

Date: Monday, January 19, 2004
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

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

Advisory Panel

S. Lyon Representative of the Design Professions (Urban Design Panel)
E. Mah Representative of the Development Industry
D. Chung Representative of the General Public
C. Henschel Representative of the General Public

Regrets

P. Kavanagh Representative of the Development Industry
J. Hancock Representative of the Design Professions
T. Durning Representative of the General Public
J. Leduc Representative of the General Public

ALSO PRESENT:**City Staff:**

M.B. Rondeau Development Planner
M. Mortensen Project Facilitator
M. Thomson City Surveyor

587 West 7th Avenue

J. Timmer Jan H. Timmer Architecture Ltd.
F. Huckiede Developer

Clerk to the Board: C. Hubbard

1. MINUTES

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of December 8, 2003 be approved.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 587 WEST 7TH AVENUE - DE407888 - ZONE C-3A
(COMPLETE APPLICATION)**

Applicant: Jan H. Timmer Architecture Ltd.

Request: To construct an eight-storey strata-titled multiple dwelling containing 29 units plus six townhouses, and two levels of underground parking, including six (6) parking stalls for the adjacent development at 595 West 7th Avenue, all accessed from a right of way at the rear of the site.

Development Planner's Opening Comments

Mary Beth Rondeau, Development Planner, presented this application. She briefly described the site context and noted this is a very constricted site having a 100 ft. frontage with 50 ft. lots on either side and no rear lane. However, the applicant has achieved access from the rear of the site by a right-of-way agreement negotiated with the property owner to the west (Factory Optical). Required parking for Factory Optical will be relocated and included in the subject development. The proposed rear access will also allow future access to the adjacent site to the east (Summers Autobody). As well, BC Hydro has agreed to relocate its transformer, currently on the front yard of this site, off the rear right-of-way. Therefore, staff consider the negative impacts of this constrained site have been addressed as well as possible, subject to the agreements required in the recommended conditions of approval.

Staff consider the proposed multiple dwelling use to be very appropriate in this choice-of-use area. The massing is in accordance with the Central Broadway C-3A Guidelines, having a strong podium of about 30ft. and an upper massing that is 75 percent of the width of the site. The height of about 80 ft. is an average of the height of the building immediately to the north (Teachers Credit Union) and south (health care office). Because of the constraints of this site, particularly with respect to the relationship with the building to the north, the units on the lower four floors have their living rooms oriented to the south. While there are bedrooms facing north, a 35 ft. rear setback, greater than the 25 ft. setback required by the by-law, has been provided. This results in a separation of about 50 ft. which is well within the City's standards. Residential storage is provided on the third and fourth floor at the rear of the building. Most of this additional storage is not required (and cannot be excluded from FSR calculation) because the majority of units have in-suite storage. Since the proposal does not include any indoor or outdoor amenity space, staff recommend that indoor residential amenity (meeting or exercise rooms) take up the space proposed for storage. Given the restrictions of

the site and since each unit has fairly extensive private open space, staff consider it will be acceptable to not have a shared outdoor space.

Staff also recommend refinements to the treatment along West 7th Avenue, including a stronger townhouse expression, simplifying the landscaping and improving the sidewalk treatment.

The applicant is proposing to seek LEED (Leadership in Energy & Environmental Design) Silver Certification. Ms. Rondeau stressed that LEED certification is not required by the City; however, when it is offered staff request a checklist of the sustainability measures being proposed. There are, however, some features of sustainability that staff consider to be a public benefit, including green landscaped roofs and a means of storm water retention, and these are included as conditions of approval.

In summary, staff consider the proposal has earned the conditional density and height through resolving the challenging issues of the site, particularly future vehicular access to the easterly adjacent site, other than from West 7th Avenue, so as not to compromise this bikeway/greenway. The massing is resolved as well as possible, and the height is appropriate. Building material is primarily concrete. A landscaped roof and storm water retention is provided. As well, there are bikeway and greenway features provided on both this site and the two adjacent 50 ft. site frontages. Staff recommend approval of the application, subject to the conditions outlined in the Development Permit Staff Committee Report dated December 17, 2003.

Questions/Discussion

In response to a question from Mr. Beasley as to how this application has earned the requested height and density, Ms. Rondeau reiterated that this has been achieved by: resolving site vehicular access, building massing, configuration and height, materials, architectural resolution, landscaped roof and storm water retention, and bikeway and streetscape features on West 7th Avenue.

Mr. Rudberg sought clarification with respect to the proposed LEED certification. Ms. Rondeau stressed that LEED certification does not contribute to earning the requested height and density. However, part of LEED certification proposed is a green roof and storm water retention and these features will be secured through landscaping conditions.

Mr. Scobie sought clarification regarding the proposed rear setback. In discussion, it was noted the edge of the right-of-way would be as close to the face of the building as it would be with a typical lane.

Mr. Scobie questioned the development potential of the adjacent sites to the west and east. Ms. Rondeau explained they are quite constrained and will very unlikely achieve the maximum 3.0 FSR. In discussion, Ms. Rondeau confirmed that staff believe the adjacent owner to the east does understand that failure to participate in this proposal reduces the development potential of that site. The owner has indicated a desire to continue operating Summers Autobody on the site. In discussion with respect to the future rear access to the site to the east, Ms. Rondeau confirmed that the only obligation of that owner would be to construct the knockout panel. The proposed right-of-way will not be used for fire fighting access.

Mr. Scobie suggested an amendment to condition A.3.1, to delete "by the development" from the request for an acoustical consultant's report.

Mr. Rudberg sought clarification with respect to the BC Hydro transformer and whether under grounding had been considered. Given the cost involved, Ms. Rondeau advised under grounding is typically required only of larger developments.

