

Date: Monday, March 19, 2001
Time: 3:00 p.m.
Place: No. 1 Committee Room, City Hall

PRESENT:**Board**

F.A. Scobie Director of Development Services (Chair)
L. Beasley Co-Director of Planning
J. Forbes-Roberts General Manager Community Services
I. Adam Assistant City Engineer

Advisory Panel

J. Leduc Representative of the General Public
B. Scott Representative of the General Public
M. Mortenson Representative of the General Public
L. Berelowitz Representative of the Urban Design Panel

ABSENT:

D. Chung Representative of the General Public
J. Hancock Representative of the Design Professions
P. Kavanagh Representative of the Development Industry
J. Ross Representative of the Development Industry

ALSO PRESENT:

S. Hein Development Planner
E. Fiss Development Planner
R. Segal Senior Development Planner
M. Thomson City Surveyor

Recording Secretary:

L. Lirette Raincoast Ventures

Item 1701 East Broadway – DE405434 Zone CD-1

Glen Stokes
Graham McGarva
Jim Cameron
Dave Zelma

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

Roger Hughes Roger Hughes & Partners Architects
Fred O'Hagan Owner of Development

Dave Zelmer	Delegate
Peter Kreuk	Delegate

Speakers

Alan Mackworth	4433 West 9 th Avenue
Al Dexter	End house on West 9 th
Bob Brewster	502 West 8 th Avenue
Dalton Cross	4480 West 8 th Avenue
Paul Williams	2388 Sasamat Street
Merrick Sharpe	4358 West 8 th Avenue
Diane Smith	4234 West 10 th Avenue

Correspondence

Dr. Hinda Avery	4528 West 13 th Avenue
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1. **Minutes**

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meetings of February 19, 21, 27 and March 5, 2001 be approved.

2. **Business Arising From the Minutes**

None.

3. **1701 East Broadway – DE405434 Zone CD-1 (COMPLETE APPLICATION)**

Applicant: Baker McGarva Hart Inc.

Request: To construct one new retail/commercial one-storey building and a two-storey retail/commercial building on this site.

Development Planner's Opening Comments

S. Hein, referencing the distributed Development Permit Staff Committee report, introduced the application noting that it had been previously considered by the Board as part of the submission by RTPO covering both the existing and proposed new SkyTrain stations. The "Triangle Site" CD-1 zoning has been expanded and parts previously designated C-2 have now been rezoned CD-1.

An overview of the earlier project that consisted of five separate proposals in the 'Cut' was provided and Appendices E and F of the report, containing minutes of previous meetings at which the proposal was discussed, were reviewed. The Board was informed that the developer for the retail/commercial component has been identified, that the earlier form of development was approved by City Council, and

that this report identifies minor refinements and adjustments primarily to the retail configuration and to address concerns expressed regarding opening up public space.

S. Hein led the Board in a review of the project's refinements. With respect to the retail configuration, it was noted that it is consistently compliant with all technical conditions as before but that any sections that are not compliant have been identified. Where compliance is germane to the present application, conditions have been indicated in the report to guarantee their remedy. The Board was informed that the retail is now located on the project's east and west sides and that several questions regarding height remain. It was further noted that there are still some issues remaining outside of the triangle site itself that do not form a part of the report as there is ongoing negotiations with the province (RTPO) and/or the operator (Translink) to resolve these.

S. Hein proceeded with a review of the three main differences and conditions that remain from the initial application as follows:

1. The easterly component that consisted of a two-storey street wall presence on the Broadway frontage is now replaced with a one-storey frontage. Recommendation 1.1 deals with achieving consistency and increasing the space to match the proposed retail nearby. The developer is exploring some solutions to increase the prominence of the easterly component to more closely match the west side.
2. Recommendation 1.2 is designed to maximize storefront glazing into the easterly retail component noting that a single tenant has been identified to occupy that retail space. The anticipated tenant is a drug store and staff have observed problems with blockage of street wall glazing for display and storage in many drug stores. The condition seeks maximum visual permeability into the area for pedestrians.
3. Recommendation 1.3 calls for design development for greater demising flexibility for the easterly retail component to ensure that if the anticipated single tenant is lost, smaller tenancies along the Broadway frontage can be accommodated.

Discussions include inserting entries, dealing with canopy systems and allow for solutions to present themselves over time. The identified tenant will provide a bustling service in the station area but we also want them to assist in the overall accommodation for retail for the future. One of the challenges will be the rise in the sidewalk of almost 5 feet on the Broadway access, so there is impact for accommodating future access for the physically challenged

S. Hein continued reviewing the DPSC report, commenting as follows:

Condition A.1.7:

There was very detailed work done in the previous report that has not been carried forward satisfactorily. Staff want to ensure public realm quality as you enter the station house through this large canopy. There are several stakeholders involved in discussions regarding how to make this happen and staff need clarification concerning how any solution will be executed.

