

Date: Monday, June 25, 2001
 Time: 3.00 p.m.
 Place: Committee Room No. 1, City Hall

PRESENT:Board

F. Scobie Director of Development Services (Chair)
 L. Beasley Director of Current Planning
 B. MacGregor Deputy City Manager
 I. Adam Assistant City Engineer

Advisory Panel

T. Bunting 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 (Items 3 - 5)
 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 Senior Development Planner (Items 3 - 5)
 A. Higginson Project Facilitator-Development Services (Item 3)
 P. Mondor Rezoning Planner (Item 3)
 M. Thomson City Surveyor (Item 3)
 E. Fiss Development Planner (Item 6)
 R. Hargraves Asst. City Surveyor (Items 4 - 5)
 B. Macdonald Parking Engineer (Item 6)
 C. Gray Director, Housing Centre (Item 5)

Item 3 - 858 Beatty Street - DE405676 - Zone DD

P. Busby Busby & Associates Architects
 A. Grant PCI Developments Ltd.
 M. Meehan Pacific Place Holdings Ltd.

Item 4 - 1001 Hornby Street - DE405838 - Zone CD-1

P. Busby Busby & Associates Architects
 B. Wall Wall Financial Corp.

Item 5 - 1650 Bayshore Drive - DE405699 - Zone CD-1

M. Ehman Downs Archambault Architects & Planners
 D. Galpin Downs Archambault Architects & Planners
 S. Vincent Landscape Architect

Item 6 - 4470 West 8th Avenue - DE405433 - Zone CD-1

R. Hughes Roger Hughes & Partners Architects
 D. Zelmer Fred O'Hagan Home Investments Ltd.
 F. O'Hagan Fred O'Hagan Home Investments Ltd.

Clerk to the Board: C. Hubbard

1. MINUTES

Mr. MacGregor tabled the following amendments:

1000 Station Street - DE405656

Amend A.2.6 to move the clause *unless otherwise approved by Council*, from the beginning of the condition, to after "future owners".

Referring to the Board Discussion on p.8, Mr. MacGregor pointed out that considering the parking as a single site was not initiated by Council, rather it was *the applicant's proposal* that parking be considered as a single site that Council agreed to.

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of June 11, 2001 be approved as amended.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 858 BEATTY STREET - DE405676 - ZONE DD
(COMPLETE APPLICATION)**

Applicant: Pacific Place Holdings Ltd.

Request: To construct a project consisting of: an eight-storey office building with street-fronting retail/commercial use, and a podium-level plaza fronting Beatty Street; and a four-storey office building with street-fronting retail/commercial use fronting Expo Boulevard; all over three levels of underground parking.

Note: The applicant intends to proceed with two phases of construction, with Phase 2 consisting of the top three office storeys of the four-storey component.

Development Planner's Opening Comments

Senior Development Planner, Ralph Segal, presented the application, referring to a model, posted drawings and the Development Permit Staff Committee Report dated June 13, 2001. The site was recently rezoned and this proposal is a precursor of a substantial re-think of the Cambie bridgehead area now underway as part of the Northeast False Creek Urban Design Study. The study will be before Council in late July 2001 for ODP Amendments. The intent is that this area, including the subject site, should take on a high-tech office/commercial character. This application is very consistent with what was shown to Council at the rezoning. Mr. Segal briefly reviewed the site context, noting it is adjacent to the locked-in, triangular site known as "the gap". On June 26, 2001, Council will be considering ODP Amendments that will allow the subject site to be amalgamated with "the gap" and, upon approval, the two sites will be consolidated. The intended treatment of "the gap" site includes a pavilion and a plaza extension, linking the Terry Fox Plaza to Expo Boulevard. It is not included in the subject application.

The proposed development is intended to be constructed in two phases. The first phase comprises an 8-storey office building and podium-level plaza facing Beatty Street and an interim single storey element along Expo Boulevard. The second phase will add three storeys to the lower element, although it is hoped that market conditions will be such that phase two will proceed concurrently with phase one.

Staff consider the application has responded well to the rezoning conditions. Staff are recommending some

further refinement. Condition 1.1 seeks to add more stature to the corner "lantern" element, and conditions 1.2 and 1.3 seek clarification and recommend design development to minimize any mechanical equipment on the roof of the lower building element, both in phase one and phase two. With respect to parking, Mr. Segal noted that Engineering condition A.2.2 seeks the allocation of 115 - 120 of the 351 spaces to short-term parking demand (rather than commuter parking). In summary, Mr. Segal stated there are very few outstanding issues. The Development Permit Staff Committee recommendation is to approve the application, subject to the conditions outlined in the report dated June 13, 2001. Mr. Segal tabled a correction to the report, to delete condition B.2.4 which is not applicable to this site.

Discussion

In response to a question from Mr. Beasley, the Senior Development Planner clarified the intent with respect to condition A.1.13 concerning the glass specification. He also briefly explained the design intent for the proposed "lantern" feature at the corner which is intended to be highly transparent both day and night. Condition 1.1 seeks a greater differentiation of the corner element by raising the parapet somewhat or by introducing a clerestory or skylight on the roof to cap it in some way.

