr. Timm thought the change had reduced the dramatic corner that was created by the protruding balconies and he asked if that was being done because they were contributing to the building being over in FSR. Mr. Hancock stated that the balconies needed to be reduced because the allowance for open balconies had been exceeded by about 2,000 square feet.

Mr. Scobie referred the applicant team to Appendix C and asked if there were any concerns. He noted that there will be a new Building By-law coming into effect shortly and will apply to the application. Mr. Hancock replied that they didn't have any concerns with the conditions.

Comments from other Speakers

None.

Panel Opinion

Mr. Franci noted that the Urban Design Panel saw this project as a major step forward in the restoration of the heritage building and the creation of a powerful new tower in the downtown core. The Panel thought it was a good submission and strong in the redevelopment of the hotel and the tower in its relationship to the hotel. There was a perception that the top of the tower seemed a bit busy and could be simplified, resulting in a piece of very important skyline architecture. He made the observation that the model tends to play down the features that are more prominent when seen in pure elevation or from a distance. He thought the development of the back of the building was successful and made clearer the reading of the back of the building in relationship to the adjoining hotel. He agreed that the most salient feature of the tower is the sloped piece of glass on the corner and the extension of the balconies. He suggested the glass could maintain its previous angle and the balconies could approach their previous extension and be a powerful piece of architecture. He thought it was a very meritorious project and would encourage the Board to support the application. Mr. Franci suggested the applicant be given some latitude in dealing with the heritage windows.

Mr. Stovell was concerned regarding the number of design development conditions. He strongly agreed that the initial scheme with the stronger gradient on the glazing and the larger balconies was much more dramatic. Mr. Stovell thought it was a shame that a project with this much FSR should make a design change so significantly for such a small square footage adjustment. He liked the more aggressive, angled glazing element but he also liked the extension of the glass up past the penthouse, now being contemplated. Regarding Condition 1.3, Mr. Stovell was concerned where the density would go if the tower was setback more. He hoped there would be a lot of curtain wall and structural glazing. Regarding Condition 1.6, Mr. Stovell would like to see the curtain wall expression rather than bringing the terracotta around to the Metropolitan Hotel. Mr. Stovell agreed with Condition 1.7 noting that it was the right direction to design the porte-cochere with a higher quality treatment. Regarding Condition 1.8, Mr. Stovell agreed that weather protection was needed and thought the heritage building could take some sensitively designed new canopies. He was worried about Condition 1.9 and thought it wasn't explicit enough and would support the changes that had been suggested. Mr. Stovell stated that there shouldn't be a lot of compromise on the heritage aspects and encouraged the applicant to do their best to retain the windows.

Mr. Shearing commended the applicant for a project that is more than worthy of its important spot in the downtown landscape. He thought that Conditions 1.1, 1.4 and 1.5 all dealing with the applicant to redefine or clarify some of the design elements, had led to a watering down of the original intent. He thought it was helpful to see where the design was going and had him appreciate the power of a Note to Applicant. The wording that occurs sets a direction for the design that is not always in the best interest of the building. He agreed that the preview of the further design evolution shows the façade adjacent to the HSBC building was greatly improved as well as the clarification of some of the corners. However, he thought the height of the building and the detailing as projected in the revised balconies as a missed opportunity and worth reconsidering. Regarding Condition 1.9, Mr. Shearing strongly encouraged the Board to delete the condition as he felt it was setting the wrong precedent. The development permit drawings and all that is contained within should be sufficient to provide staff and City Hall a level of comfort

around what they are getting in terms of the building. He agreed with the rewording of Condition 1.8 so that it is consistent with Condition A.1.17. He agreed in deleting the Note to Applicant in Condition A.1.7 and he agreed with the rewording of Condition A.1.12. Given the importance of the building, he thought there was no great benefit to maintain the windows as noted in Condition A.1.20.

Ms. Nystedt congratulated the owner and the architects for the excellent design development and their voluntary attention to sustainability initiatives and sensitivity to heritage conservation issues. She supported the Development Permit Staff Committee's recommendations but questioned including Condition 1.9. She noted that this will be the third tallest building in Vancouver. She was concerned about the cumulative density and the possibility for grid lock. She thought density was being transferred without providing for "transportation transfers" and would like to see more attention be given to dealing with this potential problem.

Mr. Chung congratulated the applicant specifically on the original design where the balconies were incorporated into the architecture. He encouraged the applicant to try to work on keeping the design as they have set some standards for incorporating balconies into towers with design excellence. He stated that he liked the fin at the top of the tower as it sets a character that makes a statement. Regarding Condition 1.8, Mr. Chung liked the weather protection as it is now on Georgia Street. He thought a solid canopy on Howe Street would not add to the hotel and would be too dark and cover up some of the heritage. In terms of Condition 1.9, he agreed that it could be deleted as the development permit is a legal document between the applicant and the City.

Mr. Hung congratulated the applicant and the owner on a beautiful design. He would like to see commercial retained in the downtown rather than adding more residential. Regarding Condition 1.3, he encouraged the applicant to put more thought into the layout of the condo units so they have more access to the north and south views. He supported having the canopies on Georgia and Howe Streets. Regarding Condition 1.9, he agreed with the Panel members that it was difficult to ask the applicant for a letter of undertaking and agreed with deleting the condition. Mr. Hung commended the applicant on using geothermal and other sustainable measures on the project. Mr. Hung added that he supported the application.

Mr. Braun recommended approval. He would delete Condition 1.8 and Condition A.1.17. He thought the canopies were very important for the public realm and would not want to see the outdoor seating for the restaurant compromised. He would allow the applicant to build the canopies as proposed and submitted by the applicant. In terms of the bicycle parking, he saw no problem with having the bicycles lower down in the parking garage adding that most people will use the car ramps. He recommended the Board delete Condition A.1.19 and Condition A.1.20. He thought it was important that the Board give direction regarding the importance of having a high quality design in terms of the Robson Square location and to give guidance to staff and the applicant as to what needs to be built.

Board Discussion

Mr. MacGregor agreed that it was a strong project and was happy to see the hotel renovated. In terms of the design, he thought the original was very interesting. If it is an issue around square footage, Mr. MacGregor suggested Planning might want to support a text amendment. Mr. MacGregor moved approval of the application with several amendments to the conditions.

Mr. Timm seconded the motion for approval. He thought this was an outstanding architectural design and was going to be significant on the skyline and worthy of its location. He liked some of the direction in the applicant's preview of further design evolution in response to the conditions

recommended by staff but didn't like cutting down the prominent point on the top of the tower. He thought the parking was well handled. He noted that it has been a significant issue for the hotel with the bus unloading on Howe Street and the applicant had found a way to get it off the street and into the porte-cochere. He agreed that it didn't make much sense to try and recreate the original guest bedroom or to reuse the sash windows. Mr. Timm thought it was unfortunate to see the promontory on the roof and the expression of the balconies cut back and would like to see the Board encourage the applicant to find a way to put those elements back into the design. He suggested the Board add a motion that would encourage the applicant to apply for a text amendment to the CD-1 By-law that would allow relaxation of the 8% balcony exclusion for the express purpose of allowing the extended open balconies on the upper portion of the southeast corner of the tower in order to maintain its dynamic architectural expression and also for the retention of the glass feature on the tower top as per the design submission.