Condition A.2.2:

Deals with access agreements and other legal agreements specific to Lot J and Lot H that is north of the triangle site.

Condition A.2.2:

Deals with the access agreement that the province and the property owner will enter into to ensure public access for this transit property over time.

Condition A.2.5:

A portion of the large curved canopy (indicated in the drawings with yellow) encroaches five metres beyond the property line, and is 15 metres in the air. Staff would like it resolved before it becomes a truncated form and severing off is required at the property line.

Condition B.2.1

It has been agreed that there will be no provision for off-street vehicular parking or loading. Condition to be revised accordingly to read:

"All approved bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition."

S. Hein advised that the application was not considered by the Urban Design Panel because it was felt that the proposed adjustments, once the developer was identified, did not warrant its reconsideration. Suggestion has been made that this site will not contain sufficient retail to make it viable or as vibrant a pedestrian experience as desired, however, the identified tenant for the east side is receiving a tailor made site and a tenant for the west side is nearly secured, so it is felt that, while there may not be full occupancy, there will be active retail once the station opens.

In response to Board members' questions, additional information was provided as follows:

- Regarding Condition A.2.6 concerning bicycle facilities, the responsibility for these falls with the Province. Drawings contain no space for provision of storage for a minimum of 25 bikes. It is important to note this as a Condition in order to ensure that the action is carried out as the site is built. Ultimately the owner and the province may renegotiate for someone else to complete the task, but it is important to attach the condition to the first permit.
- The subject of signage been discussed for street facing facades..
- Staff want to ensure that there will not be blank walls or glazing which appears opaque. Alternative treatment including "fritted" glass or semi-transparent spandrel glass should be considered.
- Condition A.1.3 discusses future insertion of entries at key points along the Broadway frontage.

- Meetings continue to determine how to resolve the northeast wall in a visually interesting manner. Also, protruding balconies and trellising were options if we consider a restaurant. We would want to capture the views from the Cut without great additional costs in construction.
- Appendix D does pre-date the identification of the retailer, and if the eastern retail site does become available, there is a need for potential future demising.
- Standard Condition A.2.2.(iv), addresses what is now a legal remnant of a now defunct project. The limits of the air space parcel could not be determined by staff because it has not been shown in the drawings and these must be known to complete a review of the project. This is not intended to frustrate the developer, but the limits must be known to identify Building By-law implications. A memorandum of understanding has been reached and the wording agreed to that would allow moving forward on collapsing the air space parcel.

Applicant's Comments

Conditions 1.1, 1.2, 1.3

We are pleased to comply with the intent of the condition and agree to work with staff to ensure both short and long-term visual interest for the wall facing the BNSF "Cut".

Condition A.1.7:

We intend to comply with this condition after we finalize Station House configuration and related public realm treatment.

Condition A.2.2(i):

I do not believe there is a problem regarding the public right of way, there is already public access.

Condition A.2.5:

The large curved canopy is not part of this application and our group does not have jurisdiction, so it will not be part of this application. Undeniably the canopy does encroach as does the overpass that connects the two parts of the station. The purpose of the large canopy is to announce that the primary entrance to the station is located under it, and therefore, it should remain.

Condition A.2.6:

I cannot speak to the bike storage issue except to say that RTPO have drawings that show 24 or 25 lockers at this time within the larger station site.

Mr. McGarva also commented on other legal arrangements noting that they are independent of this application for the retail buildings and indicated his desire to go forward on the construction by the middle of the year to keep pace with the station. He also requested that the Board not put too many conditions on the project given the limited scope of his client's project.

Questions/Comments

In response to a question from a Board member seeking clarification regarding the air space parcel Mr. McGarva advised that the issue should not hinder the application but that does remain an item for resolution. Mr. McGarva has agreed to work with Mr. Hein and clearly mark all of the drawings in a manner to identify those parts of the project under application and those that fall under RTPO jurisdiction. The Board was reminded that the curved canopy is not part of the permit application.

Mr. LeFlufy, RTPO responded to a question related to the 25 bicycle lockers, by saying that in consultation with the City, they will be providing a neighborhood safety office and that the plans call for construction of 24 bike lockers to be placed at the south end of the Broadway station so that they can be fully supervised. This plan is awaiting approval.