Mr. MacGregor sought clarification with respect to the parking. Mike Thomson, City Surveyor, explained the site is currently a surface parking lot, and the Parking Branch believes there is a need to provide more transient parking (approx. 115-120 spaces) than the 40 public spaces required by the zoning. Alison Higginson, Project Facilitator, noted the CD-1 By-law allows 40 public parking spaces as a principal use on the site. These 40 spaces are above and beyond the 115-120 spaces that are part of the ancillary parking for the proposed high-tech office use. Phil Mondor, Rezoning Planner, added that normally staff would seek a component of the required parking to be visitor parking. The CD-1 by-law is silent on the matter of the ancillary parking to be provided for the principal uses on this site but is explicit on the 40 public short-term parking spaces to be provided as a principal parking use.

Applicant's Comments

Peter Busby, Architect, addressed the prior-to conditions in the Staff Committee Report.

With respect to 1.1, Mr. Busby explained the design intent of the corner "lantern" feature. It has been kept fairly simple and the internal space within is three storeys, giving the appearance of height. He added, they will resist the suggestion of putting a "hat" on this feature. The change in glazing on the corner is very deliberate.

Regarding the glass specification, Mr. Busby said the sample provided is clear, low-E, ES40 (a common double-glazed clear glass). He agreed that in indoor conditions it might appear as slightly reflective, but it is clear glass. The sample will be left with the Development Planner.

Mr. Busby questioned the comments of the Environmental Protection Branch on p.11 of the report, calling for road remediation to residential standard, which he suggested should be amended to commercial standard. Mr. Thomson explained, this arises from the requirements of the Approving Officer, the subdivision by-law and of Council. These requirements are that roads that are being dedicated to the City must be remediated to residential standards.

Mr. Busby requested deletion of condition A.2.2. Andrew Grant, PCI Developments Ltd., said there was extensive discussion on parking at the rezoning stage and it was ultimately agreed that 40 stalls would be set aside for stadium parking. There was never any discussion with Engineering Services that a further amount would have to be set aside for a similar designation. Mr. Grant added, they remain committed to providing the 40 stadium spaces but the request for 115-120 spaces is not consistent with any agreement with Engineering. Mr. Thomson explained, Engineering Services is not seeking the 115-120 spaces for stadium parking but for short term visitor parking and it is not out of line with normal parking ratios. In response to a question from Mr. Beasley with respect to visitor parking as distinct from parking for employees/tenants, Mr. Grant explained this

allocation will be determined by the tenants according to their requirements.

With respect to the **Note to Applicant** in condition A.1.18, Mr. Busby requested deletion of the word "abrupt", noting the grade change is only 16 inches.

Given the rezoning is expected to be enacted tomorrow (June 26), Matthew Meehan, Pacific Place Holdings Ltd., expressed concern that the issue of visitor parking is arising at a very late date. He said they consider the amount of parking now being requested to be set aside for visitor parking to be onerous.

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

Mr. Adam sought clarification concerning the 311 required parking spaces noted in the report (Technical Analysis, p.3). Mr. Thomson explained, the 311 parking stalls are required by the zoning. Of this number, the Parking Branch believe approximately 55 spaces will serve the retail/restaurant customers and 20-25 the visitors to the offices on the site, i.e., 75-80 of the 311 for transient public parking. The 115-120 public spaces called for in condition A.2.2 includes the 40 stalls already set aside for stadium parking. Mr. Mondor added, the CD-1 zoning for this site is the zoning for the entire Quayside Neighbourhood which has very clear parking requirements.

Comments from Other Speakers

None.

Panel Opinion

Mr. Bunting noted the Urban Design Panel reviewed this proposal twice and was generally very supportive of the overall design. The Panel commented on the design of the corner element in the second phase. It was generally considered to be consistent with the simple treatment of the building and worked well with the building design and with the immediate context. However, it was also felt the design was understated and "overly polite" as an element at the end of Cambie Street bridge. The Panel did not provide specific direction other than that it could be scaled and detailed appropriately to become a landmark. Much of the Panel's commentary focussed on "the gap" site which was considered a strong, simple design. The Panel expressed concern about the viability and acoustic impact of the proposed basketball court between the two buildings. Given these facilities are frequently converted later, the Panel felt consideration should be given now to accommodating future landscaping alternatives. In response to a question from the Chair, Mr. Bunting said the Panel also commented on the pedestrian scale of the corner element and how the corner public art component (not part of this application) could be incorporated.

Mr. Hancock said it is a good scheme that responds very nicely to the character of Yaletown. He agreed with the applicant that putting a "cap" on the corner element is not desirable, although raising the parapet might be an appropriate gesture. Mr. Hancock questioned whether treating the façades of the two bays to the west of it the same as the "lantern" itself weakened its importance. With respect to A.2.2, Mr. Hancock pointed out one third of the parking is being sought for public spaces, which seems an onerous restriction. He recommended this issue be re-examined.

Mr. Ross said he very much liked the plans as presented. He said he was satisfied that the design development called for in condition 1.1 will appropriately accentuate the corner element. He agreed some differentiation needs to be created. With respect to parking, Mr. Ross suggested A.2.2 needs to be revised or deleted. He supported the application.