Mr. MacGregor didn't think the Board should get involved and should be left up to the architect as to whether or not they would apply for a text amendment.

Mr. Toderian commended the applicant on the project design. He thought it was a fantastic project from a heritage preservation and restoration perspective. Mr. Toderian congratulated the applicant on the sustainability measures particularly the use of geothermal noting they were made voluntarily. He was pleased to see 9 FSR of commercial. He also liked the previous design of the project and thought it had a lot of drama. One of the most powerful aspects of the form and massing was the rather iconic curvature. He didn't think the Urban Design Panel was asking to diminish the drama of the top and thought the applicant's preview of changes in response to staff's direction showed the building was losing some of its important exceptional architecture that the site calls for and demands. Mr. Toderian noted that simplifying shouldn't mean overly normalizing and making a building look like every other building. He said he was interested in how the building would read at night and excited about the photovoltaic solar cells from a sustainability perspective and the LED from a visual light, colour and fun aspect. Mr. Toderian added that the building will be a powerful opportunity to set the tone for this type of design in the city and would like to see more of it in the future.

Mr. Toderian supported all the motions and amendments that Mr. MacGregor proposed. Regarding the motion Mr. Timm put forth, Mr. Toderian was not convinced that a text amendment was necessary and encouraged the applicant to go back to their original design as they were willing to do it without a text amendment. Mr. Toderian added that it is a good decision to be made in terms of the programming of the building.

Motion

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

THAT the Board APPROVE Development Application No. DE410870, in accordance with the Development Permit Staff Committee report dated February 14, 2007, with the following amendments:

Delete Note to Applicant in Condition 1.1;

Amend Condition 1.3 by removing "as much as possible", to read:
Design development to increase the tower setback at the northwest corner above level 13 to improve separation from the HSBC office tower;

Amend Condition 1.8 to read:

Provision of weather protection to the greatest extent possible *on the new building* on Howe Street;

Delete Condition 1.9;

Amend Note to Applicant in Condition A.1.7 to read:

Note to Applicant: Residential bicycle parking spaces *may to the satisfaction of the General Manager of Engineering Services and the Director of Planning*, be located lower than the first underground parking level *if direct elevator access to grade is provided*. Non-residential spaces should be located at or near entrances.

Amend Condition A.1.12 to read:

design development to reduce opportunities for mischief by deleting any new alcoves in the lane *unless to permit outward door swings on required exits*;

Delete Condition A.1.17;

Delete Condition A.1.19;

Delete Condition A.1.20;

Re-number Condition A.1.17 to **A.1.18**;

Amend Condition A.2.8 to read:

provision of a Parking Management Plan from a Transportation Engineering Consultant providing a detailed sharing plan to support the proposed number of *non-residential* parking spaces, supplemented by a letter from the Owners committing to implement and maintain the Plan;

Amend Condition B.2.6 by deleting "*occupants and/or commercial tenants*" at the end of the first paragraph and by deleting "*/users/tenants*" at the end of the second paragraph;

Delete Condition B.2.9.

Mr. Scobie indicated his support for the more "aggressive" architectural expression in the application before the Board as compared to the more refined project illustrated in the applicant's preview of how the project might evolve in response to the conditions recommended by staff. He cautioned Advisory Panel members in concluding that conditions seeking "design development" lead to a tempering of the architectural expression. He also indicated support for the Board's deletion of Condition 1.9 as the details on the approved development permit drawings are enforceable. However, he understood the Staff Committee's concern that projects can "lose" critical development permit details through the building permit process, particularly with a project under the Certified Professional (CP) process. Mr. Langereis' expressed commitment was very important and should be sufficient to meet the intent of Condition 1.9.

2. 108 ATHLETE'S WAY - PARCEL 6 (SEFC) - DE410879 - ZONE CD-1 (COMPLETE)

Applicant: Merrick Architecture

Request: To construct three multiple dwelling residential buildings of 9 storeys ("Plaza" building), 8 storeys (Athletes Way building) & 3 storeys (mid-rise building on Walter Hardwick Ave.) with 99 dwelling units, liquor store and other retail space at grade over 2 levels of underground parking.

Development Planner's Opening Comments

Ralph Segal, Senior Development Planner, presented this application for Parcel 6 in South East False Creek which will contain a liquor store on the ground floor facing the plaza. He noted that the design conditions in the staff report basically deal with three principle issues.

The first concern is the visual impact of the penthouse massing and seeking further articulation in the upper most part of the building as it faces onto the plaza.

Secondly, the perimeter arcade, a two storey, double height level around the perimeter of the building, has been a design challenge in that the buildings are at the property line. Most of the entries to the residential units and the commercial frontages are inset from the property line and the buildings above overhang or are supported on columns. In terms of the retail, there are concerns with the northerly portion where there is a minimal setback from the colonnade. This needs to be better delineated or have a generous setback to create a reasonable circulation area or another strategy to gain more pedestrian interest and a practical circulation area. A good arrangement has been achieved in terms of placing the liquor store to the interior and minimizing the entrance by inserting other commercial units fronting the plaza.

The third concern is the envelope design as there is a desire, from both aesthetic and functional perspectives, to express passive features for solar screening and solar shading, and achieving a differentiation between blocks particularly on Parcel 6 which will have an open vista to the water.

Mr. Segal reviewed the recommendations contained in the staff report dated February 26, 2007. The recommendation was for support of the proposal, with advice and comments provided.

Questions/Discussion

Mr. Stovell asked if the main objective of the retail fronting on the plaza was to activate the street. Mr. Segal replied that there isn't enough generosity in the arcade as the columns create a minimalist pedestrian area and the applicant is being asked to create more variety with high pedestrian interest with long unbroken store fronts.

Regarding Condition 1.14, Mr. Timm asked if the condition was realistic considering the liquor store won't be a liquor store until a couple of years after the buildings are built. Mr. Boons replied that at this point they don't know if the liquor store operators have been approached and whether it will be a public store or a private store. The condition is looking for confirmation from the applicant as to whether or not they can comply with the condition. Mr. Boons suggested talking to the applicant about changing the proposed liquor store to regular retail at this point. He noted the liquor store guidelines that Council has adopted consider this location as an appropriate location for a liquor store. Mr. Timm asked if it was part of the Council-adopted Liquor Store Guidelines that the applicant has a pre-site clearance letter from the Provincial Liquor Control and Licensing Branch and from the operator before the City could issue a

development permit that indicates the location will be a liquor store. Mr. Boons replied that it is a pre-submission requirement and forms part of the development application process.

Mr. Timm inquired about the excess amount of parking that is not allocated to residential or commercial but is indicated as off-site parking. He wasn't sure that the provision regarding parking within the parcels for uses off-site is allowed under the pending zoning. Also he noted that Engineering will need to know what the excess parking is for before a development permit can be issued. Mr. Thomson replied that Condition A.2.28 seeks provision on the details for off-site parking and will require a legal agreement. Mr. Timm wanted to know if the pending zoning would allow for off-site parking or whether there would have to be a text amendment. Mr. Scobie noted that the draft CD-1 By-law does permit this under "Parking Uses".

