

Date: Monday, March 26, 2007
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:

Board

F. Scobie Co-Director of Development Services (Chair)
B. Toderian Director of Planning
B. MacGregor Deputy City Manager
T. Timm General Manager of Engineering Services

Advisory Panel

J. Wall Representative of the Design Professions (Urban Design Panel)
S. Tatimir Representative of the Design Professions
J. Stovell Representative of the Development Industry
M. Braun Representative of the General Public
H. Hung Representative of the General Public
C. Nystedt Representative of the General Public
K. Maust Representative of the Vancouver Heritage Commission (Item #1)

Regrets

D. Chung Representative of the General Public
N. Shearing Representative of the Development Industry

ALSO PRESENT:

City Staff:

M. Thomson City Surveyor
M. Rondeau Development Planner
A. Higginson Project Facilitator

712-1238 SEYMOUR STREET - DE410914 - ZONE DD (COMPLETE)

L. Bengé Applicant

2528 MAPLE STREET - DE410957 - ZONE C-3A (COMPLETE)

N. Baldwin Nigel Baldwin Architect
K. Maust Bastion Development Corp.

Recording Secretary: L. Harvey

1. MINUTES

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of February 26, 2007 be approved with the following amendments:

Amend page 2, first paragraph, fifth sentence, change "1,105' to 511;

Amend page 2, first paragraph, eleventh sentence, change "efficiency" to *deficiency*;

Change "photo tags" on page 6 and page 9, to **photovoltaic solar cells**;

Amend page 6, third paragraph, third sentence to read:

The system will use LED lights and will be used **to simulate rain drops on the building elevation**;

Amend page 8, second paragraph, fifth sentence, change "gird" to **grid**;

Amend page 9, third paragraph, first sentence to read:

Mr. Toderian commended the applicant on the project design;

Amend page 9, in the Motion, change "HSCBC" to **HSBC**;

Amend page 12, seventh paragraph, last line, change "Type 2" to **Type 3**;

Amend page 25, sixth paragraph, second sentence, change "didn't disagree" to **agreed**;

Amend page 25, sixth paragraph, sixth sentence, after "Any impact" add **from shadowing** to read:

Any impact **from shadowing** on existing amenity space like the public spaces around the library should be of concern.

Amend page 26, first paragraph, fifth sentence, after "wasn't necessary" add **to count the daycare as an amenity** to read:

Mr. MacGregor was also concerned in the way the FSR was calculated on the site and thought it wasn't necessary **to count the daycare as an amenity** if the square footage of the daycare had been exempted.

Amend Motion on page 27 to read:

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

Other minor typographical errors were also noted for correction before signature of the minutes.

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of March 12, 2007 be approved with the following amendments:

Amend page 4, second paragraph, ninth sentence, by deleting "*predominately commercial*" and changing to read:

Mr. Segal noted that although commercial is being lost from the Maynard's building it is being recovered in Building "A" which is *predominately residential with commercial fronting West 2nd Avenue and Cambie Street*;

Amend page 9, second paragraph, first sentence to read:

Although Mr. Toderian *commended the applicant for their green roof proposal and noted* it would be disappointing if the applicant moved away from their proposal for green roofs, *he felt it important to emphasize that green roofs were not required by any condition.*

Other minor typographical errors were also noted for correction before signature of the minutes.

2. **BUSINESS ARISING FROM THE MINUTES**

None.

3. **712-1238 SEYMOUR STREET - DE410914 - ZONE DD
(COMPLETE APPLICATION)**

Applicant: Larry A. Bengé

Request: Interior alterations to construct a 180.5 sq. ft. addition to expand the second floor of Suite #712 in the existing Multiple Dwelling/Residential Unit with Artist Studio - Class A building on this site, using a Heritage Density Transfer.

Development Planner's Opening Comments

Mr. Scobie presented the application for Suite 712, being part of a series of applications involving this building "Space" in the Downtown District for heritage density transfers to suites in the building, primarily to remedy unauthorized mezzanine/loft additions. The purchase of the heritage density will be 180.5 square feet from 55 East Cordova Street. The recommendation was for support of the proposal, with advice and comments provided.

Questions/Discussion

None.

Applicant's Comments

Mr. Bengé, Applicant, agreed with the conditions in the Report.

Questions/Discussion

None.

Comments from other Speakers

None.

Panel Opinion

There were no comments from Advisory Panel members. Members confirmed that their absence of commentary could be interpreted as support for the application.

Board Discussion

None.

Motion

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

THAT the Board APPROVE Development Application No. DE410914, in accordance with the Staff Report dated March 26, 2007.

**4. 2528 MAPLE STREET - DE410957 - ZONE C-3A
(COMPLETE APPLICATION)**

Applicant: Nigel Baldwin Architect

Request: To develop this site with a seven storey mixed-use retail/residential building, containing 74 dwelling units, over two levels of underground parking.

