

Meeting: No. 491
Date: Monday, February 5, 2001
Time: 3.00 p.m.
Place: No. 1 Committee Room, City Hall

PRESENT:**Board**

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

Advisory Panel

P. Grant Representative of the Design Professions [Urban Design Panel]
J. Hancock Representative of the Design Professions
J. Ross Representative of Development Industry
J. Leduc Representative of General Public
R. Bruce Scott Representative of General Public

Absent

D. Chung Representative of General Public
P. Kavanagh Representative of Development Industry
M. Mortenson Representative of General Public

ALSO PRESENT:

R. Segal Development Planner
A. Molaro Development Planner
E. Fiss Development Planner
M. Thomson City Surveyor

Item 3 - 1300 West Pender Street - DE404571 - Zone DD

J. Bingham Howard Bingham Hill Architects
A. Hamilton Howard Bingham Hill Architects
T. Ito Landscape Architect

Item 4 - 854 West 6th Avenue - DE405322 - Zone FM-1

W. T. Leung W. T. Leung Architect Inc.

Clerk to the Board: C. Hubbard

1. MINUTES

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of January 8, 2001 be approved.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 1300 WEST PENDER STREET - DE404571 - ZONE DD
(COMPLETE AFTER PRELIMINARY)**

Applicant: Howard Bingham Hill Architects

Request: To construct a 35 ½-storey residential tower, containing 201 dwelling-units (including 5 townhouse units along Jervis Street), and a three-storey commercial building with an adjoining one-storey retail space with five townhouse units above and in behind, all atop three levels of underground parking, thereby relaxing the maximum building height to 318.4 feet.

Development Planner's Opening Comments

The Development Planner, Ralph Segal, presented the application, referring to a context model, drawings and view diagrams. The proposal was approved in principle by the Board on March 6, 2000. On July 10, 2000, the Board deferred a complete submission, wishing to have the project re-visited to respond better to views from The Pointe (1331 West Georgia Street). Concerns were also expressed about tower separation, privacy, and architectural treatment of the southerly facade. The current submission is a substantially revised scheme in which the basic re-massing of the tower has sought to cut back the southeast corner of the building in order to open up to a greater degree the views to the northeast. Mr. Segal reviewed the revised scheme, as outlined in the Staff Committee Report dated January 10, 2001, noting that staff are seeking some further refinements dealing with detailed issues. With respect to notification, there has been significant response from residents of The Pointe and their concerns are also discussed in the Staff Committee Report. In summary, staff believe the project has responded to the Board's earlier concerns and improved in its design. The recommendation is for approval of the application, subject to the conditions set out in the report.

Applicant's Comments

John Bingham, Architect, advised they undertook an intensive re-analysis of the floorplate and considered many options before arriving at the current scheme. He said they feel comfortable that they have addressed as best they can the concerns of the residents of The Pointe, and have worked very hard to ensure their interests are protected. He briefly described the changes made to the design since the application was deferred in July 2000. Mr. Bingham confirmed they have no problem with the recommended conditions, noting that many of the issues have already been accommodated.

Board and Panel members took a few minutes to review the model and posted material

Comments from Other Speakers

The following speakers, all owners of suites in The Pointe, addressed the Board in opposition to the application:

Roman Kubacek
Dean Curley
Gina Cutt
Phyllis Bain
Jan Halvarson
Arlene Anardu
George Drohomirecki
Edward Epp
Randal Vaneijnsbergen
Geoff Kershaw
Kitty Chui

The following issues were raised:

- livability of the neighbourhood;
- decreased property values;
- concerns about the overall objectives of the Coal Harbour area;
- proximity of the proposal to The Pointe;
- the lane is inappropriate for high-end townhouses;
- the view improvement achieved in this submission is insignificant;
- loss of privacy;
- increased traffic in the lane;
- the lane is already dangerous;
- environmental impact of the development;
- inconvenient time of Development Permit Board meetings;
- insufficient notice to registered owners;
- not all owners were notified;
- lighting in the lane needs to be improved;
- concerns about blocking the lane during construction; and
- there should be no commercial retail use in the development.

Mr. Halvarson also presented a petition containing 172 signatures opposing the application.

In response to concerns raised about the notification process, Mr. Segal advised 1,728 neighbouring owners were notified of the preliminary application. From this notification, 26 letters were received from residents of The Pointe. Registered owners were re-notified of the complete submission. Names of registered owners are obtained from the BC Assessment Authority whose data are updated monthly. In discussion, the Board directed staff to follow up to determine whether Mr. Epp received notification and advise him accordingly. The names of the owners who were notified are on file and may be viewed on request.