With respect to Condition A.2.2.(i), a Board member asked if the access agreements and right of way would be for the station only or whether there would be public benefit. The developer responded to say that there is an existing right of way now, blanketing the entire site until enough of the construction is defined to determine the actual spatial requirements in perpetuity. Mr. Hein explained that it is necessary to attach conditions regarding the right of way and guideway to this application, even though they refer to other planned construction because it is needed to provide access to the buildings and the public interest must be protected.

A Board member also sought further explanation of the glazing issue with the tenant. Mr. McGarva clarified that they will provide as much glazing as possible however the retailer has needs for product storage and security and therefore is requesting opaque glass. There would be opportunities to add glazing if the drug store tenant leaves in the future.

An Advisory Panel member questioned why the permit called for scaling down the easterly component to a 1-storey building instead of 2-storey. The reasons are that a 2-storey building containing a mezzanine floor would become useless space and there is only so much buildable area available. The design of the buildings is at the maximum allowable limit of 1950 sq. ft., beyond which off-street parking and loading would be required.

In answer to a question from a Board member regarding loading facilities, it was clarified that there are two on street designated loading stops. This was seen as efficient given difficulties in trying to build a driveway into the site and backing up traffic to do so. After discussion between the Board and Mr. Hein, it was agreed that having a condition regarding soil assessment is necessary.

An Advisory Panel member queried what the community response was during the consultation process. Mr. McGarva stated that the thrust of the concerns seemed to be that the site contain retail outlets and tenancy. Size of retailers was not an issue. Very definitely there was expression that there not be blank space.

An Advisory Panel member asked what kind of view access of the Cut there would be. The Board was advised that there would be two balconies in the central concourse over the Cut where great views will be seen. Also, improvement of glazing on the north side is being sought, as is framework to provide visual quality of the site as seen from the Cut. It was noted that there would be views from the adjacent

bridge and that the sidewalks would be doubled in width to allow passage but that these street improvements are not part of this application.

An Advisory Panel member also asked for an explanation concerning when the entrance to the station plaza from Broadway was made narrower. Mr. McGarva detailed the need to balance transit movement with retail movement and right of ways relative to the ticket hall, once the elevators had been moved to that area.

Advisory Panel Comments:

Mr. Berelowitz:

There certainly are still issues and conditions that remain. The Urban Design Panel has not had an opportunity to review this application, although the earlier comprehensive project was reviewed and supported by a slim margin of 1 vote. Given the sensitive public interest in this site, reduction in proposed building height at the Commercial and Broadway corner is a step in the wrong direction. Openness and visibility are key issues for the public. He has high expectations that we could make this project unique. The public will view the physical site as one project regardless of the fact that there are many different applications and jurisdictions involved, and to that end it is important to have all design ideas work cohesively and compatibly. No matter whose jurisdiction problems such as the canopy are, they need be dealt with to satisfy the public.

Ms. Leduc:

With all of the points Mr. Berelowitz has raised, perhaps more detailed plans should come back to this Board or at least go to the Urban Design Panel.

Mr. Scott:

Expressed a desire that more attention be placed on the loading zone/area problem and parking. Also, still confused regarding the bicycle locker situation. Who does the plan provide use for: transit users or retail shoppers? There is no clear answer. Despite these comments, felt that the project as a whole looks very good and wished the applicant every success.

Mr. Mortensen:

Personally liked the look of the project. The west concourse looks fine but agreed that the height on the east building is still a problem and that he had expected more view points for the public. The City should require more interesting features for such a large northeast wall. He concurred that the south wall of the east building needs more access. There will be a need to break up that space if the tenant leaves. The City should encourage the applicant to use smaller windows on the northeast wall, knock out panels or peek-a-boo windows to allow for use change in future.

Board Discussion:

Mr. Beasley:

We must remember that this scheme takes the place of a major, intensive development that had been allowed by the previous CD-1 zoning but had been problematic to many people in the community. The current plan for the retail is more or less consistent with the RTPO plan

illustrated at the time of the Development Permit Board review of the current transit station design. However, concerns remain regarding the north wall in terms of its blankness as viewed from across the Cut at the new station and the potential being preserved for more genuine permeability of this wall (glazing, openings and balconies) with future tenants. With this secured, Mr. Beasley expressed support for the application.

Mr. Adam:

The triangle is an important link in the transit system and should have a look that invites travelers inside. Further, the triangle site is a very important site to the community and it deserves to be cleaned up and receive improvements that will attract people to the area. Staff have worked very hard to make the project pay off.