Development Planner's Opening Comments

Mary Beth Rondeau, Development Planner, introduced this complete application for a seven storey mixed-use building located at the southeast corner of Maple Street and West Broadway. Retail is proposed on the ground floor on West Broadway with the residential entrance on Maple Street.

All vehicular access will be provided from the lane to improve the pedestrian safety and environment on the street as well as beautifying the streetscape. Continuous weather protection will be provided as well as street trees and landscaping. A ten foot setback is proposed on the corner of Maple Street and West Broadway. The Urban Design Panel suggested adding more landscaping to improve the open space and expand the public realm.

Getting the driveway crossing off the street and using the lane for all traffic movement is the most desirable form of development. Loading will be located off the lane and is intended to be shared by both residential and commercial. It is not expected that there will be need for any significant traffic mitigation measures required as the street and lane system has sufficient capacity to handle the increase. What can be improved is where the sidewalk crosses the lane.

The height of 70 feet is considered an appropriate urban design form for this location as the recently developed buildings along West Broadway in the vicinity are of a similar height. A recent development at the corner of Pine Street and West Broadway was approved at 78 feet.

The massing meets the C-3A Guidelines with the thirty foot high eastern portion of the building allowing for sun access to the north side of West Broadway at the winter solstice.

The design is well resolved architecturally and was unanimously supported by the Urban Design Panel. The design and liveability of the units is well resolved with each unit having a lot of access to daylight. There was a previous development application and a re-submission, that were not supported by the Urban Design Panel.

An amenity building is proposed on the parking podium which reduces the amount of shared open space and staff are suggesting the amenity space be incorporated into the building.

Ms. Rondeau reviewed the recommendations contained in the Development Permit Staff Committee Report dated March 14, 2007. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

Mr. MacGregor asked if there were any plans for a right-of-way along Maple Street to ensure public access to the setback area. Ms. Rondeau replied that staff are not asking for a right-of-way but for the design in the landscaping to be more public.

Mr. Toderian inquired about the intentions for the retail. Mr. Rondeau replied that at this point there were not any retail tenants identified. The units will be small Commercial Retail Units (CRUs) and a change of use would be required for any large retail such as a grocery store.

Mr. Stovell asked if there was any information on declining enrolment in the school. Ms. Rondeau stated that she didn't have any information on enrolment.

Ms. Nystedt inquired about comparable building heights on West Broadway. Ms. Rondeau replied that the building at the corner of Burrard Street and West Broadway was around 70 feet and 10 storeys and the medical building on West Broadway at Yew Street was around five storeys and 50 feet in height. Ms. Nystedt also asked if the City was committed to increasing the density and height along the Broadway corridor. Ms. Rondeau acknowledged that the proposal was consistent with the policy set by Council for redevelopment along the C-3A portions of Broadway.

Mr. Braun asked if there were any discussions on the quality of the lane regarding landscaping. Ms. Rondeau replied that there will be a two-to-three foot setback with a continuous hedge along the wall to break up the blankness of the façade. Ms. Rondeau added that the lane landscaping will be typical for a C-3A development.

Mr. Timm noted that achieving the maximum density for 3 FSR was relatively common in C-3A applications and that the heights would depend on the sub-area of C-3A. Mr. Timm asked if the height varied in this location of West Broadway or was it just the street wall that varied. Ms. Rondeau replied that the street wall massing varies although the guideline height of 70 feet has different massing east and west of Maple Street, as portrayed in the Staff Committee Report. The C-3A zoning is continuous along Broadway but the accompanying, Council-approved guidelines change at Maple Street from "Central Broadway C-3A Guidelines" to "Broadway-Arbutus C-3A and 2000 block West 10th Avenue Guidelines". She added that the zoning is for

buildings of up to 3 FSR and with a height of 70 feet and the massing of the proposal was not out of line with what the guidelines suggest.

Mr. Stovell asked if staff had asked to reduce the parking from 120 to 80 parking spaces. Mr. Thomson replied that Condition A.2.7 suggests there is an opportunity to reduce the parking as there are more spaces than what is needed per the current Parking By-law. He noted that there is no maximum amount of parking specified in the By-law.

In replying to a question from Ms. Nystedt, Ms. Rondeau stated that a new, six-storey building at the corner of Burrard Street and West 1st Avenue did achieve the maximum density under C-3A zoning.

Mr. Hung asked when the traffic study was done for the area. Ms. Rondeau replied that it was done a year ago and staff believe the analysis and conclusions to still be accurate.