In response to a question from the Board about the density allowed on this site, Mr. Segal explained the 1976 Downtown Official Development Plan permitted 7.0 FSR. In the early 1990's it was downzoned to 6.0 FSR when the "choice of use" area was expanded to include this part of the Downtown.

Panel Opinion

Paul Grant advised the Urban Design Panel saw this project several times and has worked with staff and the applicant to make it more palatable to the neighbours. Mr. Grant commented, the applicant has made significant strides since the initial submission and substantial emphasis has been placed on reducing view blockage. However, greater attention should be paid to the streetscape in terms of enhancing the pedestrian environment, particularly along Broughton and Pender Streets. As well, the livability of the lane will be very important, calling for traffic control and good lighting. Mr. Grant added, the short views associated with the project are as important as the long views in this neighbourhood.

Mr. Hancock said the developer has come a long way in refining and improving this project, noting the site is

somewhat difficult, with few options for developing it. The tower is in the only acceptable location on the site and the massing has gone a long way to mitigate some of the concerns of the neighbours. Generally, the project has been well executed. Mr. Hancock recommended approval with the conditions outlined in the report.

Mr. Ross said he believed the applicant has dealt very well with the issues raised at the July 2000 deferral. He supported the requested height relaxation. He said it is unfortunate it was not clear to residents of The Pointe what was to be developed on this site. He suggested the issue of tower separation might be reconsidered by staff in terms of reviewing the minimum tower separation for future high rise development. Mr. Ross commended the applicant for making the tower fit in the best possible position on this site.

Ms. Leduc said she thought the proposal was much improved since the last submission and the applicant has gone a long way to deal with this difficult site. Regarding the neighbours' concerns about traffic in the lane, Ms. Leduc urged that this area be given serious consideration in the Downtown Traffic Plan currently underway. Further, the lane treatment is very important because it will be the "front door" for both The Pointe and the proposal. She also recommended the question of tower separation be reviewed by staff, in response to complaints that this area is becoming less livable. Ms. Leduc was also concerned about problems with notification. She urged staff to ensure all registered owners are properly notified. She recommended approval of the application.

Mr. Scott noted that many of the issues raised by the speakers today were dealt with at the preliminary submission in March 2000. He noted the importance of the lane to residents of The Pointe and urged the developer to take this into consideration. Mr. Scott said the design of the building is excellent and it will be a very nice addition to the West End of Vancouver.

Board Discussion

Mr. Beasley said he had a lot of sympathy with the concerns raised today. He noted this area was very carefully planned, involving several thousand citizens at the time. As well, a traffic study was completed which indicated the proposed densities could be accommodated in the street system. However, he agreed the Downtown Transportation Plan should include consideration of the concerns that have been raised. He added, his sympathy with The Pointe residents was due largely to his lack of confidence that they were served well by the real estate community in the purchase of their properties, given the plan for the area and zoning for this site has been long in place. Mr. Beasley said he was confident the significant neighbourhood issues have been responded to in a principled way, and meaningful changes have been made to make this building more neighbourly. He added, the 80 ft. separation is not just a minimum but was derived from research which indicated most buildings in the city are more like 30, 40 or 50 ft. apart, notably in the West End, and the intent was to provide greater separation. He added, it is unusual to see a building so substantially re-shaped to protect views, and noted the zoning for this area always envisioned a tower on this site, before The Pointe was built. He also acknowledged the generous modifications on the finishes and reorientation of the units on the south side to minimize privacy issues. Townhouses are a good solution and will improve safety and security in the lane. With respect to concerns raised about disruption during construction, Mr. Beasley urged the developer to proceed in a neighbourly fashion and liaise with The Pointe in the construction period. He said he appreciated the condition to save the large maple tree on the corner as well as the existing trees on Jervis Street. He agreed with the conditions contained in the Staff Committee Report which he said will press even further the creation of neighbourliness and a building which has a good relationship to the street. This is a highly livable neighbourhood and this building will contribute to that.

Mr. MacGregor acknowledged the residents' concerns have been taken into account in this submission and substantial changes have been made. He felt the 82 ft. separation was satisfactory. He cautioned the cause of falling property values needs to be carefully considered to ensure the true reasons are understood. He noted the Development Permit Board has to deal with the zoning put in place by City Council. He echoed Mr. Beasley's comments about dealing with traffic issues during the construction period.

Mr. Rudberg concurred with the previous comments except he did not see a significant change in the project since the July deferral with respect to view corridors and tower separation. He felt all the changes made were very

marginal, although he noted the applicant has done as much as possible within the constraints of the site. The two changes that make the biggest difference are the treatment of the facade and the lane. With access now being off Pender Street, congestion in the lane is probably manageable. Given the zoning that is in place and the approval in principle given in March 2000, Mr. Rudberg said he felt as much as possible has been done to improve the project's relationship to the adjacent buildings. He supported approval of the application.