Ms. Forbes-Roberts:

Does not believe that this owner should have to be burdened with the obligation of providing bicycle lockers, however, bicycle parking is a requirement under regular parking bylaws and staff should work to ensure that within time, they are provided somewhere suitable on the site. The blank north wall should be seen as an opportunity to develop an interesting treatment to add interest to the view from the Cut.

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. 405434 as submitted, subject to Council's approval of the final form of development as to the retail components and associated station house refinements, the plans and information forming a part thereof, thereby permitting the construction of a one-storey and a two storey retail/commercial building forming part of the Commercial SkyTrain Station, subject to the conditions recommended in the Development Permit Staff Committee report, with the following amendments:

- A.1.3 add the following Note to Applicant:
"The north facade of the east building should be articulated in terms of landscaping, trellising, public art or architectural treatments to avoid the impact of a blank wall as viewed from across the Cut."
- Delete A.2.5
- Delete the second and third sentence in A.2.6, the amended condition to read:
"Clarification of bicycle parking requirements and provision."
- Add a new condition A.4:
"A.4 Permits & Licenses Department (Environmental Protection Branch)
Comments/Advice:"

- A.4.1 submission of a letter from the B.C. Ministry of Environment, Lands and Parks, regarding the soil assessment and remediation measures, if any, to the satisfaction of the Industrial Waste Control Branch of the Permits and Licenses Department;
- Amend B.2.1 by striking the words “off street vehicle parking, loading and unloading spaces, and”. The clause would now read:

“ All approved bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.”
 - NOTE: Although the canopy in condition A.2.5 is not being considered under this application, the issue covered in condition A.2.5 to be inserted into the text of these minutes for important future consideration.

-CARRIED

Recess

A short recess was called to allow time to observe drawings and models of the next application.

4. 4470 West 8th Avenue – DE405433 Zone CD-1 (COMPLETE APPLICATION)

Applicant: Roger Hughes & Partners architects

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

Development Planner's Opening Comments

Mr. Fiss provided background information concerning the application. The developer plans to construct ten, two-family dwellings and seven multiple-dwelling buildings containing three dwelling units each, for a total of 41-dwelling units over one level of underground parking. Attached to the application are Appendices A-E, containing the Standard Conditions, Plans and Elevations, Design Rationale, View Study and Remassing suggestions to achieve conditions. The Development Permit Staff Committee recommends approval in principle, subject to conditions.

The project site is typical of a RS-1 neighborhood, with typical C-2 retail nearby. An application for rezoning the site to CD-1 was submitted in 1997 and after revision (1999), it was approved by Council with 14 design conditions; to address four general areas of concern raised through public process:

- Maintenance of 'single-family-like' ambience, to meet community concerns;
 - Careful treatment of access for minimum impacts, to meet community concerns;
 - Provision of variety of ground-oriented multiple-family units, to meet GVRD housing objectives;
- and

- Provision for a variety of unit types, to contribute to the City goal of relative affordability.

Notification letters were sent to 658 neighborhood residents, with 23 responses being received; 18 responses outlined concerns that residents felt were not addressed by the applicant, and asked for compliance before permit approval.

The buildings proposed have a FSR of 0.94 and the allowable maximum is 0.90. The plans are approximately 3600 sq. ft. over density limit. The overage is primarily due to the design of underground bulk storage and amenities within the underground parking. A re-design to these areas would allow some of these spaces to be removed from the floor space ratio, and thereby have FSR comply with the limits of the CD-1 schedule.

Referencing Condition A.1.2, it was noted that the applicant needs to comply with height conditions of rezoning, specifically, reduction to 25 ft. for units 1 and 17. Modest reductions to the roof forms would allow the project to comply with height regulations in the CD-1 bylaw. It was further noted that pages 9-12 of the Development Permit Staff Committee Report contain responses to all 14 Rezoning Conditions.

Access to underground parking and garbage collection facilities is proposed from a mid-block driveway exiting onto Sasamat Street. This form of access was supported by Council as having the least detrimental impacts on area residents. Factors considered included loss of privacy, noise impacts, exhaust fumes, headlight glare, garbage collection, traffic impacts upon the existing dead-end lane and potential hazards to cyclists using the 8th avenue Bikeway. The notion of any secondary access via the existing lane has not been pursued in this application. One recommended condition of approval is to adjust the garage ramp height, as a flatter slope would point any headlight glare into the shrubbery and away from residential windows on the west side of Sasamat Street.

Staff Recommendation 1.6 regarding the exit stairwell from the underground parking is to relocate the stair well closer to the lane. Standard Condition A.1.9 is recommended to confirm compliance with safety and security measures for the parking structure.. Standard Condition A.2.6 requires arrangements to ensure pick-up of garbage and recycling containers within the development property and not on the street.