Mr. Scobie questioned the perspective offered in the Staff Committee Report regarding C-3A conditional approvals and inquired about the last dozen or so C-3A applications that have come before the Board. Ms. Rondeau stated that only one (the Canadian Tire/Best Buy development) did not seek 3 FSR as the project didn't have any residential and included parking on the roof which counted in the density for 2 FSR; all others achieved 3 FSR. Mr. Scobie noted it was rather unusual for an applicant to develop according to the outright density and height regulations as opposed to seeking conditional approval for increased density and height. There is an opportunity for approval and mandatory issuance of a development permit as long as the applicant sticks to the 1 FSR and 30 feet. Those are unusual approvals because most applicants seek the 3 FSR and the height in accordance with the Council-approved guidelines.

In replying to a question from Mr. Scobie, Ms. Rondeau stated that the guidelines applicable to C-3A west of Maple Street were reviewed as a consequence of the Home Depot rezoning inquiry and the community was involved in the process of revising the guidelines when Council choose to increase the height from 50 feet to 70 feet.

Mr. Scobie, referring to Appendix D, page 4 of 24, asked if the diagram was a fair representation of the guidelines. Ms. Rondeau replied that it presents a massing schematic that complies with the letter of the guidelines.

Applicant's Comments

Nigel Baldwin, Architect, noted that the Arbutus Lands development contain five mid-rise buildings that have a similar form and massing. He added that it wasn't unusual in the Arbutus area to have similar mid-rise buildings that are urban and straight forward in their design. Mr. Baldwin thought the delight in the proposed building was the sixth and seventh storey element that is broken down into individual unit-wide boxes with spiral staircases rising to the roof.

Mr. Baldwin had concerns with two of the conditions recommended in the Staff Committee Report. The first was the Maple Street setback. He agreed that it was a good way to provide open space against a retail street noting there would be a double row of trees, despite the single row shown on the submission. Mr. Baldwin thought that residential would be a good use for the south half of the Maple Street frontage but had no interest in doing residential if it was hard up against the public realm with no intervening soft, semi-private space, as he thought they would be unsuccessful units. He stated that if the City required a public, ten foot strip, then retail or commercial would be the best use in that location. He added that they have had some interest from the Vancouver Resource Society to acquire the two suites as wheelchair accessible units.

The other concern was regarding the amenity space. Mr. Baldwin was surprised at the proposed condition as they had proposed the pavilion in the back which was well received by the Urban Design Panel. He suggested finding an alternative method for increasing semi-private space without losing the pavilion. Another reason for having the pavilion on the lane was to provide a low scale, fun piece that the bigger building hides behind. He suggested adding to the Note to Applicant the opportunity to explore other ways to increase semi-private open spaces without removing the pavilion. If the pavilion stays, then Condition A.1.2 needs to be reworded to allow relaxation of the horizontal angle of daylight. He added that he will also require a relaxation for the unit behind the loading bay which has a fairly high wall against it.

Mr. Baldwin stated that he would not want to move the loading bay closer to the lane as it would require a total reconfiguration of the parking to make the connection to the elevator and stairs. He added that there would probably be less screening on the loading bay on the lane than with it recessed as proposed.

Mr. Baldwin was concerned about reducing the parking by 16 spaces and asked the Board to consider a lesser amount of around eight or eleven cars, with some flexibility regarding further discussions with Engineering. He noted that two-thirds of the units have generous two bedrooms and there are marketing concerns regarding offering less than two parking spaces.

Mr. Scobie noted that there was no maximum parking provision in C-3A. Mr. Thomson replied that the condition was to reduce the parking and the number 16 appears in the Note to Applicant because that number works with the current design. He added that if the applicant asked for 11 to 16 less parking stalls, staff would be satisfied with that amount. Mr. Scobie noted that it was a recommendation but not a consideration item for the applicant to reduce the parking, as presented in the Staff Committee Report.

Questions/Discussion

Mr. Braun asked why there was a condition for reducing the parking when there wasn't a maximum. Mr. Thomson replied that parking falls under purview of the conditional approval of the application. He noted that approximately 1/8 of households do not own vehicles, 5/8 of households own a single vehicle and 1/4 of households own two vehicles. The calculations indicate a number for somewhat less than the indicated 101 spots for this proposal.

Ms. Nystedt noted that there are fifty, two-bedroom units and asked if they would be marketing the development to families and if the applicant was aware of the school attendance figures for the local elementary and high schools. Ms. Maust replied that they would be marketing to families and that the school next to the site was a French immersion school and draws from greater Vancouver. Ms. Maust was unable to confirm the attendance numbers for the schools.

Mr. Toderian asked what sustainable measures would be included in the project. Ms. Maust replied that they would not be seeking LEED™ registration but are using the LEED™ checklist and thought they would get to a strong silver condition. They are actively looking into using geothermal for heating the building as well as heat recovery from the retail and are also exploring adding solar panels on the roof to run the house (common area) lights.