Ms. Leduc also supported the application, stating, it will be a very handsome addition and is very compatible with the neighbourhood. She recommended deletion of A.2.2 which is too prescriptive, noting the type of businesses will determine the parking needs of their customers/visitors.

Mr. Scott supported the application. It is an appropriate development for the location. With respect to parking, Mr. Scott suggested staff and the applicant should work together to reach agreement, adding he believes as much parking as possible should be made available to the public.

Board Discussion

Mr. MacGregor moved approval of the application with a number of amendments to the conditions. In recommending deletion of A.2.2, Mr. MacGregor commented there was considerable debate about parking at the rezoning stage and the figure determined at that time should be adhered to.

Mr. Beasley concurred with the amendments moved by Mr. MacGregor. He said he was quite pleased with the way this building is progressing. It is very important that it set the pace given the whole sector is being reconceived. The quality of the design as well as the level of cooperation between staff and the applicant is commendable. Mr. Beasley said he agreed with condition 1.1 because the corner "lantern" is not yet very well worked out, not only in terms of strengthening the corner itself but the resolution of the balance of the southwesterly facade. He urged the architect to seek another solution for this facade, using the louvred treatment as an emphasizing element but perhaps assuming a more typical treatment for the balance of the facade. Mr. Beasley stressed there should be no misunderstanding with respect to the glass, noting the sample is not as clear as he would like it. It should be a clear building so that activities inside can be easily seen, particularly when passing by in a car. Regarding the "gap" site (not part of this application), Mr. Beasley urged the architect to consider more height (not more square footage) on the pavilion element. It presents a good opportunity to provide very high ceiling clearances as well as addressing the urban design objective of creating a better wall to the Terry Fox Plaza.

Noting this is an extremely difficult site with a number of constraints and unusual adjoining uses, Mr. Adam said he believed the proposal to be a major achievement. He said he wished there was a way to ensure the parking on the site would be available for the uses intended and not all become commuter parking, but he agreed it is difficult to determine at this late date.

Motion

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

THAT the Board APPROVE Development Application No. 405656, in accordance with the Development Permit Staff Committee Report dated June 13, 2001, with the following amendments:

Amend the **Note to Applicant** after 1.1:

Consider slightly raising or treating the corner parapet or otherwise "capping" this feature. Further consideration is suggested of the southwesterly facade of the phase two building to differentiate the "lantern" element from the rest of the facade;

Amend the **Note to Applicant** after A.1.13 to add:

The glass should be close to the clear glass sample provided;

Delete A.2.2;

Amend B.2.1 to change the word "of" at the end of the third line to *or*;

Delete B.2.4.

4. 1001 HORNBY STREET - DE405838 - ZONE CD-1
(COMPLETE APPLICATION)

Applicant: Busby & Associates Architects

Request: To add an 8 m light pipe feature to the west end of the mechanical penthouse of the Wall Centre hotel tower. This is a Minor Amendment to DE403708, approved July 22, 1999.

Development Planner's Opening Comments

The Senior Development Planner, Ralph Segal, presented this application for a Minor Amendment, referring to his memorandum to the Board dated June 20, 2001. He described the proposed 26 ft. "light pipe" proposed to be installed above the present mechanical penthouse of the Wall Centre phase 2 hotel/residential tower. Similar light pipes are already in place on the two towers of Wall Centre phase 1. Mr. Segal referred to a posted photograph of the model presented to the Board in 1997 which shows the light pipe in place. Staff consider the application for minor amendment to be supportable as a relaxation. It is not considered to be detrimental and may add another dynamic to the downtown nightscape.

Mr. Segal made reference to a further memorandum dated June 25, 2001, copies of which were distributed to Board and Panel members and the applicant. This memorandum refers to the proposed TV camera and support bracket which are also part of this application. Staff also recommend its approval.

In response to a question from the Board, Mr. Segal advised the existing light pipes are about 20 ft. high. No public complaints have been recorded.

Applicant's Comments

Peter Busby, Architect, questioned the reference to "to-be-installed back lighting of the translucent panels" in the staff recommendation. He advised the translucent panels were part of the development permit application and they have been installed. However, the lighting scheme presently installed is front lighting because the amount of mechanical equipment makes it impossible to back light. In discussion, it was agreed this issue is not part of the Board's consideration of the Minor Amendment.

Bruno Wall said they believe the proposed light pipe will make it more consistent with the phase one towers. It enhances the project and has no negative impact.

Comments from Other Speakers

None.

Panel Opinion

The Advisory Panel supported the application. Mr. Bunting commented the light pipe does seem more integrated to the design of the tower than in either of the Phase 1 towers. The recommendation from the Advisory Panel was to approve the application.

Board Discussion

Mr. Beasley said he did not believe the light pipe contributes much to the architecture but he had no major concerns. He appreciated it being put before the Board because it does have an aesthetic affect.

Motion

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

THAT the Board APPROVE the Minor Amendment to Development Permit No. 405838, to permit the installation of a light pipe at the height requested together with the camera installation, in accordance with the Memoranda to the Board dated June 20, 2001 and June 25, 2001.