Buildings 1 & 17 are over height according to the technical analysis. Changes to the gable would bring conformity with Staff Recommendation 1.2. Buildings 2 and 16, the corner buildings on Sasamat Street and West 8th and 9th Avenues, have been reduced from the 4-unit multiple dwellings proposed during rezoning to three dwelling units each. However, they exceed the maximum floor area of 5,000 sq. ft. set by Council as part of its rezoning approval..

Staff Recommendation 1.1 recommends roof forms be diversified and the buildings be brought into conformance with the 5,000 sq. ft. regulation. The use of hip gable forms will reduce overages. Buildings 8 and 10 should be adjusted to make their size and look more like the single family homes in the neighborhood. Building 10 is not explicitly addressed in Council's condition pertaining to building 8 but it should mimic building 8; the height of both buildings should be reduced to 2 storeys

and not 3 storeys, to comply with Staff Recommendation 1.3.

Building 9 near the lane in the interior of the site was proposed to be four units at rezoning. The design now calls for only three units with two front doors on the street side and one door on the lane side. Building 9 exceeds 5000 sq. ft, due to the basement inclusion. The setback for this building is adequate. Staff suggest splitting this building into two structures, setting them in line with the garages and resembling 'coach houses'. The notion is for two smaller separate buildings, so as not to interfere with the surrounding resident homes. Emphasis would be to encourage front doors to be oriented north and south, towards 8th and 9th Avenues, to provide more direct street access and to minimize overlook toward homes east of the site. (Staff Recommendation 1.4) Alternatively, with suitable scale and massing, staff believe the option of a single building 9 is achievable.

Site safety and Landscaping features include gates and low hedges. Building materials are very suitable and have added to the residential flavor of this project. Consideration for the specific size of plants are addressed in Standard Condition A.1.14

Staff's general sense is that this project has a very good design, is a high quality project, and that many conditions and issues have been resolved since the last presentation. However, a number of issues remain to be resolved. The Development Permit Staff Committee recommends approval of the application in principle.

Questions

In response to Board members' questions, the following additional information was provided:

- The decision to delete a second (lane) point of vehicular access has addressed the wheel chair resident complaint regarding lane access.
- Standard Conditions A.1.1, A.1.2 are not discretionary, and design development conditions 1.0 – 1.8 (at the front of the report) are at the discretion of the Board. Height is not discretionary in terms of exceeding the CD-1 regulations.
- There is a 50 ft. set back that has addressed the issue of the shadow impact from building 9 on the easterly adjacent homes.
- Easterly adjacent residents appear to support and prefer one building of three units rather than the staff recommended 2 buildings (of 2 units) as long as the structure selected adheres to the 5000 sq. ft. limit. The applicant is prepared to accept the loss of one unit and considerable above-ground floor area, in order to build a superior project that adds benefit to the community.
- Final count on suites will be 41 or possibly 42. Eight seniors units are included but are not identified on the plans. The units will be on one level having outside access without stairs and serviced by an elevator from the parking area. Staff are looking for more confirmation on the drawings regarding washrooms, they do not have to be fully suitable to the disabled but clear details are required before the condition is met.
- Minor adjustments are needed for the roof forms to comply and in some cases bedrooms may have to be moved, but a lot of this will be at the discretion of the developer and shouldn't have a negative impact on FSR.

- Floor area is defined by the zoning and development bylaws. Bulk storage is possible to be excluded from floor area if it is designed to meet criteria, it definitely cannot be unfinished basements. Amenity space must also comply with particular criteria in order to be excluded. This project is permitted allowable amenity space, however, as currently proposed it cannot be excluded from FSR.

An Advisory Panel member requested clarification concerning condition 1.1 and whether two buildings need to be reduced in height from 31 ft. to 25 ft, even though the CD-1 by-law allows up to 31 ft height. It was clarified that the Board has the ability to make this a condition of development application approval notwithstanding that the CD-1 is more permissive, because a condition of rezoning set by Council was that the height be reduced to 25 ft.

A Board member inquired as to what conditions or circumstances led to building 10 being treated with the same conditions under the rezoning as building 8. It was noted that building 10 did not exist during the rezoning application as this portion of the site was occupied by a proposed lane. With elimination of this lane, building 10 now poses the same concerns as did building 8 during the rezoning.