Mr. MacGregor asked if some of the excess parking was for the Salt building. Mr. Thomson replied that the Salt building will have a requirement for parking which will be off-site. Mr. Timm was concerned about the 150 parking stalls being approved when the need hadn't been identified, or the uses for the Salt building approved and the fact that the transportation plan for SEFC was intended not to encourage auto ownership in the development.

Mr. Bayley replied that they have proceeded with the initial contract for the excavation and shoring of the site to the property lines. They have excavated to two levels because of a few technical conditions and that will result in space in the basements that is in excess of what will be used for parking to serve the on-site development. They had planned to make a proposal to the City in relationship to those additional parking spaces but now understand there will be no consideration for such a submission. Although the space will be generated, Mr. Bayley stated that they will meet the Parking By-law maximum and will use the area to provide storage or large garages for individual suites and people can buy additional storage space or bicycle storage.

Mr. MacGregor asked if Condition A.3.2 regarding an acoustical consultant was technically correct. Mr. Robinson replied that there are minimum standards with respect to buildings. Mr. Boons added that it is a standard condition and is part of the development permit requirements and is aligned with the Building Code.

Mr. MacGregor asked if Conditions A.3.4 and A.3.5 were standard conditions. Mr. Scobie replied that they are standard conditions and are specific to Parcel 6. Mr. MacGregor also inquired about Condition A.3.7 regarding the amenity spaces. Mr. Robinson replied that it is also a standard condition and that there is a swimming pool on Parcel 6.

Mr. Scobie inquired about Condition 1.14 regarding the liquor store and noted that the Liquor Store Guidelines attached to the report are not the current guidelines. He asked if in the Note to Applicant the words "type of liquor store (Type 1 or Type 2, as defined in the Guidelines)" should be deleted as the new guidelines for Type 1 is for a maximum of 3,000 square feet and the proposed liquor store is for 14,000 square feet. Mr. Boons replied that the plans haven't been finalized for the liquor store but it would be a Type 3 Liquor Store given the proposed floor area.

Mr. Scobie was concerned about the material in the report as it shows three small spaces on the northeast corner identified as commercial use that don't appear to have direct access to loading. Mr. Thomson was also concerned that the newer plans don't have direct access to these units from the loading bay and suggested there was a need for a condition to direct a review of the loading.

Mr. Braun had concerns about the residents sharing the loading bay with the liquor store. Mr. Thomson replied that the intent of the condition in the report is to find a third Class A loading

bay so that each building has direct access to a Class A loading bay. Mr. Thomson added that there is a condition that seeks an arrangement to share the Class B loading space and the intent is that a resident would not be prevented from using it when it was not in use and is not a desire to create any sort of priority for the residents over the commercial.

Mr. Shearing thought Condition A.3.4 and Condition A.3.5 should be part of the construction stage rather than the development permit stage. Mr. Robinson replied that they would be more appropriately applied as conditions on the development permit rather than conditions to be satisfied prior to development permit issuance.

Applicant's Comments

Mr. Bayley stated that the parking issue is still being discussed and they need concurrences on the suite program and an understanding of where the commercial spaces will be located and then will be able to come back as part of the prior-to conditions and deal with Engineering on the actual provision of parking spaces throughout the overall project.

Regarding the liquor store, Mr. Bayley noted that there are ongoing discussions with the Liquor Control and Licensing Branch and he doesn't expect at the time the development permit is issued that the tenancy will be known. He added that the drawings show commercial space and have indicated that it be a liquor store. One of the key issues is the distance from the door of the liquor store to the child care entry on Parcel 11. There has also been discussion on the issue of food services. None of the tenant fit-out for any of the commercial spaces will occur until after the Olympics. Regarding the loading, Mr. Bayley stated that they have had directions from the Engineering Department that all residential loading will be undertaken in Class A spaces on the parking level and those spaces would be located close to the elevators of the individual buildings.

Mr. Bayley suggested reconsidering Condition 1.14 regarding the liquor store. Regarding Condition 1.13, Mr. Bailey stated that they have met with staff to go over the process they will go through in order to ensure the City and the permitting process that they have met the conditions of the development agreement that exists between Millennium SEFC Properties Ltd. and the City regarding LEED™. The agreement requires them to register the project and achieve LEED™ Silver on all the buildings as a registration process. The rezoning requires them to submit sufficient documentation to the City in order to substantiate that they will achieve LEED™ Gold if they choose to apply for it and that is a condition of the issuance of the building permit. Mr. Bayley thought that Condition 1.13 was a bit confusing in defining the process and asked for instructions from the Board regarding the process.

Mr. Bayley agreed that they could respond to the conditions and reminded the Board that they are under a tight time frame and are about to issue architectural drawings to the structural engineer and within six weeks they intend to go out for tender packages for all the concrete outlines and forming work.

Questions/Discussion

Mr. Stovell asked if the penthouse massing still needed some work. Mr. Bayley replied that some work has been done in breaking down the structure of the upper units so they are more definable as a townhouse environment. He added that the development has gone a long way to resolving the issue as noted in Condition 1.1.

Mr. Stovell inquired about Condition 1.2 and the colonnade set back. Mr. Bayley replied that the colonnade question has been an ongoing discussion. It is a defining element that establishes the rhythm of the architecture around the commercial base. Mr. Ciccozzi added that they are trying

to bring out the centre portion to provide some depth and relief along the base and this will be achieved by pulling back the glass to provide more of an arcade.

Mr. Braun asked if the non-market and market housing will have access to the playground in the courtyard. Mr. Bayley replied that at the moment the children's playground is on top of the rental housing and will be accessible to everyone.

Mr. Timm inquired as to what was being asked for in the Note to Applicant in Condition 1.13. Mr. Robinson replied that the language doesn't need to be changed but simply follow the method of exchanging the information. Mr. Bayley added that the key issue will be including the initial certified design credits. Mr. Scobie suggested the Board proceed with consideration of the condition and the Note to Applicant on the premise if the Note to Applicant does in fact create a problem they are to be interpreted by staff as simply as an explanatory Note to Applicant and won't in any way override the intent of the development permit condition. Mr. Bayley noted that they do not have an obligation to achieve a minimum LEED™ Gold Canada Certified Standard and would like to have the word "Certified" deleted from the condition.

Mr. Scobie inquired about the Note to Applicant in Condition 1.4 regarding the entry steps being perpendicular to the street. Mr. Segal replied that the note specifically deals with the street interface where the steps parallel the street. The steps could become more of a wall and the note is asking to soften the interface with the public realm.