Mr. Toderian noted that the at-grade lane experience was a bit harsh and asked if there were more opportunities to activate, enliven and make safer the lane experience. Mr. Baldwin noted that there is a severe grade problem as the lane is significantly higher than West Broadway. A continuous hedge is planned along the concrete wall. He added that having the

pavilion on the lane was another reason for keeping it as it will add more "eyes on the lane". Also, the Urban Design Panel suggested using different coloured concrete.

Mr. Scobie sought further clarity on using geothermal and heat recovery. Ms. Maust replied that their mechanical consultant was currently working on the costing, noting that if it became cost prohibited they might have to reconsider, but at the moment it was their intention to work towards using geothermal.

In response to a question from Mr. Scobie, Mr. Baldwin confirmed the items raised by Processing Centre - Building, Fire and Rescue Services (Appendix C) are resolvable without substantively affecting the proposed building design. Mr. Scobie reminded the applicant that there will be a new Building By-law in affect as of May 1st and if the building permit had not been issued by then the proposal would have to comply with the new By-law.

With respect to the suggested configuration for commercial signs relative to the elevation of the residential floor above, Mr. Scobie asked how the retail would be separated from the residential. Ms. Maust replied that it would be done by a regular strata plan.

Mr. Timm asked if there was a solution to increase the amount of open space and public access along Maple Street. Mr. Baldwin replied that his proposal was to maintain the ten foot setback with a double row of trees and have some of it as semi-private space.

Mr. Timm inquired about Condition A.2.9 regarding the on-site loading for residential use, noting there wasn't a requirement in the Parking By-law. He noted that if there wasn't access for the residential then the loading would happen in the lane which will impact the neighbourhood. Mr. Baldwin replied that there wasn't an easy way to get access to/from the residential lobby from the commercial loading bay. Residential loading would probably occur from Maple Street, not the lane. He agreed that he could put a door in the back of the lobby or provide a Class A parking space for a panel van in the underground parking near the elevator core.

Mr. Timm asked if the intent of moving the amenity pavilion was to increase the amount of outdoor amenity space and what was the amount required. Ms. Rondeau replied that staff was asking to move the pavilion to increase the outdoor space. The standard for shared open space is generally 50 sq. ft. per residential unit and this project proposes only 20 sq. ft. per unit. Ms. Rondeau added that staff are asking the applicant to get as close to the 50 sq. ft. as possible.

Ms. Nystedt asked if it was less attractive for marketing the units if fewer parking spaces were included. Mr. Baldwin replied that it was a concern in a softening real estate market. He was also concerned that if enough spaces weren't provided it may stress the street parking in the neighbourhood.

Mr. Hung asked if any excess parking proposed could be transferred to the retail or used for visitor parking. Mr. Thomson replied that the retail and visitor parking had already been included in the calculation. There will be eight visitor stalls for residential use with the retail parking also being customarily available for use off hours.

Comments from other Speakers (19)

Mr. Scobie asked the Board if they wished to establish a time limit on the public delegation. Mr. MacGregor suggested encouraging the speakers to stay within five minutes. Both Mr. Toderian and Mr. Timm supported the suggestion.

The following delegations spoke in opposition to the application:

Veronica Ross
Leigh Jones
Doug Brown
Karen Hoffman
Francie Panet-Raymond
Gayle Gavin
Carol Woods
Greta Eygel
Lolly Bennett
Patricia Oswald
Marilyn Kalman
Kerry Tanm
Patrick Oswald
Bill Raikes
Kathleen Cassidy
Margaret McGann
Paulette Spacil
Ben Van Snellenberg
Gerald Evans

The comments included the following points:

- Will increase traffic in the area;
- Concern regarding the safety of the children in the neighbourhood;
- Too much planned density on the site;
- Building too high and does not reflect the surrounding neighbourhood;
- Liveability and enjoyment of the neighbourhood;
- Concern regarding the view impacts;
- Don't believe the site has earned 3 FSR;
- Will degrade the pedestrian realm;
- Already too much traffic in the lane from traffic avoiding the Broadway and Arbutus Street intersection;
- Would rather see four storeys, not in favour of the extra height;
- Doesn't fit in with any of the surrounding buildings; and
- Doesn't fit in with the character of the neighbourhood.

In replying to a question from a speaker, Mr. Scobie noted there was discretion available to the Board to permit anything beyond 1 FSR in density and beyond 30 feet in height. Guiding the Board are Council-approved guidelines and to a certain extent those guidelines express what Council expects to see happen provided certain considerations are satisfied. Those considerations are expressed in the zoning and guidelines and they deal with things like shadow impacts, views, the amount of open space and impacts on traffic. Those are the issues that led staff to conclude that this project was one that should be approved. The Urban Design Panel also unanimously supported the project in its assessment. If the Board gives its approval then the only recourse for opposed neighbours is to say the guidelines Council has established to guide the discretion of the Board on this site, and on other sites that share this same set of guidelines, are not the ones the neighbourhood would like to see. That would be an issue for Council to address. If felt it was a priority, Council could then ask staff to revisit those guidelines.