5. 1650 BAYSHORE DRIVE - DE405699 - ZONE CD-1 (COMPLETE APPLICATION)

Applicant: Downs/Archambault & Partners

Request: To construct a 19-storey multiple dwelling development containing 76 dwelling units including a 3-storey townhouse component along Bayshore Drive, and five levels of underground parking for 466 vehicles, which includes 366 stalls for the adjacent Bayshore Hotel.

Development Planner's Opening Comments

The Senior Development Planner, Ralph Segal, presented this complete application, referring to a rezoning model of the Bayshore area, a project model and posted drawings. Mr. Segal briefly reviewed the site context and noted that approval of this application is subject to Council approving some adjustments with respect to the conversion of non-market to market housing. He described the proposal, noting it contains a very complex underground parking component, of portion of which is allocated to the Bayshore Hotel and now in use. One of the main concerns relates to the allocation of semi private open space. While staff generally support the building having fairly minimal open space given its proximity to the marina park, further clarification is sought, particularly with regard to interim rooftop treatment until the oval lawn area is finalised. Staff also seek clarification with respect to access to parking for this building as well as provision for loading. Mr. Segal noted the architecture of the tower is not entirely consistent with the guidelines, however, staff support its reconfiguration because views from some neighbouring buildings are improved. Staff are seeking a shifting of the parking entry east along Bayshore Drive. As well, the building's pedestrian entrance exceeds the by-law requirement with respect to setback from the street. Staff also think it could be more prominently located. The concerns raised by staff are addressed in the prior-to conditions contained in the Staff Committee Report dated May 30, 2001. Subject to satisfactory resolution of these conditions, the recommendation is for approval.

Discussion

In response to a question from the Board, Cameron Gray, Director, Housing Centre, explained the proposal is to convert approximately 29,000 sq.ft. (Building H) to market from non-market housing, leaving about 27,000 sq.ft. in Building H. Three options will be put to Council: as proposed in the rezoning, the subject proposal, and the conversion of all of Building H. Mr. Gray added, the subject proposal is feasible but does create some difficulty with respect to open space and the relationship between the townhouses of the subject proposal and Building H. The developer will be required to make a pay-in-lieu contribution to the City for any conversion.

In response to a question from Mr. Beasley concerning the open space, Mr. Segal advised staff are generally satisfied with the overall allocation of open space. In gross terms, the open space allocation for this building does meet the guidelines for the total precinct.

In response to a question from the Chair regarding a children's play area, Mr. Segal advised the landscape plan does not indicate a children's play area and condition A.1.11 calls for its inclusion. There is also a concern

about the safety of children around the decorative ponds.

In discussion with respect to the conversion of non-market to market housing, staff confirmed that if the conversion is not approved by Council, any approval of the subject development application collapses and a new application will be required. Mr. Segal also confirmed a revised application would be brought to the Board for consideration.

Applicant's Comments

Mark Ehman, Architect, addressed the prior-to conditions.

With respect to 1.1, Mr. Ehman briefly described the rationale for the proposed open space allocation, noting they believe Buildings H, I and J would benefit from sharing some of the subject site for their use. He explained there are also two terraced areas for the occupants of Building G, and noted the Bayshore development in general has substantial public open space in addition to the buildings being situated in garden-like settings. They do not consider the outdoor open space to be substandard for this proposal. As well, the water features along the street are a substantial public amenity. Mr. Ehman confirmed the maintenance of the open space will be a responsibility of the developer until such time as allocations are made to each building.

With respect to condition 1.2, Mr. Ehman agreed they will provide a much more obvious entry that conforms to the building code.

Regarding 1.3, to shift the ramp to the east, Mr. Ehman explained they wanted the ramp to be as far away from the corner as possible but without impacting on the four townhouses on the street. He briefly explained how the underground parking is intended to work and the integration of the new parking structure with the one that now exists. Shifting the ramp too far to the east would make the angle of the entry too acute. While it could be shifted 6 ft., the 15 ft. called for in the condition would create difficulties.

Mr. Ehman requested a relaxation for storage rooms which are larger than the 3.7 m² allowed to be excluded from FSR. They also wish to include laundry facilities in the storage room for the benefit of the residents. In response to a question from the Board, Mr Segal explained the FSR exclusion was introduced as a means of encouraging developers to include storage rooms. Unfortunately, abuse of this led to the Administrative Bulletin which restricts the size to 3.7 m². Mr. MacGregor commented, the developer should be prepared to include it in the square footage if it is considered a benefit to purchasers.

With respect to A.2.3, Mr. Ehman said they would be pleased to discuss the access to the hotel parking with Engineering Services, noting they have conducted some studies to determine how the parking will work when buildings H, I and J proceed.

Commenting further on the question of the storage rooms, David Galpin asked the Board to consider removing restrictions on developments in which storage rooms with laundry facilities are truly integrated into the unit. Clearly, in this instance they are legitimate storage rooms and not easily or intended to be converted to other uses.

Discussion

In response to a question from Mr. Adam about the safety issues involved in the location of the driveway, Mr. Ehman explained their traffic consultants have studied the situation and advise it can safely be moved even closer to the corner than shown.