Mr. Toderian considered this site one of the most important sites being so visual from the water's edge and thought the architecture most ordinary. He asked the applicant to show the Board examples of architectural experimentation or adventure. Mr. Bayley replied that the quality of Parcel 6 relates well to the overall project and is nicely layered and composed. The client has encouraged the team to bring a sculptured window glazing system to the front face of Parcel 6. The roof structure on the "plaza" building has developed in response to the comments that were raised by Urban Design Panel. Mr. Ciccozzi added that they have been working hard to bring out some clarity in the pieces. The north elevation is the most important one and they have introduced the curved element that provides some movement along the façade. A gateway to the pedestrian mews has been created that comes through the site and articulates it with a tower-like element. On the east side they tried to provide some clarity in a disciplined manner and yet maintain the central mass that carries through in a horizontal way from the north side around to the east side so there is a tie in visually. On the top of the east side they have gone to a townhouse articulation which reinforced the horizontal band in the centre. Mr. Ciccozzi added that since these are to be residential units there is a certain amount of discipline that needs to be maintained although they have tried to add some movement and to reflect the idea of water in the architecture.

Comments from other Speakers

Jordan Dobirikn was concerned about the lack of attention in False Creek for the boating community. He would like to see a small amenity to aid and assist in living with the small boat applications of the Boat Community Centre and the uses of False Creek. He thought some of the extra parking spaces could be used by the Community Centre for overflow.

Panel Opinion

Ms. Long noted that when this parcel came to the Urban Design Panel the first time, the Panel thought the design was more resolved than some of the other parcels in the project. The Panel felt that the resolution of the penthouse and the character of a townhouse had not be followed through in the "plaza" building as was proposed at the rezoning level. She stated that the Panel wanted to ensure that the design development continues. The Panel expects that at a staff level

the building materials will also be resolved. There was some concern that the loading and parking would affect the liveability on Walter Hardwick Avenue and would like to ensure that the parking and the loading is dealt with in a way that screens the area. In terms of the arcade, the Panel wasn't as concerned about the mobility of people moving through there but the ability and sufficiency of the space to animate the streetscape. Regarding Condition 1.8, The Panel was supportive that one of the main principles of the overall project was to express the circulation on the outside of the buildings and wanted to ensure that through design development this didn't get eroded away. The Panel was supportive of the project and appreciated the applicant coming back with a design update. In Condition 1.13 regarding LEED™, Ms. Long said she was surprised that there was a discussion based on the spirit of the project being sustainable as it was easy for most projects to get certified LEED™ Silver. Ms. Long noted that there are many sustainable initiatives that can be done that goes well beyond LEED™ points and are just as important. On a personal level, Ms. Long stated that it would be a lost opportunity if the project wasn't certified LEED™ Gold.

With regards to the penthouse massing, Mr. Stovell thought the scheme looked better before and thought the new direction looked bland and less interesting. He would also like to see the plaza be more dynamic and not too restricted around the columns.

Mr. Shearing agreed with the conditions. He said he would be surprised if the applicant had a retail consultant on the project because the functionality of the retail space needed attention. Retail behind a hard arcade isn't supportable and he didn't hold out much hope for the retail. He noted that the architectural form was new to Vancouver and he thought the big challenge was finding a comfort with the form. Mr. Shearing added that it would be interesting to know how the applicant was going to meet their LEED™ requirements given the way the building responds to the site.

Ms. Nystedt stated that she was in support of the staff's recommendations for approval and was pleased to see that there are 59 out of 99 units with sufficient bedrooms to accommodate families.

Mr. Chung thought the building was looking the same as the surrounding buildings and that maybe it was the lack of colour. He thought it might be the timeline but it feels like it is being rushed. The general shape was fine and wondered if colour would help. He was uncomfortable with the approval of the project. He asked the Board to push for further design development.

Mr. Hung realized there is a challenge in designing a condo stacked one over another but the building doesn't catch his eye and would like to see the applicant experiment with the material. He supported the project with further enhancement on building material and colour.

Mr. Braun recommended approval. He was pleased to hear that the courtyard will be integrated in the development as far as shared use. He had some concerns with the project because at first glance it seems blended together and the details don't stand out. Mr. Braun didn't think the public would want to see a lack of differentiation in terms of architecture and colour. He emphasized to staff and the applicant to carefully look at the operations of the buildings as he was concerned that Walter Hardwick Avenue was becoming a service alley for SEFC.

Board Discussion

Mr. Timm thought the Board was falling into a bit of a trap since they see the Olympic Village projects back-to-back and they start to look the same. He thought it was more of a problem of the modelling rather than the architecture and he drew some comfort from the conditions for further design development to strengthen the colour and the materiality that is going into the

buildings. He thought the buildings would look different from the ground and the architectural expression would be more substantial in real life. Mr. Timm moved approval of the application with several amendments to the conditions.

Mr. Toderian seconded the motion for approval. Mr. Toderian stated that he came close to not supporting the application but was confident in the staff team to continue to resolve all of the design development conditions with the applicant. He commended the staff team and the applicant for their continued thinking around sustainability. He encouraged the applicant to include all opportunities for passive exclusions and further advancement around sustainability. Mr. Toderian noted that there had been a lot of discussion around LEED™ and added that he thought the applicant had boxed themselves into a corner and needed to certify for LEED™ Gold. Notwithstanding a contractual requirement to register for LEED™ Silver and a rezoning related requirement to prove registration potential for LEED™ Gold. Mr. Toderian felt that if the applicant registered for anything less than LEED™ Gold it would be seen as a failure for both the City and the architect. Mr. Toderian supported the design related conditions around further resolution of the ground plane. He thought the residential ground plane units needed considerable resolution and found the residential frontages to be confusing and requiring greater clarity. He realized that it was a challenge that comes from having units that could read as a two-storey podium townhouse type of form but are in fact ground floor flats with a second storey balcony. In terms of the retail frontage, he thought there was significant concern around the portion of the colonnade and arcade sections. He encouraged the applicant to either move the building facade to the property line or pull it further back, noting that the retail was too far away from the sidewalk to be visible and so close that it gets cluttered by the columns. Mr. Toderian added that he has always felt that arcades on retail frontages are somewhat problematic and have led to many a retail street failure. He added that they may work in this context as there won't be any drive-by traffic. Mr. Toderian was concerned about the possible monotony of the Commercial Retail Units (CRU) and signage and would like to see it broken up in an organic way to make for some visual interest. Mr. Toderian thought the colour palate in general to be somewhat suburban and encouraged the applicant to think about the colour approaches being sensitively done that embraces a more urban colour palate. He added that a little colour experimentation was needed on the site. Mr. Toderian found the northern façade, visible from the water, to be safe and ordinary and a bit too disciplined. He said he didn't see any architectural excellence and was having a hard time seeing any delight in the architecture. He added that this site of all the sites needs the most continued evolution.

Mr. MacGregor had a caution regarding the parking. He noted that parking is not an exact science and suggested that any joint uses for parking should be looked at carefully.

Motion

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

THAT the Board APPROVE Development Application No. DE410879, in accordance with the Development Permit Staff team report dated February 26, 2007, with the following amendments:

Amend Condition 1.14 to read:

demonstration that the proposed liquor store meets the provisions of the Council-adopted Liquor Store Guidelines, including location and spacing criteria and the operational and administrative considerations *or alternatively to clarify that the space that would affect the liquor store is only approved for retail use.*

Delete Condition A.2.15 and add a new Condition A.2.15:

arrangements to achieve direct, internal access, from all retail units to the commercial loading area or alternative arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Planning;

Delete the last sentence in the Note to Applicant in Condition A.2.23:
"Applicant shall also consider appropriate access agreements for these stalls."