Mr. Timm noted that property is bought and sold based on its highest and best use under the zoning that applies. It has a value which takes into account the reasonable potential to build 3 FSR and up to the guideline height if the developer meets certain criteria. There is a reasonable expectation for that land value because that is what the zoning has determined can be built on that land. The Board ensures that the proposal meets the guidelines that allow it to achieve the density and height. This is not land speculation or a rezoning but a developer who has a reasonable expectation, based on the zoning and the guidelines that Council has approved, that they will be able to build up to 3 FSR and 70 feet in height.

Mr. Timm stated that commentary telling the Board how this development does not meet the specific guidelines is relevant for consideration before the Board. The seven points listed on page 6 of the Report are the guideline criteria that the Board will consider in order to decide whether or not the developer has met the guidelines necessary to achieve the density of 3 FSR and the height up to the guideline levels.

Mr. Toderian asked if shadowing was an issue relative to the public realm. Ms. Rondeau stated that the shadow study was taken at the equinox and meets the policy. She added that at the 30 foot height there would be no shadowing on the north sidewalk.

Mr. Toderian noted the proposal does not directly affect the adjacent site that currently includes the IGA and BC Government Liquor Store. He added that when a future application does come in he would expect to have a deep and meaningful conversation about the future of the food store and the site with the community.

Mr. Toderian asked staff to comment on traffic in the neighbourhood. Mr. Thomson replied that the neighbourhood was one of the more studied neighbourhoods in the city and had gone through traffic calming. A lot of study had been done on the previous application for this site as well as for the Home Depot proposal. The traffic study clarified that the street and lane networks in the area could handle the impacts of the development. Mr. Thomson noted that there has been a reduction in the vehicle load on the city streets as people move closer to their work places. He added that the 74 units will yield in the peak hours somewhere in the range of 20 to 25 trips.

In acknowledging a comment from the public, Mr. Toderian noted "zoning creep" would mean zone changes. This is not a rezoning application and there is no request by the applicant to increase the site's density potential. The applicant is working at making an application within the purview of the existing zoning.

Mr. Toderian stated that he often struggles with residents saying that they weren't listened to and he added there is a distinction between listening and agreeing. He said he had a lot of respect for community members who come and state their concerns. Mr. Toderian noted the Board has to weigh everything that is heard in the context of everything else including zoning By-laws and Council policy. He added that the Board always listens but in the end they may not agree with the community. Mr. Toderian suggested the community may wish to participate in the current EcoDensity exercise.

Mr. Timm stated that one of the ways to improve or live with the increased traffic is for the City to increase density in areas where it is associated with transit and in areas where there are alternatives to driving and to particularly bring residential development closer to transit along arterial streets without displacing commercial opportunities. All of that is built into the C-3A Zoning and Guidelines, to maintain the kind of commercial space on the ground floor and to allow the introduction of residential and to put people in places where they can live and

work. One of the busiest transit routes in the city is on West Broadway. There are also two bike routes as well as traffic calming having been done in the neighbourhood to protect the local street.

Mr. Toderian asked if the area was identified as a problem regarding drivers short-cutting through the lane and if further traffic calming measures were perhaps necessary. Mr. Thomson replied that he hadn't had a conversation with either the traffic management or neighbourhood transportation staff in Engineering Services. There had been a lot of work done in the area of West Broadway and Vine Street that looked at a broader neighbourhood traffic calming exercise. He added that he had no knowledge that this neighbourhood was impacted any greater than other neighbourhoods as a result of short-cutting traffic. He added that he will have staff look to see if the traffic calming has caused some unintended problems.

Panel Opinion

Mr. Wall stressed that the project had both unanimous support from the Urban Design Panel and also had no substantial concerns raised which was not typical for the Panel. There were some minor comments about the corner plaza treatment as the Panel thought it should be enhanced, which is reflected in Condition 1.1. Mr. Wall thought the Panel would also agree with the applicant that it was important to maintain the residential use along the southern Maple Street frontage and was important to keep the semi-public buffer proposed adjacent to these dwellings. There do seem to be opportunities to improve the Maple Street public realm by providing a wider sidewalk, a double row of trees and perhaps a piece of public art or a public amenity such as benches or other considerations that relate to the community. The Panel also had some concern about the retail and Condition 1.3 would help to address that concern. The Panel was excited about the open space relationship to the proposed interior amenity space pavilion. The project has an artful design and it would be unfortunate and would go against the comments of the Panel if the amenity pavilion was lost. Mr. Wall suggested additional open space could be provided above the loading. He would like to see Condition 1.2 be more flexible so that the applicant could explore different ways to provide additional open space. Mr. Wall added that the Panel offered very little commentary on the density as it was thought from an urban design point of view to be of a high quality and to fit into the neighbourhood. Mr. Wall noted the previous development on this site included a gas station and the Finlandia Pharmacy and had a certain traffic impact. He thought the new development would balance off the old conditions regarding traffic. He reiterated that the Urban Design Panel was very supportive of the project.