A Board member inquired why this application has received the cautious recommendation from staff of approval "in principle" and not approval simply with conditions. Staff clarified that this project has been sensitive in nature and public scrutiny has led to caution. There are changes still needed but all-in-all this will be a very good quality product when it is built. Mr. Segal added that the look of many buildings would be significantly altered as a result of changes per the recommended conditions and that it is the cumulative number of changes that warrant the cautionary approval in principle. The project still requires the redesign of the two corner buildings, the two interior buildings and roof heights on most of the buildings along 8th Avenue.

Applicant's Comments

Mr. Hughes commented concerning recommended conditions 1.1 through 1.8 noting that the client is seeking to build a complex that is 73,000 sq.ft. This is substantially reduced from an allowable 84,000 sq.ft. The design and scope is therefore modest in comparison with what it could be.

Mr. Hughes further suggested that the corner building does not need to be reduced in mass given that the actual footage is under the allowable 5,000 sq. ft. However, covered porches, attic space, gables and below grade amenities have been factored into the count rather than excluded, as he had been led to believe. This treatment amounts to a penalty and it was argued that the design should be accepted as presented due to its need to fit in with the existing neighborhood and protect its character and ambience. Amenity space and an amenity suite will be redesigned to meet the regulation definition of such areas so as to be removed from the floor area count. Mr. Hughes advised that the client would make the necessary below grade changes to comply with regulations and conditions, but that the client does not wish to change the roof forms.

Further comments from Mr. Hughes included:

- We envision providing a 'Craftsman' style complex using quality materials to produce dwellings that will suit the ambience of the neighborhood.
- There was no intent to be over height; there seems to be a difference when you measure the building from Sasamat Street versus the base plane, because the site drops off.
- The submitted designs include buildings that have a 1-storey and gable on the street side and 2-storeys and rooms in the attic on the building back side. The owner/developer would agree to make building 10 the same as building 8.
- We intend to pursue the alternate design for building 9 contained in the "Note to Applicant" because it has a better feel, and because it causes no overlook: it is 50 feet away and at an oblique angle to the easterly houses.
- We disagree with the second part of Condition 1.3. Our intention is to retain the craftsman style design and to not change the look. Our plans demonstrate that there is no loss or interruption of view.
- Agreed to Condition 1.5 and have provided new drawings to demonstrate.
- Don't see any problem relating to headlight glare because vehicles will be level before they have reached street grade. (As long as cars are level before they reach the sidewalk and start to turn on the sidewalk crossing apron, glare is absorbed by hedges and not resident windows, the city should be satisfied.)
- Drawings have been prepared to show that the proposed configuration surpasses City expectations regarding Senior's units, providing 5 foot radius, bathrooms, kitchens, and entries that are quite appropriate to the elderly, and an increase to 10 units.

Questions/Comments:

In response to further questions from the Board, the following was noted:

- Time delays for the project given the changes proposed today will be 6-10 weeks.
- Neighbouring homes vary in size from 1,500 - 1,800 sq.ft.
- Referring to proposed condition 1.5 and the requirement to increase variety in gable forms, the intention of staff is to seek some variation in the predominant cross gable form and suggested materials, proposed for the buildings on 8th.
- There are some other Craftsman style homes in the neighborhood but they are not predominant. The owner/developer has chosen the style based on his preference and consumer appeal.

Comments from other Speakers

Alan Macworth:

- Lives only two houses away from the development site and has concerns that the review process is being rushed for the benefit of the developer, with no regard for the overwhelming opposition by local residents;
- Principal concern has been with location and massing of structures in what would normally be rear yard or lane space that cause the loss of sunlight and views to and from adjacent properties. Buildings 7, 11, 8, & 10 intrude into areas that on our lots would be our back

yards, and reduce our sunlight and views. There is very little break between buildings, unlike the separation between dwelling and garage as permitted in RS-1;

- Building 9 is 3-storeys high and not 2-storeys as the Council recommendations stipulate. Buildings are 33 ft. high instead of 25 ft., and that makes some roofs 40 ft. higher than my back yard, and the developer wants more 3-storey buildings;
- The promised consultative process didn't happen;
- Shadow analysis should be generated for times when residents are home and enjoying their yards;
- Underground vents and power transformers are noisy machinery and residents shouldn't have to be exposed to this;
- Buildings 8 & 10 should be 2-storeys only and there are no conditions referring to building 10 because it was not in the original application;
- In general, there is more concern given to the developer than to the public, and that is wrong;
- The residents' preference would be for a single building 9 (rather than split into two smaller ones) and the modifications should allow for a light and view corridor from the west. Residents have ample setbacks between our homes and garages and this building should be required to provide the same.
- In response to a request from the Board for clarification of how shadow analysis is undertaken, Mr. Segal noted policy for conducting shadow analysis is to take readings on the equinox (March 21) at 10 a.m., noon and at 2 p.m.
- The provision of a 50 ft. setback for building 9 leads staff to believe that even at 4 p.m. there would be no shadow intrusion beyond the property lines of the site; 6 p.m. there is likely to be intrusion due to the 3rd floor; however, changes to the gables and reduction to 2 floors could reduce all impact discussed.