Move Condition A.3.4 to **B.2.9**;

Move Condition A.3.5 to **B.2.10**;

Renumber Condition A.3.6 to **A.3.4**, Condition A.3.7 to **A.3.5**.

3. 1600 COLUMBIA STREET - PARCEL 3 (SEFC) - DE410877 - ZONE CD-1 (COMPLETE)

Applicant: Merrick Architecture

Request: To construct three multiple dwelling buildings of 11 storeys ("Park" Tower on Columbia Street), 7 storeys (mid-rise on Athletes Way) and 5 storeys (mid-rise on Walter Hardwick Avenue) with 179 units over 2 levels of underground parking.

Development Planner's Opening Comments

Ralph Segal, Senior Development Planner, introduced the application for Parcel 3 in South East False Creek having its west elevation facing the park. He reminded the Board that the drawings, elevations and plans represent a further advancement of the scheme. Mr. Segal noted that the recommended conditions address the penthouse massing, the arcade and public realm interface as well as the landscaping and the ground plane treatment. The site is to be an all residential building with the articulation of individual entries. The units will have a maisonette style layout with a series of lobbies on to the suites on each side and at each level. In terms of the building envelope design, as in previous submission there are conditions seeking to differentiate between the different blocks but at the same time to express the shipyard theme. The applicant is using colour, glazing systems, guard rails and parapets with various materials to achieve the architectural expression and diversity between the blocks. Other conditions seek clarification and more information on green roofs and LEED™ performance.

Mr. Segal reviewed the recommendations contained in the Development Permit Staff Team report dated February 26, 2007. The recommendation was for support of the proposal, with advice and comments provided.

Questions/Discussion

Mr. Toderian asked if the façade elevation adjacent to the park had a central indentation using an architectural expression to bring nature into the building as in the "bookend" building on the other side. Mr. Segal replied that the plans show an indentation on the park side to portray a similar treatment. Mr. Toderian asked if the balconies are flat as shown on the model. Mr. Segal replied that the wave form is on the western elevation. Mr. Toderian asked if there were any enclosed balconies that need further design evolution. Mr. Segal replied that they had not found any enclosed balconies that are in conflict with the Balcony Enclosure Guidelines.

Ms. Nystedt noted that about 40% of the units are designed with a capacity to accommodate families and wanted to know how that was determined. Mr. Bayley replied that there are 110 rental units with some of them being smaller units with the larger units for families.

Mr. MacGregor asked if the wording in the Note to Applicant in Condition A.2.13 could be removed. Mr. Thomson replied that it should be removed from the report.

Mr. Scobie asked if the wording in Condition 1.10 could be changed to be the same as in the last application. Mr. Segal agreed that it should be changed to match the previous application.

Applicant's Comments

Mr. Bayley reminded the Board that there will be no commercial space on the project. He noted that there is a different context with this parcel in how the units relate to the inner courtyard and how the landscape carries through the building when compared to the eastern "bookend" building. The foyer is at the same level as the courtyard and will be treated as elegantly as possible.

Questions/Discussion

Mr. Scobie asked if the children's play area in the interior courtyard would be accessible to all the occupants of the site. Mr. Bayley replied that there is a band of water that runs through the centre of the lower garden and there are some urban agriculture plots that belong to the modest market housing. There is some separation between the back yard components of the market residential that is facing to the north to provide privacy. The children's play area in the middle will be accessible to all residents.

Ms. Long asked if there had been any research into the design ability for boat storage considering people might be interested in kayaking on False Creek. Mr. Bayley replied that there hasn't been a study and they haven't looked at boat storage within the buildings as that might be difficult to accommodate. There has been some evaluation done on impacts to the Community Centre with boating events like the Dragon Boat Festival and where the dragon boats might be stored and the parking requirements.

Mr. Scobie referred the applicant team to Appendix C and asked if there were any concerns. Mr. Bayley stated that there were not concerns with the conditions.

Comments from other Speakers

None.

Panel Opinion

Ms. Long stated that the Urban Design Panel liked the way the two parcels worked together in terms of the open space and the ability for people to come from the street back into the courtyard. The Panel was very supportive of the conditions with some discussion about the building facing the school stepping back similarly to the "bookend" building. Ms. Long added that the UDP was supportive of the conditions.

Mr. Stovell would like to see more articulation on the penthouse massing and preferred what was shown on the model.

Mr. Shearing recommended approval based on staff's conditions.

Ms. Nystedt recommended approval based on staff's conditions.

Mr. Chung recommended approval based on staff's conditions.

Mr. Hung recommended approval based on staff's conditions.

Mr. Braun recommended approval and hoped that the curved façade comes through despite being behind the balconies as it is an important aspect of the design. Regarding the penthouse massing, Mr. Braun noted that Council was specific that the penthouses be totally different from what is typically seen on this building's lower floors. He thought that the design development to the penthouses was actually necessary to conform to the zoning. Mr. Braun added that Council was specific as far as having very unique tops to these buildings and would like to see the applicant be more creative in their design for the penthouses.

Board Discussion

Mr. Toderian asked if there was anything in the conditions that would prevent the full pedestrian flow through the mews, pathways and connections between the three buildings. Mr. Segal replied that the hope is that there is no gate as it certainly isn't required from a CPTED perspective but there is nothing to prevent the residents putting a gate in the area. Mr. Toderian asked if there was any thought given to a condition for preventing a gate. Mr. Thomson added that the same condition existed on Parcel 2 and the Board did not choose to add an additional condition as it was not anticipated to be a full pedestrian connection. Mr. Bayley added that that there is no intention for a gate as it has been set up as a visual link through the project.

Mr. Toderian moved approval of the application with several amendments to the conditions. Mr. Toderian noted that it is a highly permeable site with many different pathways and hoped the mews wouldn't be gated. Mr. Toderian noted that his comments on sustainability are the same as reflected in the previous application. Mr. Toderian reminded the applicant that they are encouraged to capture all sustainable opportunities. If there were sustainable opportunities and more LEED™ points that the applicant wanted to pursue and were not supported by staff he reiterated a previous comment on an earlier submission to encourage the applicant to give him a call. While that doesn't mean that staff will say yes to everything, if there is an idea that the applicant would like to include, Mr. Toderian would like to have a discussion to make sure that staff are not opposing a better idea too prematurely. Mr. Toderian noted that his commentary on the last application did not apply to this application as it is not prominent from the water so his expectations as to architectural expression are lower. He thought the actual resolution of the building was well done. Mr. Toderian thought that Condition 1.11 was going to be important as he had some concern that all three projects along the frontage, coming from the same architectural firm, are not read as monotonous. He hoped that would be addressed through the material, the colour and the general approach being used.