Ms. Leduc sought clarification with respect to maintenance of the "oval" area. Mr. Ehman explained, they want to avoid future strata corporations erecting chain link fences to demarcate their areas, and the approach has been to deal with the separation by way of retaining walls, planter walls, changes in grade, etc. He noted there was some discussion about integrating the outdoor open space for all the buildings, however, the

approach has been to create parcels for each building within the larger landscape. The intent is for each building to have its own semi-private open space. Regarding a play area, Mr. Ehman noted that, with the exception of the non-market family housing, no play areas have been constructed in the Bayshore developments to date. In discussion, Mr. Beasley suggested staff look into the matter because play areas are a requirement for family housing. Mr. Beasley said he was concerned about the amount of open space being allocated to the various users in the courtyard and the way it has been treated, noting the utility of the open space for the subject proposal seems questionable. He wondered if some of the pond area could be converted to hard landscaping to create more usable open space. Mr. Ehman agreed they can compare the usable open space per unit on the balance of the projects in the area and undertake some redesign if there is a shortfall for this building. In response to a comment from Mr. Ehman that the 9 townhouses in this development take a considerable amount of private open space, Mr. Beasley stressed that he fully supported the townhouses and his suggestions would not result in any reduction in open space dedication for the townhouses.

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

Comments from Other Speakers

None.

Panel Opinion

Mr. Bunting said the Urban Design Panel was generally very supportive of this scheme and noted it is a very difficult site to deal with. The Panel thought the architecture of the tower was skilfully done. While some Panel members thought the tower might be helped by some terracing, others thought it had been creatively sculpted in a different way, with its fan shape and terracing of the balconies. Mr. Bunting added, he believed it went far enough to achieve the intent of the guidelines. With respect to the tower's integration with the Bayshore street edge and the open space design to the north side of the tower, the Panel generally thought the water concept was quite successful, as it has been throughout the precinct. The only concern was with the height of the water element, with a recommendation to lower it for better interface with the public realm. The Panel thought the entry could be better articulated. Concerning the parking access, the Panel felt strongly the driveway should be moved further to the south and east. Not only would it address the engineering considerations but also help to articulate the semi-public open space between the tower and the townhouses. It was felt some benefit could be achieved in bringing the driveway closer to the townhouses. The Panel's major concern related to the open space on the project. It was felt that shared semi-private open space among all the buildings would be a better solution, certainly from a design point of view. It was also felt there should be greater integration of open space between the market and non-market housing. The Panel also questioned the flow between the market and non-market townhouses, with concerns expressed that the non-market townhouses will not be as developed and well crafted as the market townhouses. Many Panel members also thought the inclusion of townhouses was inappropriate in this location and given there are no others in the area. In general, however, the Panel was very supportive of the project.

Mr. Hancock said the building massing is quite responsive to its site. The stepping at the top of the building has been reasonably well handled with the change in balcony sizes. With respect to open space, it is consistent with the approved rezoning. However, the surface area of water seems to have increased somewhat and its width might be reduced in favour of more semi-private open space for the tower. He agreed there needs to be a seamless integration of architecture where the market and non-market townhouses meet. With respect to the storage rooms, Mr. Hancock commented that, where there are totally unusable spaces that result in exceeding the minimum it seems punitive not to take advantage of them. He also supported including laundry facilities in the storage area because it ensures it will not be used as habitable space. He agreed the parking entry should be moved eastwards to improve the corner situation. He supported the application.

Mr. Ross said he felt the usable open space is inadequate in this development. He suggested adding a condition to require a review of the open space for building H as compared to the other towers, with design development to increase the amount of usable open space by reducing the water feature at the west edge of the tower. With respect to condition A.1.11, Mr. Ross suggested adding a Note to the Applicant to provide

some guidance as to what is adequate for a play area. Mr. Ross said he was very concerned about the "oval" area and thought its design could cause major problems between neighbours in the future. With respect to the parking access, Mr. Ross said he felt strongly that it should be moved further east, regardless of the traffic consultants' report. He supported the application.

Mr. Scott also supported the application. He had some concerns relating to the play area and the open space. He felt too much space was being given to the water feature which creates barriers. It would be more useful and attractive with less water and more useful open space. With respect to condition A.1.11, Mr. Ross saw no problem with moving the parking entry 6 - 8 ft.

Ms. Leduc said her major concern was with the open space which she did not think would work. She did not think there should be a reduction in the amount of open space for this development, regardless of the adjacent public parks. She agreed there is too much water and it could be hazardous for children. There also must be a proper children's play area. With respect to storage, Ms. Leduc recommended allowing the 3.7 m² FSR exclusion. She supported the applicant's proposal to have laundry facilities in the storage area. She also agreed the parking entry should be moved to the east.

Board Discussion

Mr. Beasley said he was convinced of the need to provide open space that may not at first appear to be necessary, noting the original concept that everyone will mix comfortably in the open space has not proven to be the case. Where usable, defined spaces for different groups have not been articulated it has created conflict. This has led to the approach of using landscape and other measures to at least articulate different spaces for different people. The issue of concern is the amount and utility of the usable open space that is allocated to different groups and this needs to be addressed. It should also be clear that more design development is required to the portion of the open space that is not being considered today. With respect to the townhouses, Mr. Beasley said it is very important for this project to insert some houses with doors and windows on the street to create safety and domesticity. With respect to the juxtaposition of the market and non-market housing, Mr. Beasley said the city has very positive experience of market and non-market housing coexisting very successfully. As long as there is careful design development to relate the two together there have been very few problems. The challenge will be for the non-market component to be designed to a quality that meets the expectations of the neighbourhood and the residents of the non-market housing.