Al Dexter:

- In its entirety, the staff report details a reasonable statement of non-compliance and this is reason enough for the project not to go ahead until there are more changes.
- The total square footage of the four buildings along Sasamat Street equals 23,000 sq. ft., compared to a typical home in the immediate RS-1 neighbourhood of about 1800 sq. ft. The architects were required to design the look of the development to fit in, and have not succeeded.
- Shadows and views are a major concern. Buildings 1 & 17 create a solid wall of house across Sasamat Street, while residents are forced to have distance between our homes and garages.

- The neighborhood has not been adequately consulted by the developer. Residents feel that there is pressure to give a decision after looking at plans for 2 hours, when the developer had the plans for over a year and did not engage in consultation before today.
- The presentation tonight still does not reflect the developer complying with final guidelines on height that are required before approval can be granted.

Bob Brewster:

- The plans presented tonight are not adequate. There are discrepancies regarding the calculation of grades and height at different areas of the site. Where do grades start and where are they established? The site has received a lot of fill in the northeast corner where it drops off. Appendix B, 2 of 15 (drawing DP-3) shows 6-10 stairs up from the street level to building 10, this amounts to 70 inches before you get to livable space. Some portions of the building are 45ft. above ground. Drawings do not indicate location of elevations. Where building 16 is located the ground immediately drops off 6 ft., if elevation is established here, then all calculations could be very inaccurate. Is there a definition available or clarification of how elevation is established?
- Building 16 is over 5,000 sq. ft. and doesn't fit into the scheme of the area. In addition, it is also larger than a previously rejected design.
- There were supposed to be residents on the committee to review changes, and that did not occur; please make it a condition that residents be made party to any review process, after today.

Dalton Cross:

- Buildings 8 & 10 should be the same in structure and size, ensuring both are no more than two-storeys and are set back in line with adjacent RS-1 houses so as to allow (or not cut off) view corridors and light corridors.
- The developer has indicated a willingness to carry out Staff Recommendation 1.4, but has not offered any updated drawings or models to articulate the change. I would accept the option of one single building as long as the set back were larger, so as not to produce a wall effect, and definitely reduced in size to 2-storey from 3-storey.
- Request that the developer come up with some resolution to the N/S or E/W gable situation as well as shadowing.
- As compared to the RS-1 density allowance, the developer's model only demonstrates an 8-foot separation between what would normally be a house and its garage; a previous notion was to have these houses look like 'Granny Houses'; instead these units looks like one gigantic building;
- As proposed, and compared to 2 normal RS-1 lots flanking Sasamat Street the developer would

have 4 X 5000 sq. ft. buildings across two 30-foot lots.

Paul Williams:

- Lives across from the property on the north side, and still concerned that there will be buildings over 25 ft and larger than 2-storeys.

Merrick Sharpe:

- Lives in the next block of West 8th Avenue.
- Concern is with the gables on 9th Avenue facing Sasamat; the east/west roofs block out my light. A combination of east/west and north/south gables would help to break up the problem.
- The Sasamat street width is now shown as narrowed along the front of the property from its historic 42-43 feet wide, when it was in use as a street-car line, and this will cause traffic congestion.

Diane Smith:

- Supports approval of this application.
- Resides in the area but not adjacent to the property. Looks forward to the large scale of the units and the quality that is being advertised as compared to what is currently on the market if this development does not proceed.
- Considering purchasing one of the units to be able to remain in the neighborhood where she has lived for so many years.

Advisory Panel Opinion

Mr. Berelowitz:

The Urban Design Panel has not reviewed this application, however, in 1997 it reviewed the rezoning application and supported it by a margin of 8-1. The scale and density of this project is appropriate, the quality of material proposed is very good and given the sensitive nature of the area, believed the developer had come a long way to preserve the feel of the area. Therefore, strongly supportive of the general form of development. This project has included a greater variety of units than other apartment complexes nearby. It will be incumbent on the developer to adhere to all of the conditions recommended by staff and respect the concerns of the adjacent residents. This application should be supported and expedited.

Mr. Mortensen:

This application is responsive to the new housing needs of today, while it is clearly more dense than the neighborhood has been historically, it complies with new trends. Buildings 8 & 10 should be made more neighborhood friendly, to satisfy the concerns of adjacent residents.