Mr. Tatomir supported Condition 1.1 noting that he liked the architectural design of the building. He thought the consideration for adding an art feature was not necessary. Regarding Condition 1.2, Mr. Tatomir thought the amenity pavilion should remain in its proposed location. Mr. Tatomir suggested adding more colour to the building and making the lane more liveable. He liked the idea of having residential on the corner of the lane and Maple Street. Mr. Tatomir suggested the applicant rethink the enclosed balconies on the 5th and 6th floors. He would like to see a wider walkway in front of the residential area along Maple Street and suggested removing the greenery so that the walkway could accommodate wheelchairs. He would also like to see a different pavement in front of the residential entry as well as the area surrounding the retail corner at Maple Street and West Broadway. Mr. Tatomir would like to see more design development and attention to detail on the building. Mr. Tatomir noted that more and more people are moving to Vancouver and he thought City staff were doing a good job in planning on how the density was spread throughout the city. He also thought that the neighbours may not have received enough notification and would like to see more consultation with the public. Mr. Tatomir supported the design of the building and the conditions recommended in the Staff Committee Report.

Regarding Condition 1.1, Mr. Stovell agreed with the applicant that there needs to be semi-private space in front of the residential units on Maple Street although he thought they could also be live/work units. Regarding Condition 1.2, Mr. Stovell agreed that the amenity pavilion should remain in its proposed location as it activates the patio as well as providing more eyes on the lane. He supported minor revisions to the retail height as noted in Condition 1.3. Regarding parking spaces, Mr. Stovell agreed that it was appropriate to reduce the parking as the area is well served by transit. Regarding Condition A.2.8, Mr. Stovell thought it was a good idea to look more closely at the lane crossing and to make it as safe as possible. He agreed that more detail needs to be done on the lane elevation. Mr. Stovell noted that it was important to provide places for people to work and live in the city which contributes to job growth and sustainable living.

Ms. Nystedt stated that her family has lived in the Kitsilano neighbourhood for ninety years and regularly uses the IGA and surrounding retail. She noted that the neighbourhood had changed and suggested the traffic calming measure should be revised. Ms. Nystedt felt there was a massive disconnect between the public views and the City staff Report and would like to have seen more public consultation. Ms. Nystedt was encouraged by the development as it will have a large number of two bedroom units for families. Ms. Nystedt noted that it is City Council's policy for more density across the city. She noted that EcoDensity was Council's policy and what was being proposed in the application did not fall outside the scope of the policy. Ms. Nystedt thought that bringing in more people to the neighbourhood would bring in more cars and the cumulative density was going to affect the neighbourhood. She would like to see public amenities as a result of increased density that are transportation related. Ms. Nystedt would also liked to have seen LEED™ Gold attempted rather than Silver but added there is a sense of sustainability and green factors built into the building. Ms. Nystedt stated that the site had been vacant for a long time and it was inevitable that there would be a new building on the site and a four or seven storey building would still impact the views. She noted that the city is growing and will continue to create more congestion for people and reiterated that improved public transportation should be addressed as part of density. Ms. Nystedt thought the proposal was an appropriate development for the location.

Mr. Hung liked the architectural design of the building, particularly the spiral staircases. Mr. Hung had concerns regarding the notification process to the neighbours and suggested staff look at making sure the general public was more thoroughly informed in the future. He agreed that the city was growing and would like to see more improvement to the transit system to get people out of their cars and using transit. Mr. Hung encouraged the public to be more involved with the overall planning policies adopted by City Council. Mr. Hung stated that he would not support the design until a traffic plan was looked at by city staff.

Mr. Braun recommended approval as the development meets the C-3A guidelines. He thought the streetscape was in line with the other buildings on Broadway. He noted that it was a large development and suggested the applicant do everything possible to respond to the neighbours. Mr. Braun suggested adding a condition that requires the applicant to carefully look at the treatment of the lane. In terms of the amenity pavilion, Mr. Braun recommended the Note to Applicant in Condition 1.2 not be changed because the amenity room provides a significant overlook onto the yards across the lane. He thought it was important that all the landscaping be completed as indicated on the landscape drawings. Mr. Braun thought the building was an attractive design and the injection of colour was unique and interesting. In terms of responding to the traffic and parking, Mr. Braun noted that schools and grocery stores cause a considerable amount of traffic and thought the traffic wouldn't be increased that much as a result of the development. Mr. Braun agreed with the applicant that the interface on Maple

Street should stay as proposed with residential and the semi-private spaces. Mr. Braun thought east of Arbutus was the commercial heart of Broadway and he was concerned that not enough commercial space was being retained as new development seems to be mostly residential.