In regard to the parking access, Mr. Beasley said he was not convinced there is only one solution that meets the public needs for safety and provides reasonable access to parking for the development. On the issue of storage, Mr. Beasley said he had some sympathy with the specifics of this application, however, it is not appropriate to redefine the way we calculate floor space for every project in the city. Finally, Mr. Beasley stressed that his support of this application is contingent on the non-market housing conversion being approved by Council.

Given that storage is excluded from FSR, Mr. MacGregor said he was disappointed at the request to relax City policy on storage. He added, the developer can always provide whatever storage he considers necessary to market the units and include that square footage in the FSR calculation. He agreed the policy should not be revisited for every application before the Board. Mr. MacGregor concurred with all Mr. Beasley's comments, with emphasis on the concern about the location of the parking entrance. He was hopeful that a satisfactory solution could be found that does not impact too much on the design but he noted this is a very difficult corner that needs to be treated very carefully in terms of public safety.

Mr. Adam strongly endorsed the Board members' comments.

Mr. Scobie agreed with the comments about storage, adding it is frustrating to see "leftover space" being dealt with by tacking it onto storage space. He noted there are solutions to the issue that may be considered in the future, including mandating a certain amount of storage space rather than providing an incentive to provide it by way of FSR exclusion.

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. 405699, in accordance with the Development Permit Staff Committee Report dated May 30, 2001, with the following amendments:

Amend the **Note to Applicant** after 1.2:

The maximum distance from the curb to the entrance doors ~~should~~ **must** not exceed 15 m to meet fire-fighting access concerns.

Amend 1.3:

design development to the treatment and location of the parking garage entrance on Bayshore Drive, to relocate it ~~approximately 15 ft. further east~~ to improve driver sight lines and minimize conflict between exiting vehicles and eastbound traffic on Bayshore Drive, and to refine its design;

Amend 1.5:

design development to the townhouse roof treatments, including provision of roof decks, if possible, **with proper hose bibs for any landscaped areas**, to improve their appearance when viewed from neighbouring towers;

Amend A.1.11:

design development to the private open space/patio area at the southeast corner of the tower to provide an adequate play area for use by the family units in the project **and to create more usable open space for all residents, at a proportion in line with that enjoyed by other units in the neighbourhood;**

Amend A.2.3 to delete the Note to Applicant;

Add a new condition A.2.4:

arrangements shall be made, to the satisfaction of the Director of Legal Services, for access to the 322 hotel parking spaces for the adjacent Bayshore Hotel;

Renumber A.2.4 - A.2.12 to A.2.5 - A.2.13;

Amend B.1.1 to change A.1.5 to A.1.6;

Amend B.2.1 to change the last word of line three from "of" to "or";

Amend B.2.3:

All trees in accordance with Tree By-law No. 3575 are to be planted prior to issuance of any required occupancy permit or *any* use ~~of~~ *or* occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.

Ms. Leduc left the meeting at this point in the proceedings.

6. 4470 WEST 8TH AVENUE - DE405433 - ZONE CD-1
(COMPLETE APPLICATION)

Applicant: Roger Hughes & Partners Architects

Request: To construct 10 two family dwelling buildings and 7 multiple dwelling buildings containing three dwelling units each, for a total of 41 dwelling units, over one level underground parking.

Development Planner's Opening Comments

The Development Planner, Eric Fiss, introduced this application which was approved in principle by the Board on March 19, 2001. At that time, the Board asked that staff report back on the eight design conditions as well as provide an explanation on the measurement of building height. Mr. Fiss briefly reviewed the conditions and how they have been addressed, as outlined in the Staff Committee Report dated June 13, 2001. The impact of east-facing dormers on Building No. 9 remains an issue. With respect the floor space ratio and height, the resubmission fully complies with the technical requirements of the CD-1 regulations. FSR is approximately 8 percent less than the permitted maximum. The application also complies with height measurements, both in terms of regulations and some of the height restrictions applied at the rezoning stage. Mr. Fiss briefly described how height was measured in this CD-1 zone.

Mr. Fiss then discussed the outstanding issue relating to Building No. 9. The building is set back approximately 26 ft. from the neighbouring buildings on either side of it and 50 ft. from the rear property line. The 26 ft. separation was designed to permit some openness and cross views for the neighbours to the east. With respect to the roof form, the revised submission has created hip gables to bring down the scale of the roof and eliminated the large gable facing the lane, proposing instead two roof dormers. However, staff believe the dormers facing the east should be eliminated, as called for in condition 1.1, noting it was the expectation at rezoning that while there might be two buildings (rather than one now proposed) they would not be more than two storeys high. Mr. Fiss briefly reviewed the conditions, subject to which the Staff Committee recommends approval of the application. He noted the proposal has been revised to substantially address the previous design conditions and has been further improved as a result of the revisions.