Mr. MacGregor seconded the motion for approval. He thought the project was coming together very nicely and was interested in the design and the comments from the Urban Design Panel as he thought they were appropriate. Mr. MacGregor wanted to alert the Board that some of the conditions regarding agreements may come back to the Board for adjustments. He cited Condition A.2.20 as an example. Mr. Thomson pointed out that the condition is for arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Mr. Timm noted that each of these buildings is significant and didn't have much to add as the conditions are similar to previous applications. He was concerned about the issue of parking and how it was going to be dealt with from a legal perspective in terms of what is allowed in the pending zoning and encouraged the applicant to work with staff to resolve the issue. He didn't want to see this become an impediment to issuing the development permit.

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. DE410877, in accordance with the Development Permit Staff team report dated February 26, 2007, with the following amendments:

Amend Condition 1.10 to read:

provision of a Green Roof Management Strategy to clarify requirements that will ensure usage, *maintenance*, longevity *and integrity of the building envelope*;

Amend A.1.9 to read:

provision of a plant list which contributes to the place-making character of the precinct and accentuates the individual qualities of the site;

Note to Applicant: The plants should be hardy, drought tolerant and shade tolerant in the case of north facing planters.

Amend the Note to Applicant in Condition A.1.17 by changing Parcel 3 to read Parcel 6;

Delete the Note to Applicant in Condition A.2.13;

Add a Note to Applicant after Condition A.2.16 to read:

Note to Applicant: Provide standard size car share spaces with future spaces to be located within the visitor parking area. Clearly note designated car share spaces on the plans. If there is an overall plan for the location of car share vehicles for the "Olympic Village" as a whole, please provide details.

Amend Condition B.1.2 by changing July to *August*.

4. 833 HOMER STREET (400 ROBSON STREET) - DE410566 - ZONE DD (COMPLETE)

Applicant: Magellen Developments (20/20) Inc.

Request: To develop this site with a 29-storey, mixed-use project containing retail, restaurant, office, child daycare facility and residential uses (202 dwelling units), all over five levels of underground parking for 315 cars. The proposal includes an increase in the total floor space ratio (FSR) from 5.0 to 8.13 as follows:

(A) an increase of 3.00 FSR (78,503 sq. ft.) for residential use in exchange for 14,957 sq. ft. of public amenity space (37 children fully furnished child daycare facility) in accordance with Section 6 (II) of the Downtown Official Development Plan (DODP) By-law; and

(B) an increase of 0.5 FSR (13,073 sq. ft.) for residential use through the transfer of heritage density in accordance with Section 3.14 of the DODP.

Development Planner's Opening Comments

Mr. Molina, Development Planner, introduced the application for the site located at the southwest corner of Homer and Robson Streets and across from the Vancouver Public Library. The proposal is to include retail at grade, office uses on the third to fifth floors in the podium with a residential tower that contains 202 dwelling units from the 6th floor with five levels of underground parking accessed from the lane. Included in the proposal are some residential uses on the south side of Robson Street with two levels of residential on the podium. The office spaces are on the 2nd and 3rd level of the podium, with the 4th and 5th level containing some residential units and a daycare centre for 37 children. Access to the offices and the daycare are proposed from Homer Street. Access to the daycare is also proposed from the level one in the underground parking directly up to the office levels and the daycare centre. The uses included in the proposal are consistent with the intent of the Downtown Official Development Plan (DODP). There will be commercial and retail uses on the Robson and Homer Street frontages.

The total FSR for the proposed development is 8.13. The building is located in Area C in the DODP where the allowable maximum is 5 FSR. The residential FSR is made up of the base FSR of 3 plus an amenity density bonus of 3 FSR resulting from the addition of the daycare centre. In addition there is a heritage density bonus transfer from the Simon Fraser University downtown site of 0.5 FSR. The commercial component of the podium reaches 1.63 FSR. Staff determined that the daycare centre would be deemed commercial for the purpose of meeting the intent of the DD Interim Policy.

The proposal has a height of 300 feet that is within the maximum permitted height in the area. The proposed 315 parking spaces meet the requirement for the site although there is a slight surplus of commercial parking spaces provided with a corresponding shortage in the residential.

In terms of amenities being provided, there is a total of 13,179 square feet that includes a meeting room and lounge area on the ground level, a fitness facility on the 2nd floor and a daycare on the third floor of the podium. Also included is the outdoor amenity space which includes garden plots for the residents and a small children's play area directly connected to the indoor amenity on level six. The amenity area provided exceeds the 10,000 square feet as set by the DODP. The proposal is asking the Board to relax the limitation and increase it to 13,179 square feet. There are two types of amenities serving different user groups. Many of the amenities are to be used by the residents of the building, while the daycare amenity will serve the large neighbourhood.

The tower is consistent with the intent of the DODP. The shape and the position of the building attempt to resolve the loss of private views from the existing building to the south as well as minimizing shadow impacts on the north and south plazas of Library Square.

Mr. Molina reviewed the recommendations contained in the Development Permit Staff Committee report dated February 14, 2007. The recommendation was for support of the proposal, with advice and comments provided.

Questions/Discussion Tape

Mr. Braun inquired if the amenity spaces were accessible to all the occupants of the building whether they are residents or tenants. Mr. Molina replied that the daycare centre will be available to the tenants as well as the residents in the building, although neither will be given priority over others in the neighbourhood. The other amenities are for the residents in the building. Mr. Bruckner clarified that there will be: a residents' lounge on the ground floor adjacent to the residential lobby; a combined fitness facility on level two accessible to all the occupants of the building; and on level six there will be a small meeting room for the residents

adjacent to the outdoor residential amenity. All the occupants do not have access to all the amenity spaces.

Ms. Nystedt asked if there had been a review of the wind tunnel effects. Mr. Molina replied that this would have been addressed by the position of the tower and the provision of canopies on both sides of the street although a wind study had not been undertaken.

Ms. Nystedt asked if there were any concerns regarding enclosed balconies. Mr. Segal replied that the enclosed balconies proposed are well conceived and will function under the Balcony Enclosure Guidelines.

Mr. MacGregor sought clarity on the FSR calculations. Mr. Molina replied that staff decided the daycare would be considered as being a commercial use in order to meet the intent of the policy in that it supports employment. The daycare is an amenity which is not being counted as FSR and earns a floor space bonus. The daycare space is being considered as commercial square footage to be able to increase the total commercial, to approach but not meet the policy mandate of 2.0 FSR commercial and justify the additional residential. Because the daycare is excluded from the FSR as an amenity, combined with the other amenities intended for the residents, the total amenity is over the 10,000 square foot site maximum for excludable amenity space in the DODP.

Mr. Timm asked if to bonus for social amenities such as a daycare would require a rezoning. Mr. Segal replied under Section 6 of the DODP there is sufficient discretionary authority for the Board in the DODP, and Council has already approved the density bonus. Mr. Timm also asked if there were any guidelines as to what the Board ought to take into account in making its decision on whether or not to authorize the increase in density. Mr. Segal replied that all the factors have been taken into account and a full impact analysis has been done. In considering the extra density that Council has already approved, staff tested the ability of the site to accommodate the extra density on the basis of normal urban design considerations of shadow, view impacts, and neighbourliness before reporting to Council. These are the same evaluation criteria that would normally apply to a development application.