Believes the developer has to meet all of the conditions of approval recommended by staff and on that basis supports approve in principle.

Mr.Scott:

Supports approval in principle. The developer has accepted all of the conditions. Staff have been very diligent and thorough. Staff recommended alterations based on public consultation with the neighborhood and the project represents a good feeling due to the high quality of materials proposed.

Ms. Leduc:

This application is a very attractive in-fill and the developer should be commended. Seniors will now have a new alternative to leaving the area once they can no longer live on their own, in single homes. The developer has shown intent to meet all conditions. The developer should not be penalized for being over the 5000 sq. ft. limit when it refers to providing elevator service to designated seniors' suites. There is a need to balance out building conditions with adjacent resident sunlight concerns. The developer has complied with stringent parking bylaws for the area. There is little more he could do to improve this project.

Board Discussion

Mr. Adam:

This application has met all challenges in obtaining rezoning approval and is very close to a solution to move beyond this Board. There still remain a few unanswered questions regarding technical calculation of height measurement, roof lines, shadowing, building size, the perception of a wall of roofs, and the lack of resident consultation. Upon agreement to issues and due process he moved approval of this application in principle, subject to design development conditions and standard conditions in Appendix A, and require reporting back to this Board.

Mr. Beasley:

Balancing the needs of the developer and the community is very achievable with the application now in hand, if the staff conditions are met. Calculations of height and floor area should be as per the standard methods used in the Zoning By-law. He suggested an amendment to condition 3.0 to have only the design development conditions come back to the Board with the balance of conditions to be dealt with by the Director of Planning in concert with the appropriate other officials as the conditions specify. This should save some time in bringing the application to a successful conclusion. Further, he expected that all of the revisions yet to be finalized would be discussed with representatives of the residents' committee before a revised submission is concluded upon.

Given the scope of this application, it has been continually improving through the process.. The project is benefitting from a good architect and a client who is providing a quality product. There are projects with lower standards to point to and this client has struggled to meet all concerns of

Council and the community. The view of adjacent residents is important, and consideration of this will ensure that this good project moves towards excellence.

Ms. Forbes-Roberts:

This is a sensitive site and it is worth the extra time to ensure the development scheme not only fully meets the conditions established by Council but involves the community in arriving at the solution. This may mean, for example, additional shadow analysis at late afternoon hours. In any event, both staff and the applicant should more fully engage the community in further evolution of this development application.

Mr. Scobie:

It is relevant to report that this client is not utilizing or taking advantage of full allowances in the CD-1 zoning in all areas, however, it remains for the developer to meet all design conditions established by Council; there is no latitude to move on existing conditions. The alternative of a single building referenced in condition 1.4 is tenuous because it is inconsistent with what Council sought; however, it is likely that Council will accept the proposed solution if the neighborhood also voices support for it. The preponderance of East/West gables in the proposal is an atypical treatment therefore the developer needs to go one degree further in his design. In addition, staff need to ensure that there is active involvement of local resident representatives in the process and review of the applicant's re-submission in response to the conditions established by the Board.

Motion

It was moved by Ms. Forbes-Roberts and seconded by Mr. Beasley, and was the decision of the Board:

THAT the Board APPROVE IN PRINCIPLE Development Application No. 405433 as submitted, subject to the conditions laid out in the Development Permit Staff Committee report, with the following amendments:

Condition 1.1 amended to read:

"1.1 design development to adjust the roof forms of the two 3-unit Multiple Dwellings at the West 8th Avenue and Sasamat Street and West 9th Avenue and Sasamat Street corners (Building 2 and 16), to better reflect the nearby 'single-family-like' ambience, with a maximum floor area of 5,000 sq.ft. in each Multiple Dwelling, to comply with the condition of rezoning;"

Condition 1.4 was amended by deleting the words "Note to Applicant", and inserting the word "or", so the alternative is incorporated into the body of the condition.

Condition 1.5 was amended by deleting the words "with massing comparable to the RS-1 secondary height envelope,"

Condition 3.0 was amended to read:

"3.0 That the applicant's re-submission in response to the "design development' conditions (1.1 through 1.8) be dealt with by the Development Permit Board, at which time staff should also explain the applicant's compliance with condition A.1.2 and how building height has been measured, with the balance of conditions dealt with by the Director of Planning or other officials as specified."

-CARRIED

5. Other Business

5.1 Next Meeting

The next meeting of the Board is scheduled April 2, 2001.

6. Adjournment

There being no further business, the meeting adjourned at 7:30 p.m.

Lance Lirette
Recording Secretary

F.A. Scobie
Chair