Discussion

In response to a question from Mr. Beasley concerning the options previously considered for Building 9, Mr. Fiss said there seemed to be a consensus among the neighbours that one building form would be acceptable if it provided some positive benefits, e.g., additional width of open space and modulations to the roof form. The neighbours also expressed concerns about the proposed gazebo and its deletion is called for in condition 1.2.

Applicant's Comments

Roger Hughes, Architect, addressed the prior-to conditions in the Staff Committee Report. He explained, the gazebo was intended for the use of all residents of the project. However, in recognition of staff's recommendation, they now propose to continue the trellis behind the hydro kiosk and delete the gazebo. The trellis will be high enough to put benches beneath it and create a quiet space for the residents. With respect to the patios of Buildings 8 and 10 adjacent to the properties to the east, the developer agrees to comply with staff's suggestion of carrying the stepped planters into the building and eliminate any patio next to the property line. With respect to Building 9, Mr. Hughes noted they have made considerable changes to the building and think the dormers are set back enough that the overlook problem has been reduced considerably. The distance between the dormers and the closest property to the east is 75 ft. to the centre of the garden and 80 ft. to the house. As well, there are lower gables in front of the upper dormer that will blinker the view down to the neighbouring gardens. Mr. Hughes noted they have already deleted 600-700 sq.ft. from buildings 8 and 10 to make them two storeys. He urged the Board to consider allowing the dormers to be retained, adding it is very much a 2-1/2 storey expression which complies with the original intent of the conditions.

Dave Zelmer, Fred O'Hagan Home Investments Ltd., reiterated that they do not believe overlook is a problem with respect to Building No. 9. The windows are very small bedroom windows and removing the dormer and the bedrooms will decrease the livability of the units. He noted the reductions that have already been made in many of the buildings and said they feel a further reduction in Building 9 would create a hardship on the project.

Comments from Other Speakers

Alan Mackworth said the problems with this project have still not been addressed, the key problem being the failure to appropriately design the transition between the high density development and its neighbours to the east. His concerns were with the design of Buildings 8, 9 and 10, the separation from Buildings 7 and 11, the grade of the land at the eastern end of the site, the proposed gazebo and the hydro kiosk. He described his concerns with the design and stressed his main concern is with Building 9 which is inappropriate for the neighbourhood. He was also concerned that the garage was not fully underground.

In response to a question from the Board, Dr. Mackworth said he supported the conditions, as far as they went. In discussion with respect to Building 9, Mr. Fiss advised the form of development approved in principle by Council anticipated two separate buildings rather than a single building, as proposed. Various forms of development are possible under the by-law but the by-law is silent on the number of storeys. With respect to the lane behind Building 9, Mr. Fiss advised the lane is not be used for servicing the development. With respect to the trellis now proposed in place of the gazebo, Mr. Hughes advised the height of the trellis would be about 7 ft. to allow benches to be installed beneath it. Mr. Beasley commented that the fences at the rear of the single family neighbours seem to be in this height range.

Louanne Twaites, resident in the neighbourhood since 1941, spoke in support of the application. She said the development will greatly add to the beauty of this area and allow older residents to remain in the neighbourhood.

Dalton Cross, 4440 West 8th Avenue, said there were still a few issues to be addressed. He was concerned that the previous condition 1.3 is only being applied to the eastern portion of Buildings 8 and 10. He would prefer to see these buildings set back in their entirety and have the transition begin at Buildings 7 and 11. Mr. Cross supported the deletion of the dormers on Building 9, not so much because of overlook but the ominous appearance of the building. The plain roof form would be much more presentable when looking up towards the building. Mr. Cross said he hoped the elevation change at the lane would be looked at carefully when considering the height of the trellis. He said he was not opposed to a trellis but did not support the gazebo. Otherwise, Mr. Cross said he thought the project was going in the right direction. In response to a question from the Board about the roof dormers, Mr. Cross said he would not oppose skylights, as long as they were subtle.

Susan Balfour-Hunt, 4443 West 9th Avenue, noted the discussions at the rezoning stage stressed the importance of a transition into this area to reduce the impact in change of zoning from RS-1 to CD-1. She said they would prefer to see Buildings 8 and 10 considered as single family buildings as a transition for determining ground level, rather than the whole site. In discussion, Mr. Scobie suggested that dealing with this portion of the site as if it were single family probably would not make much difference in terms of how height is measured from base surface. Ms. Balfour-Hunt supported deletion of the gazebo and supported trellising across the eastern boundary. She was concerned about the hydro kiosk at the eastern end of the lane because of noise and other environmental concerns. She suggested it should be underground and integral to the site. Ms. Balfour-Hunt opposed venting and garbage collection on the eastern boundary. She also questioned the plans for the existing mature trees on the eastern boundary. She agreed with Mr. Cross's concerns about Buildings 8 and 10 being only partially set back. She questioned the bathroom windows on the eastern upper storey of Building 8 which overlook bedrooms in her house. With respect to Building 9, Ms. Balfour-Hunt said the original intent was for two coach houses at a maximum of two storeys. She agreed the neighbours felt it would be preferable to have one building in the centre of the site, but not at three storeys. This building was also intended to be referenced north and south but has been designed on an east-west basis. She supported deletion of the dormer windows in the third storey with a flat roofline. Ms. Balfour-Hunt sought confirmation regarding access and egress during construction and the timing of construction. As well, she sought assurance regarding protection against property damage during excavation. She was also concerned that portions of the garage are above ground.