Applicant's Comments

Jan Timmer, Architect, confirmed he has no problem with any of the recommended conditions of approval. He indicated that revisions have already been made to the open space arrangements which address concerns raised by Processing Centre - Building regarding the potential conflict with the exit, as well as suggestions made by the Urban Design Panel. Mr. Timmer noted the proposed rear access allows uninterrupted frontage on the West 7th Avenue bikeway. An additional advantage to the public realm is the relocation of the BC Hydro transformer off the right-of-way.

Responding to an earlier question from Mr. Rudberg's with respect to the current parking use of this site, Frits Huckiede advised the lot has been very heavily used recently by workers involved in construction of the building across the street and this demand will diminish when the building is completed. The lot was also once used by BC Teachers Federation who have now secured their own parking.

Comments from other Speakers

None.

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

Panel Opinion

Mr. Lyon advised this project received the unanimous support of the Urban Design Panel. The Panel considered it had earned the requested density, primarily through very livable unit designs, non-combustible construction, the green initiatives and especially the right-of-way dedication at the rear which is also alleviating problems for the adjacent lots. Mr. Lyon confirmed that the minor concerns expressed by the Panel have been addressed in the recommended conditions of approval. The Panel thought provision of an amenity room would be worthwhile.

Mr. Mah said he was not convinced that substitution of the storage space for amenity area would be beneficial because residents appreciate additional storage. Otherwise, Mr. Mah supported approval of the application.

Mr. Chung also recommended approval, subject to the conditions, and he agreed with Mr. Mah that retention of the additional storage space might be preferable, noting an exercise room might be redundant in this area which is well served by fitness facilities.

Mr. Henschel said he found it to be a good proposal. He supported all the recommended conditions but said he was not so concerned about providing individual townhouse expression. He recommended approval and said it is a creative solution to a difficult site.

Board Discussion

The Chair advised that paragraph two of condition B.2.8 may no longer be applicable since Council's recent enactment of the by-law which brings the Development Cost Levy increases into effect. In response to a question from Mr. Scobie concerning the comments of the Processing Centre - Building, Mr. Timmer confirmed the issues are being addressed with their Building Code consultant.

In response to a question from Mr. Scobie concerning the lack of a children's play space in this project, Ms. Rondeau advised there are a number of two-bedroom units which could potentially house families with children. However, since the larger units are generally the townhouse units or those with large decks, Social Planning concluded that these units had adequate outdoor space and agreed that provision of a children's play area was not required for this development.

Mr. Beasley said he found this project to be quite well done, in particular for the way it solves the relationship to the building directly to the north. He expressed regret that the owners of the adjacent locked-in lots have not participated in this development but noted staff's confirmation that the owners have been fully informed of the implications on the future development potential of their property. Mr. Beasley said he believes their development potential is diminished considerably, notwithstanding the very beneficial access arrangements that have been made.

Mr. Beasley commented that while at first he questioned whether this proposal adequately justified the density being sought, he ultimately supported it, particularly because of the very positive impact on the bikeway that has been achieved by moving all the access off the street and into the rear right-of-way. He said he was now convinced that this proposal has generated sufficient public benefit to warrant the 3.0 FSR. He also noted that LEED certification does not contribute to earning the full FSR, only that the City is requesting a checklist of measures the applicant aspires to in terms of sustainability. He stressed that while he is in favour of LEED, sustainability elements it envelopes can only be a condition of approval if they fall within existing Council policy. He added that the green roof and storm water retention initiatives are items the Board would typically consider. With respect to the recommended conditions, Mr. Beasley said he agreed the townhouse expression needs improvement, to bring more texture and sense of domesticity to the street in this mixed-use neighbourhood.

In response to a question from Mr. Rudberg concerning indoor amenity space requirements in the C-3A zone, Ms. Rondeau advised there is no requirement in the Central Broadway Guidelines and staff are guided by typical standards for residential livability, for both indoor and outdoor amenity space. Ms. Rondeau also confirmed that if the space at the rear of the building is retained as storage it would be included in FSR, which would bring down the scale of the building somewhat. Therefore, the suggestion is to avoid having to remove units by converting it to amenity space. Mr. Rudberg questioned whether this should be a consideration item, noting the advice of the Panel with respect to the storage space. In discussion, the Board agreed there was sufficient flexibility in the condition.

Mr. Rudberg commented it is difficult to achieve the maximum density and height in the C-3A zone, and even more difficult for an interior site such as this to achieve sufficient public benefit to earn the maximum. Nevertheless, he said he thought the applicant had done a reasonable good job given the site constraints, although noting it is putting a lot of density on a fairly small site. Mr. Rudberg said he was satisfied with the public benefit being achieved and he seconded Mr. Beasley's motion of approval.

Mr. MacGregor suggested rewording condition 1.5 to make it clear that LEED certification is not a City requirement. Mr. Beasley and Mr. Rudberg concurred. Mr. MacGregor said it is a very good project for this site and said he agreed that removing the two crossings from the bikeway is an important benefit. He also agreed with the Advisory Panel that additional residential storage space is important and he would favour its retention.

Motion

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

THAT the Board APPROVE Development Application No. 407888, in accordance with the Development Permit Staff Committee Report dated December 17, 2003, with the following amendments:

Amend 1.5 to read:
incorporation of design details including storm water retention and landscaped roof on plans;

Note to Applicant: LEED (Leadership in Energy and Environmental Design) Silver check list should be submitted.

Amend A.3.1 to delete *(by the development)*;

Amend B.2.8 to delete the second paragraph.

4. OTHER BUSINESS

Development Permit Board statistics from 1992 - 2003 were distributed and briefly reviewed.

There being no further business, the meeting adjourned at 3.55 p.m.

C. Hubbard
Clerk to the Board

F. Scobie
Chair