Motion

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

THAT the Board APPROVE Development Application No. 404571, in accordance with the Development Permit Staff Committee Report dated January 10, 2001.

- CARRIED

4. 854 WEST 6TH AVENUE - DE405322 - ZONE FM-1 (COMPLETE APPLICATION)

Applicant: W. T. Leung Architect Inc.

Request: To construct a new four storey, mixed use, commercial and residential development with one and one half levels of underground parking.

Development Planner's Opening Comments

The Development Planner, Eric Fiss, presented this proposal, referring to a site context model and posted drawings. He briefly described the proposed development. Proposed density is 1.5 FSR, which is the maximum permitted under FM-1 zoning, noting the outright 0.6 FSR may be increased for compliance with the design guidelines. After describing the site context, Mr. Fiss focussed on the issues identified by staff, namely, neighbourhood views from the south, access to parking on West 6th Avenue, and the arcade at the street. These concerns are addressed in the recommended conditions outlined in the Development Permit Staff Committee report dated January 24, 2001. With respect to Notification, 394 letters were sent to neighbouring property owners. Eight responses have been received, six with objections to the proposal. In summary, staff consider the proposal provides a number of community benefits including the form and massing which is respectful of neighbourhood views. High quality materials are proposed and the project will improve the pedestrian realm on West 6th Avenue. There will also be improvement in the lane, with high quality landscaping proposed. Staff consider the proposal has provided a good solution for the difficult site constraints. The Staff Committee recommends approval of the application, subject to the conditions outlined in the report.

In the question period that followed, Mr. Rudberg advised he would be looking for the relocation of the commercial loading space and the provision of a grade separated walkway adjacent to the ramp to be requirements rather than consideration items. With respect to condition A.2.8, Mr. Rudberg added, he would also be seeking the paving of the lane to include the connection to the existing paved lane.

Applicant's Comments

Wing Ting Leung, Architect, referred to the recommended conditions. With respect to 1.1, he noted the maximum height of the building at the southeast is within the maximum height envelope. He requested the Board's consideration of 1.2, dealing with the architecture of the proposed arcade, in particular the request to reduce the width of the arcade columns. Mr. Leung said while the condition can be complied with it would be at the expense of the architectural expression on West 6th Avenue. Mr. Leung also asked the Board to relax the requirement to include the arcade in the calculation of FSR. With respect to condition A.2.6, he asked that the requirement for a 4 ft. wide ramp walkway be reduced to 3 ft.-8 in. With respect to A.2.8, to open and pave the lane adjacent to the site, Mr. Leung requested that it be to residential rather than commercial standards, given this is largely a residential project. In conclusion, Mr. Leung noted the scheme has preserved as much of the neighbouring views as possible.

Discussion

In response to a question from the Board regarding condition 1.2, Mr. Fiss confirmed that if the Note to Applicant is deleted, as requested by the applicant, the requirements with respect to the loading bay and the parking ramp are still addressed in the Standard Conditions. There was some discussion about the arcade and the possibility of the applicant reducing its width to achieve a reduction in FSR. Mr. Segal advised that if the Board wished to ensure the arcade is not reduced in width, a new condition would be necessary. It was noted there is already a requirement to reduce the density by 0.05 FSR so as not exceed the maximum.

The Board noted an increase in density beyond 0.6 FSR is discretionary, to be earned in return for performance of a variety of urban design objectives. Mr. Fiss confirmed the arcade is a benefit to the public realm. Questioned by the Board about treatment of the roof, Mr. Leung advised there will be no major mechanical equipment on the roof. In discussion with respect to the applicant's request for the lane to be to residential standards, Mr. Rudberg confirmed he was satisfied with the wording in the report. In response to a question from the Advisory Panel, Mr. Fiss described how staff consider this application has responded to the guidelines in order to earn the maximum 1.5 FSR, which includes provision of the arcade on West 6th Avenue.

Board and Panel members took a few minutes to review the model and posted material

Comments from Other Speakers

The following local residents addressed the Board:

Joanne Boyle, #18-877 West Avenue,
Tom Wilson
Robert Abbenhuis, #15-877 West 7th Avenue,
Mrs. Wilson

The speakers made the following points:

- the proposed opening up of the lane will be very detrimental to the neighbourhood because it will encourage traffic to use it as a short cut;
- West 7th Avenue is a designated bicycle route and through traffic in the lane will be hazardous to cyclists;
- traffic diversion measures have recently been incorporated on Heather Street, further encouraging through traffic in the lane if it is opened up;
- opening up the lane will not be a public benefit, as stated in the Staff Committee Report;
- concerns were also expressed about garbage pick-up off the lane;
- parking should not be permitted in the lane;
- support for the design and proposed height of the building;
- venting should occur away from the lane;
- ensure there are no parapets higher than 24.9 ft. from lane grade, at the southeast corner.