Mr. Zelmer said the construction trailers will be on the 33 ft. dedicated road, mostly located at the Sasamat Street end. Access to the site will not be adjacent Ms. Balfour-Hunt's home. Mr. Zelmer said the total construction period will be about a year from start to finish, including three months for the below ground work.

Mr. Hughes said a progressive building permit will be sought. Necessary precautions will be taken to keep the site as dry as possible during construction of the underground parking.

Albert Dexter expressed concern about overlook from Building 9; it is massive and invasive of privacy of neighbours to the east. He noted that most of the houses around this property have pitched roofs whereas this development presents vertical lines to the north, south and west. He suggested that slight pitches at the corners of all the walls would not only improve the overall aspect of the site to the neighbourhood but add more light for the adjacent neighbours. Mr. Dexter said this would address the intent of the CD-1 zoning to integrate this project into the neighbourhood. He noted that if this site were developed as RS-1, it would have 11 homes on 30 ft. lots with a north-south orientation.

Dave Coates, prospective real estate purchaser in the neighbourhood, said they like the look of the proposed development but are concerned about being able to get a good sense of the grade. Mr. Beasley noted the grades that will be set by Engineering Services will be quite similar to the finished streets that already exist. The raised portion of the garage is only for a few feet at the east end of the site. Because the whole site slopes upwards most of the parking is actually underground.

In response to the suggestion of chamfering the peaks, Mr. Hughes said he believed it would impact on the FSR and he could not support it. He noted an earlier criticism had been that there were too many east-west ridges on 8th and 9th Avenue so a number of them have been turned to north-south. He added, many of the homes on 9th Avenue, opposite this development, have east-west ridges.

Panel Opinion

Mr. Bunting commended everyone involved in this proposal and said that from a design point of view it is a very well thought out scheme. He endorsed the recommended conditions.

Mr. Hancock also complimented everyone concerned with the project, noting the end result is generally superior. There may still be some opportunities for fine-tuning but in general it is a commendable scheme. With respect to the Building 9 dormer, he suggested there are some ways it could be minimized and it might be worthwhile to look into velux windows to mitigate the mass and solve some of the overlook issues. With respect to the parking, Mr. Hancock said he believed the transition was very gentle. It will also not be seen

because it is behind a fence and concealed with landscaping. In terms of Buildings 8 and 10 as transition buildings, Mr. Hancock said and he believes the transition has been made and pulling the other half of the building back will accomplish very little in terms of extra light. He thought it was worth looking at chamfering the peaks in some areas. He said it might also be worth looking at relocating the hydro kiosk and parking vent at the end of the lane. He recommended approval of the application.

Mr. Ross said he was not convinced that deletion of the dormer in its entirety was necessary; it may be a matter of addressing the scale and perhaps considering north-south facing windows and some skylighting. With respect to condition 1.3, Mr. Ross recommended being more specific with respect to the trellis. Buildings 8 and 10 have gone a long way to addressing the issue of transition, particularly at the eastern edge, and are acceptable. He supported the application.

Mr. Scott said this is a wonderful project and the input from the neighbours will result in an excellent final product. He complimented staff for their efforts in working with the applicants and the neighbours.

Board Discussion

Mr. Beasley said he also believed there has been a very good tailoring of this project from its earliest versions. The buildings do have a single-family-like ambience and a gentle relationship to the neighbouring buildings. Views, overlook, privacy, shadowing and sun access have all been addressed, with trade-offs being reached between the wants of both the neighbours and the developer. Mr. Beasley said he believed the elevation of grade will be seamless and there will not be jarring differences in grade. The height of the buildings has been set to be similar to the height of the similar to the height of the adjacent single family buildings. As well, the way the height is measured will not cause any surprises. Mr. Beasley said the impact of the hydro kiosk and the air vent should be looked into, although he did not believe it was a big problem. The existing mature trees on the site will undoubtedly have to be removed, but hopefully the new landscaping will help. The issue of chamfering the corners of a few of these buildings is something the architect might consider in the final detailing. He moved approval of the application, with amendments to the conditions.

Mr. Adam seconded the motion. Mr. Scobie commented he believes this development will prove to be a far superior neighbour than what might have resulted under RS-1 regulations on this property. He said he was very pleased to see it approved.

Motion

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

THAT the Board APPROVE Development Application No. 405433, in accordance with the Development Permit Staff Committee Report dated June 13, 2001, with the following amendments:

Amend the **Note to Applicant** in 1.1 to add:

but this may be moderated by a reconfiguration of the plan and the use of skylights;

Amend 1.3 to add:

to result in trellising from the rear of Buildings 8 to 10;

7. OTHER BUSINESS

None.

There being no further business, the meeting adjourned at 8.50 pm.

C. Hubbard
Clerk to the Board

F. Scobie
Chair

/ch