Board Discussion

Mr. Toderian thanked the members of the public for their attendance and sharing their comments with the Board. He stated that it was important to make the distinction between being heard and being in agreement. Mr. Toderian noted that the Board has to make their decision based on Council policy and guidelines. The decision about four storeys versus seven storeys, 1 FSR versus 3 FSR was made a long time ago by the elected Council. Mr. Toderian addressed several concerns made by the public delegations including children's safety, traffic and the design of the building. He noted that Council had recognized the special character of Kitsilano. The Broadway corridor is one of the areas in the city that Council has identified to accommodate density. Council changed the nature of the density to make it more discretionary and to make sure it was done well. There are many other arterials throughout the city where three or four storey heights have been specifically identified by Council. The Broadway corridor, whether it is in Kitsilano or in any of the other neighbourhoods, was seen by Council as an important place for density.

Since this is not a rezoning application it is not the same as in other situations where Council has set policy regarding negotiations for community amenities in return for density. The EcoDensity initiative presents an opportunity to have more discussions regarding community amenities. There are lots of people who are unable to afford to live in the neighbourhood and the development will give more people the opportunity to live in the neighbourhood.

Mr. Toderian was concerned about the suggested lack of notice to the neighbourhood noting that city staff didn't intend to be disrespectful. There are standard practices regarding the area of letter notification and it is taxpayer's money being used to send out the notification letters.

Mr. Toderian moved approval of the application with several amendments to the conditions.

Mr. Toderian encouraged the applicant to embrace all aspects for sustainable measures. Regarding community consultation, Mr. Toderian realized there were a number of unsatisfied neighbours and suggested there be more candour with the community. Mr. Toderian thought the application had met the test for 3 FSR and commended Mr. Baldwin for his architecture. He added that he thought it was exceptional architecture and was about as good as 3 FSR could be done. Mr. Toderian agreed with the applicant's request for flexibility regarding design development. Regarding an art feature, Mr. Toderian thought it was necessary and would enrich the open space. Mr. Toderian felt there should be more open space but would leave it to the applicant to come up with a solution. Mr. Toderian encouraged the applicant to look for additional ways to de-emphasise the upper floors. Regarding the enclosed balconies, Mr. Toderian thought they followed the Balcony Enclosure Guidelines.

Mr. MacGregor agreed with Mr. Toderian's comments. He acknowledged the public delegations for expressing their concerns, noting the Board makes their decision based on the Zoning By-laws. Throughout the city as density increases, traffic has impacted many communities. The Engineers deal with that every day and try to implement traffic control measures which need to be adjusted from time to time. Mr. MacGregor thought it would be a good idea to have Engineering staff look at the traffic conditions to see if any changes could be implemented that would relieve some of the congestion. This site's location is excellent for transit with a bus stop around the corner from the residential entry. Mr. MacGregor didn't think the

development would make the traffic worse in the community. He thought the project was appropriate for the area and provided a substantial setback on the lane and appropriately massed the density along West Broadway. Mr. MacGregor would like to have seen more commercial space but in terms of the location felt the applicant had done an excellent job. One of the more positive aspects of the development was the number of two bedroom units.

Mr. MacGregor had some concerns regarding reducing the parking. He noted that if there was not enough parking in the development people could end up driving throughout the neighbourhood and parking on the street which could become a concern to the neighbours. Mr. MacGregor thought there should be a public right-of-way for the portion of the site along Maple Street to prevent future Strata Councils from putting up a fence and blocking the area. Mr. MacGregor supported the proposal and seconded the motion for approval with several friendly amendments. The amendments were accepted by Mr. Toderian other than Mr. MacGregor's proposed change to Condition A.2.7. Mr. Toderian thought the staff and the applicant should continue to find the right number regarding the reduction of parking spaces.

Mr. Timm appreciated the time the public delegations put into bringing their comments and concerns regarding the application. Mr. Timm realized that it was a difficult situation when policy meets reality. He added that the discretion that was left to the Board was well outlined in the Staff Committee Report.

Mr. Timm stated that he believed the proposal had met the guidelines. He noted the application was similar to previous applications approved by the Board. With regards to the Maple Street frontage, Mr. Timm agreed with the applicant regarding the importance of the separation and interface of the residential units and thought commercial extending to the lane would be a mistake. He added that having residential units would make for a good transition into the adjoining neighbourhood. He suggested creating more public space at the corner of Maple Street and West Broadway by creating a corner bulge.