Mike Thomson, City Surveyor, explained that one of the difficulties at present is that garbage and service vehicles are required to back out, which is dangerous. It is City policy to relocate garbage pick up off arterial roads whenever possible. It is also practice to complete circulation patterns when the opportunity arises. The lanes are not intended to be used a short-cuts and violations in this respect can be dealt with by traffic enforcement measures. Mr. Rudberg added, it is policy to establish a lane system in Fairview Slopes for service and access. In discussion, the Board agreed to strengthen condition A.2.8 to require monitoring of the lane.

Panel Opinion

Mr. Grant said the Urban Design Panel was enthusiastically in support of the proposed design which answers many of the urban design issues presented by this site. The Panel believes this applicant is very capable of dealing with the arcade and Mr. Grant recommended he be allowed to handle it as he sees fit. While the Panel did not discuss the lane at any length, Mr. Grant commented that the residents have made some good points.

Mr. Hancock said it is a well executed project that meets the intent of the guidelines very well. The FSR relaxation being requested is worthy of consideration mainly because West 6th Avenue is presently a very busy and inhospitable street and this project will go some way to improve it. He added, it is important to the architecture of this building to have the reveal on the first level. He concurred with Mr. Grant with respect to allowing the architect to handle the arcade in his own way. Mr. Hancock also agreed that the arguments put forward by the residents with respect to the lane are very good. Finally, Mr. Hancock questioned whether the end unit on the west side could be reconfigured and relocated elsewhere.

Mr. Ross supported the proposal. He recommended provision of a roof plan, to indicate some high quality treatment.

Mr. Scott also recommended approval, and agreed that treatment of the roof needs to be addressed.

Ms. Leduc supported the request for increased density. With respect to the concerns expressed by the residents about opening up the lane, she suggested if it has worked satisfactory so far without opening it up, then perhaps it should be left that way. She was also concerned about possible negative impact on the bicycle route on West 7th Avenue.

Board Discussion

Mr. Rudberg said the design responds very well to the issues of massing and view corridors. He moved approval of the application and tabled a number of amendments to the conditions. He said the arcade will be very important to improving the pedestrian environment on West 6th Avenue and its width should not be reduced. He added, he is not prepared to exclude the arcade from FSR. Mr. Rudberg stressed the importance of lanes and that dangerous backing-out situations should be avoided. However, he added he was sympathetic to the issues raised by the residents and added a condition requiring monitoring of traffic in the lane.

In seconding the motion, Mr. Beasley said it is very commendable that an applicant has gone as far as this applicant has to respond to the urban design concerns for such a small development. He agreed with Mr. Rudberg's amendments and suggested an additional condition to remove the top second floor unit to reinforce the view corridor. Mr. Rudberg concurred. Mr. Beasley said the 7th Avenue view corridor should be maintained as much as possible, also noting that approximately 1,100 sq.ft. needs to be removed in order to meet the maximum FSR.

Motion

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

THAT the Board APPROVE Development Application No. 405322, in accordance with the Development Permit Staff Committee Report dated January 24, 2001, with the following amendments:

Delete 1.2 and replace with a new condition:

design development to treat roofscape with materials, including decorative pavers, to create an attractive overview for neighbours, to the satisfaction of the Director of Planning;

Add 1.5:

design development to remove the top second floor unit on the most westerly edge of the site to reinforce the view corridor from 7th Avenue;

Amend the Note to Applicant in A.1.6:

Note to Applicant: This can be achieved by ~~deleting or~~ improving the design of the arcade on the street *without decreasing its width*, and by ensuring that exit doors to West 6th Avenue do not create an alcove by joining the exit with retail entrances;

Amend A.2.6 to change 4 ft. to *3 ft.-8 in.*;

Amend A.2.8:

arrangements to the satisfaction of the General Manager of Engineering Services for opening and paving of the lane adjacent to the site *as well as the connection to the existing pavement;*

Note to Applicant: *The City Engineer will undertake monitoring of the use of the lane and take appropriate measures to limit any through traffic. The City Engineer will also be prepared to sign the lane "No Parking Anytime" if the majority of the residents agree;*

- CARRIED

5. OTHER BUSINESS

It was noted that an exceptionally large number of people have requested to address the Board at its next meeting on February 19, 2001. This meeting will be held in the Plaza 500 Ballroom and additional dates will be held in the event the meeting needs to be reconvened.

There being no further business, the meeting adjourned at 7.25 pm.

C. Hubbard
Clerk to the Board

F. Scobie
Chair

/ch

Q:\Clerical\DPB\MINUTES\2001\Feb5.wpd