Mr. Toderian asked why the commercial uses weren't at 5 FSR which is the minimum for commercial in Area C. Mr. Segal referred the Board to the map in Appendix G, page 2 of 5 and to the current Policy in Appendix G, 3.3.1 which states "up to 3 FSR residential should be considered, provided the remaining 2 FSR commercial is included in the project".

Mr. Toderian asked how many employees are expected in the daycare. Ms. Morris, Social Planner, replied that there will be about seven full time positions but could be as many as ten employees.

Mr. Toderian asked how staff was interpreting the comments from the Urban Design Panel as there seemed to be a fair amount of mixed commentary in the second review. Mr. Segal replied that in terms of material and fine tuning, Condition 1.1 asked for some shaping in the tower to improve the views. The shaving of the corner for view purposes has the added effect of providing some shaping to the tower. In terms of the podium, at the second review the Panel had some split reaction to the scheme with a couple of Panel members not being convinced about the frame elevation. Mr. Segal stated that Condition 1.3 gives latitude to retain the advancements that have occurred in terms of programming, etc. while allowing further pursuit and refinement of the treatment seen in the current drawings or returning to the more extensive glass treatment of the podium that the Panel had seen in the first review.

Ms. Long said she was pleased to see Condition 1.5 and asked if staff were asking the applicant to resolve other issues in the public realm with the Note to Applicant. Mr. Molina replied that there

are some design standards for the treatment of Robson Street as well as for the public realm and staff are asking the applicant to extend the attractiveness of Robson Street to this site.

Mr. Stovell asked if there was any discussion on varying the height. Mr. Segal replied that staff felt that the 300 feet was at the upper limit and should not go any higher because of possible shadow impacts.

Mr. Hung inquired as to who would be operating the daycare facility. Ms. Morris replied that there is an organization called the Vancouver Society of Childcare Centres that operates most of the City owned childcare facilities. She added that it is Council policy to ensure financial accessibility to all children.

In response to a question from Mr. Shearing regarding view corridors, Mr. Segal replied that there isn't a view corridor through the site. Mr. Shearing asked if there was anything more that could be done to protect private views. Mr. Segal replied that in terms of the tower massing, it could be slimmer in its north south direction but it would likely approach 300 feet. The width of the building as proposed at 85 feet wide is well within the Downtown South parameters. The tower is exceptional slim in terms of its relationship to its neighbours. Mr. Shearing asked if the benefit of carving off the southeast section of the building was worth the increased view. Mr. Segal replied that staff thought it was very important in trying to do the best possible for the immediate neighbour. It also has a slight additional benefit of diminishing the shadow impacts on Library Square.

Mr. Scobie asked if staff had managed to work out the best possible configuration for the total square footage proposed in a massing that minimizes shadow impacts, respects the privacy of the adjacent buildings, doesn't exceed the height, and has a relatively small floor plate that is reasonably well configured to minimize shadowing. Mr. Segal replied that it was an acceptable project under the guidelines, given the proposed density. Mr. Scobie also asked if shadowing impacts were beyond what the existing buildings to the south already cast. Mr. Segal replied that the conclusion on the shadow issue is that the north plaza will get an extra week to ten days of additional shadow at each equinox between 2:00 and 4:00 PM.

Mr. Toderian asked how the tower separation guidelines were being met. Mr. Molina replied that the Downtown South guidelines seek 80 feet of separation from adjacent buildings and the tower has 80 feet of separation on the west side off the lane and 113 feet from the tower to the south.

Applicant's Comments

Mr. Bruckner, Architect briefly described the design rationale, noting that the site was challenging. With respect to the daycare, Mr. Bruckner thought it was in the best location to get a proper outdoor space with as much sun as possible. Mr. Bruckner stated they had met with the residents as well as the commercial tenants in the adjacent buildings to address their concerns regarding private views. Mr. Bruckner explained the materiality noting the design will keep the frames and will have brick in earth tones that relate to the colour of the library building. He noted that there is still some work to be done on the lane elevation, increasing the windows to make that facade more transparent. Mr. Bruckner confirmed they are satisfied with the conditions recommended by staff.

Questions/Discussion

Mr. Timm asked where the density that Staff Committee recommended be shaved off the corner of tower would be relocated. Mr. Bruckner replied that it will stay in the tower. He added that the tower is being simplified without changing much and will not negatively impact the views.

Ms. Nystedt noted that there is a heavy emphasis on childcare in the building and wanted to know why there are less than 40% of the units designed for families, providing two or three bedrooms. Mr. Bruckner replied that the daycare is actually for all the families that live in the downtown and not just for people living in the building. He added that 40% is normal in a building having a mix of one, two and three bedroom units. Mr. Man added that the building's residents wouldn't have priority for the daycare as it is a public daycare.

Mr. Toderian noted that the original design for the tower had some horizontal aspects that have not been included in the new version. He asked the applicant what they could do to make it look different from other buildings in the downtown. Mr. Bruckner replied that the building has an interesting shape that relates to its neighbours and gives it an architectural expression. He added that they are still exploring design development for the building.

In response to a question from Mr. Scobie, Mr. Bruckner confirmed the items raised by Processing Centre - Building, Fire and Rescue Services (Appendix C) are resolvable without substantively affecting the proposed building design.

Comments from other Speakers

Paul Dragon, member of the Downtown Vancouver Association, noted that the growth in the downtown has been very good to the retail and would like to see that continue. He applauded the developer for putting in the roof top gardens as mandated by Council for 2010. Mr. Dragon spoke in favour of the development.

Regi Bohringeo, lives in the Galileo Building and was concerned about the shadow impacts on Library Square. She noted that the square is used after 4:00 PM and would hate to see it not be used as much.

Panel Opinion

Ms. Long advised the conditions recommended in the report fairly represent the Urban Design Panel's concerns. She noted that there are still some concerns, particularly at the podium level, that need to be addressed. Ms. Long was supportive of Condition 1.5 and would like to see the public realm strengthened even more. She encouraged the applicant to push the edges in the public realm and find better quality materials than concrete. In terms of the shadowing on Library Square, Ms. Long agreed that there shouldn't be any additional shadowing particularly on the south plaza as it gets used a lot. It is one of the better public spaces in the city and she encouraged the applicant to minimize as much as possible the shadowing on any of the public spaces.

Mr. Stovell was supportive of the application. He thought the applicant had struggled hard to find a balance with all the elements. He agreed that it was an increase in density and would like to see the applicant concentrate on Condition 1.2 and add more crispness to the tower.

Mr. Shearing thought the applicant had done a great job in shaving the tower to minimize the impact on the private views and the shadowing of the south plaza of the library. Further work should be seen as a public amenity improvement as opposed to improving the views of private residents. He thought the tower didn't have an overly large floor plate and the applicant had handled it very well. Mr. Shearing thought the podium was the proposal's weakest element. The frame that's proposed is a rather dated architectural tool for organizing large facades and he thought there were many other ways to handle the organization of the podium. With the series of retail spaces along the street and offices above, there are opportunities that exist to add rhythm and pattern on the street. Mr. Shearing liked the detailing of the glazing on the corner that could be a jewel. Mr. Shearing agreed with the conditions put forth by staff. Mr. Shearing

thought it was a good, safe tower but doesn't break away from the Vancouver vernacular and hoped that in the future there are different types of towers in the city.