With regards to parking, Mr. Timm didn't believe the amount of parking that exists in residential buildings would influence transportation behaviours in the future and that the proper provision of transit alternatives was going to make the biggest difference. He encouraged the public to participate in the EcoDensity discussions. Mr. Timm noted there is a strong move in the City at the policy level to set the basis for the C-3A Guidelines and to put this amount of residential density on arterial streets further throughout the city. It is at this level that the discussion needs to take place so there is a consensus in the community about how to deal with densifying the city as a way to deal with sustainability. Mr. Timm supported the other recommended amendments made by Mr. Toderian and proposed a friendly amendment to the motion which was accepted by Mr. Toderian.

Motion

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

THAT the Board APPROVE Development Application No. DE410957, in accordance with the Staff Committee Report dated March 14, 2007, with the following amendments:

Amend Condition 1.1 to read:

design development to the Maple Street setback promenade to provide a more public treatment, *including, if technically feasibility, the installation of a corner bulge on*

Maple Street at Broadway, to widen the sidewalk by narrowing the pavement on Maple Street, and to increase landscaping and an improved street interface;

Amend the preface in the Note to Applicant in Condition 1.1 to read:

Note to Applicant: *Although flexibility for creative design solutions should be embraced, this might be achieved by:*

Amend the Note to Applicant in Condition 1.2 to read:

Note to Applicant: This may be achieved *in several ways*. *One option may be* by relocating the amenity building so that it is incorporated into the building on the east side of the podium. The area of open space created should be programmed for use by residents and could contain active and/or passive areas. Consideration should be given to providing resident garden plots in a portion of this area and to providing edible landscaping. (See also, Standard Condition A.1.16) Relocation of the amenity building will also bring the second floor units currently facing the building into compliance with the Horizontal Angle of Daylight regulations (See Standard Condition A.1.2). *Other options can and should be considered.*

Delete the Note to Applicant in Condition A.2.7;

Add a new A.2.13 to read;

Suitable arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for an establishment of a public right-of-way over the public portion of the Maple Street setback.

Re-number A.2.13 to A.2.14;

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

Amend the Note to Applicant in Condition 1.2 to read:

Note to Applicant: This may be achieved in several ways. One option may be by relocating the amenity building so that it is incorporated into the building on the east side of the podium. *Another option may be to provide additional public open space above the loading bay.* The area of open space created should be programmed for use by residents and could contain active and/or passive areas. Consideration should be given to providing resident garden plots in a portion of this area and to providing edible landscaping. (See also, Standard Condition A.1.16) Relocation of the amenity building will also bring the second floor units currently facing the building into compliance with the Horizontal Angle of Daylight regulations (See Standard Condition A.1.2). Other options can and should be considered.

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

Amend Condition A.1.2 to read:

Failing satisfactory compliance with Condition 1.2, compliance with Section 4.10 (Horizontal Angle of Daylight) of the C-3A District Schedule;

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

Amend Condition A.2.7

consideration of a reduced residential parking provision, to be closer to the minimum requirements of the Parking By-law for the C-3A District;

Mr. Scobie noted there seemed to be a disconnect between the City and the public. There is a very complex regulatory framework in the city particularly in terms of its zoning and he didn't begrudge the residents of the city for not understanding it. The public comes in contact with it when a proposal surfaces in their neighbourhood. He realized that the public doesn't readily differentiate between a rezoning proposal and a development application. What bothered him the most was that when it came to talking about the process the public who appeared as delegations had already left the meeting and he felt there was no chance to bridge the disconnect. He added that he didn't think the residents appreciated the amendments Council made to the guidelines in 2004 for the area between Maple and Vine Streets. He noted the guidelines prior to the Council amendment in 2004, suggested a height of 50 feet and Council increased it to 70 feet. Mr. Scobie wondered how the increase came into effect without the community understanding the change.

Regarding the enclosed balconies, Mr. Scobie suggested creative exploitation of the Balcony Enclosure Guidelines should be tempered with projects that are now entering the discussion stage and wouldn't suggest waiting until there had been a change in the actual policy.

Mr. Scobie added that the proposal should not be considered under EcoDensity as it hasn't yet affected the C-3A zoning. It is only going to be EcoDensity when sustainability and green building requirements and other related aspects are developed as policy and brought into the regulatory framework to deliver not just density to a community but additional benefits as well. He added that he hoped the public didn't leave the meeting thinking the project was EcoDensity.

Mr. Scobie commended Bastion Development on doing a good job but thought the credit went to their selection of a creative architect and the skill he brought to the proposal. He congratulated Bastion Development for making the decision and Mr. Baldwin for his talents.

5. OTHER BUSINESS

None.

6. ADJOURNMENT

There being no further business, the meeting adjourned at 8:07 p.m.

L. Harvey
Assistant to the Board

F. Scobie
Chair