Ms. Nystedt recommended approval and supported the conditions presented by the Staff Committee. She liked the design of the tower and especially the northeast corner. She also liked the amenities and the functional mix. Ms. Nystedt was concerned about the wind tunnel effect on the street as she has found the plaza around the library not very user friendly. She asked for consideration to be given to the streetscape to address this possible situation.

Mr. Chung thought that in terms of the design, colour and the verticality there was still room for improvement and agreed that Condition 1.2 was very important. He also agreed it will be important to minimize the shadow impacts on Library Square. It's a great meeting place and the length of time that it can be used through the year should be maximized.

Mr. Hung thought the design of the building was okay. He agreed that further design development needs to take place to minimize the shadowing on the library. Regarding the daycare, he encouraged staff to make sure it is lawful under the Zoning By-law to exclude the daycare from FSR but then count the space as being commercial.

Mr. Braun recommended approval of the application. He encouraged the Board to give some direction to the applicant in terms of differentiating the tower more from its neighbours. Mr. Braun thought the tree on the podium was extremely important and encouraged the Board to add a comment in Condition 1.3 to ensure the tree is highly attractive and long living. Mr. Braun appreciated how much has been done in the application to fit in the daycare and also respond to the neighbours. Mr. Braun thought that on these types of sites the City should be achieving the maximum commercial FSR without any special exemptions.

Board Discussion

Mr. Toderian moved approval of the application with several amendments to the conditions. He agreed with staff conclusions regarding the appropriateness of the overall density. He thought there were things that could still be done around how the density lands on the site. Mr. Toderian had some concern with further tower design being driven by a desire to better resolve private view issues. He was more concerned about density based on broader public goals and reducing the emphasis on short term liveability issues like private views. Any impact from shadowing on existing amenity space like the public spaces around the library should be of concern. Mr. Toderian was concerned that the daycare could be considered in the 2 FSR commercial. He felt it should not be considered a precedent for the future and he will be asking staff to convene for a discussion to make sure there is a consistent message around commercial FSR. With regard to the architecture, Mr. Toderian thought the building read as a glass tower and hoped the shape could be further refined. He added that he felt it was a safe approach and strongly challenged and encouraged the applicant to do more with the architectural expression. He thought there were some interesting aspects in the original tower design. Mr. Toderian thought the podium had been improved through the residential expression on the top and the stepping and staging of it but thought there were some further opportunities. Mr. Toderian thought the original tower and podium had an interesting approach to colour that was lost in the new version and encouraged the applicant to reconsider the colour. Mr. Toderian was disappointed with the list of sustainability aspects. He encouraged the applicant to fully embrace all opportunities for further green building technologies and sustainable initiatives.

Mr. MacGregor seconded the motion for approval other than the change Mr. Toderian's proposed to Condition 1.2 regarding the words "and individuality". Mr. MacGregor thought the project had pushed hard in terms of the FSR, density, bonusing, and the height but agreed with the staff

conclusion that the site could take it. He would like to see the shadow impacts minimized on Library Square. Mr. MacGregor expressed concern with the daycare being included in the commercial FSR. He stated that it is a reality about the loss of commercial in the downtown. Mr. MacGregor was also concerned in the way the FSR was calculated on the site and thought it wasn't necessary to count the daycare as an amenity if the square footage of the daycare had been exempted. He added that the rules need to be clarified.

Mr. Timm supported the addition of the words "and individuality" in Condition 1.2. Mr. Timm thought this was an opportunity for the applicant to find some elements that are unique to the site. Mr. Timm originally had some concerns about the development based on the significant increases in FSR. He noted that there have been view impacts with other buildings but in this case, without a rezoning and any significant opportunity for review by the surrounding neighbours, the density has been increased by approximately 40%. Mr. Timm thought the applicant had done the work in talking to the neighbours and sculpting the tower to address their concerns. He was pleased to see that Mr. Toderian hadn't eliminated the attention to private views in Condition 1.1 but rather re-emphasized the importance of reducing shadowing impacts in the public realm. He was comfortable with the Board making decisions with regards to weighing the relative impacts of increased shadowing on public spaces versus the public benefit of daycare spaces to be provided. He believed staff had stretched the regulations for heritage density and the bonusing for the amenity about as far as could be expected to be done. Mr. Timm supported the other recommended amendments made by Mr. Toderian.

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. DE410566, in accordance with the Development Permit Staff Committee report dated February 14, 2007, with the following amendments:

Amend Condition 1.1 by deleting "*southeast corner to improve private views*" and replace with "*primarily to further minimize new shadows on the library square site while mitigating impacts on private views*" to read:

design development to refine the shape of the residential tower *primarily to further minimize new shadowing on the library square site, while mitigating impacts on private views* to the north-northeast from the existing residential development to the south (889 Homer Street);

Amend the first paragraph in Condition B.2.4 to read:

Amenity areas of approximately 5,213.0 sq. ft. located on Levels 1, 2, and 6, and excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or tenants of the building as follows: *first and sixth floor to all residents; level two fitness facility to all residents, occupants and/or tenants of the building;*

Delete "*for use by residents/users/tenants of this building complex*" in the last paragraph of Condition B.2.4 to read:

Further, the amenity spaces and facilities approved as part of this Development Permit shall be provided and thereafter be permanently maintained.

It was further moved by Mr. Toderian and seconded by Mr. Timm and was the decision of the Board to amend the following condition:

Amend Condition 1.2 to read:

design development to strengthen the expression *and individuality* of the residential tower, including materials, to reinforce verticality and improve its relationship to the podium and the street;

After summarizing the Board's decision, Mr. Scobie expressed his concern with the position this application had put the Board in, having a significant density increase already approved by Council as an amenity bonus for the proposed daycare, without first having comfort from the Board that the density would be comfortably accommodated on this site. He suggested when considering bonuses in future that seek to increase the density, particularly on sites adjacent to important public open spaces where there may be shadow impacts, before going to Council for approval of the specific bonus density, the projects be advanced to the Board, as preliminary development applications, for the Board's consideration.

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

THAT staff bring to the Development Permit Board, as a preliminary development application, any development proposal incorporating public amenities for which a significant, compensating FSR increase is contemplated, in order for the Board to determine the capacity of the site to accommodate the FSR increase, prior to seeking the approval of Council, but that rezoning and HRA applications proceed directly to Council as the Board does not have the jurisdiction to deal with them.

CARRIED UNANIMOUSLY.

5. OTHER BUSINESS

Mr. Shearing indicated how helpful he found the full colour 11 x 17 brochures that accompanied the SEFC Olympic Village applications. He encouraged the City to consider circulating with future DPSC reports the 11 x 17 colour brochures the Urban Design Panel receives, to be better able to review the project.

6. ADJOURNMENT

There being no further business, the meeting adjourned at 11:30 PM.

L. Harvey
Assistant to the Board

F. Scobie
Chair