

Date: Monday, March 3, 2003  
Time: 3.00 p.m.  
Place: Committee Room No. 1, City Hall

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**PRESENT:****Board**

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

**Advisory Panel**

W. Francl	Representative of the Design Professions (Urban Design Panel)
J. Hancock	Representative of the Design Professions
P. Kavanagh	Representative of Development Industry
E. Mah	Representative of Development Industry
C. Henschel	Representative of General Public
J. Leduc	Representative of General Public

**Regrets**

D. Chung	Representative of General Public
M. Mortensen	Representative of General Public

**ALSO PRESENT:**

M.B. Rondeau	Development Planner
A. Higginson	Project Facilitator
A. Di Nozzi	Assistant City Surveyor

**2483 Spruce Street**

W. T. Leung	W. T. Leung Architects
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Clerk to the Board: C. Hubbard

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## 1. MINUTES

Mr. Beasley requested a clarification amendment to his comments at the top of p.8, to read as follows:

... It is likely that stays of longer than a month are defined as residential; even though they are temporary, month-to-month residential. While they may be marketed as a long-stay hotel, under the City's laws they are still defined as residential. If this is the case, the bonus cannot be justified and the density would be over the by-law allowance.

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of February 17, 2003 be approved as amended.

## 2. BUSINESS ARISING FROM THE MINUTES

None.

## 3. 2483 SPRUCE STREET - DE407180 - ZONE C-3A (PRELIMINARY APPLICATION)

Applicant: W. T. Leung Architects

Request: To construct a ten-storey mixed-use building comprising retail use on the ground floor and residential use, consisting of a total of 68 dwelling units, on the 2nd through 10th floors, with two levels of underground parking having vehicular access from the lane.

### Development Planner's Opening Comments

The Development Planner, Mary Beth Rondeau, presented this preliminary application in the C-3A zone. The site is at West Broadway and Spruce Street and the proposal is for a 10-storey residential building with commercial use on the ground floor off Broadway. The residential entry is off Spruce Street and a generous 11 ft. slope on the site from the lane to Broadway allows for parking and loading to be conveniently located off the lane at the westerly end of the site, away from public view. The C-3A zone permits an outright density of 1.0 FSR and height to 30 ft. The maximum allowable density may be relaxed to 3.0 FSR, and the Central Broadway C-3A Guidelines suggest a maximum height of 120 ft. The proposal seeks 3.0 FSR and 108 ft. at the rear and about 100 ft. at the front. As well, the proposal is significantly slimmer than the guideline example since it does not include the wider mid-rise massing that the guidelines suggest. Referring to posted diagrams, Ms. Rondeau briefly reviewed the view analysis. She then briefly reviewed the main conditions of approval recommended by the Staff Committee.

Staff generally support the proposed massing and seek slight slimming of the tower to further improve views through the site. Ms. Rondeau advised that the primary public benefits provided by this proposal are its massing resolution and the 15 ft. setback on Spruce Street which enhances view access down Spruce Street to the north, noting a 12 ft. setback is already provided on the adjacent Real Estate Board building. Improvements to the treatment of the setback are sought to make it publicly accessible, as well as to bring the commercial use out to the 15 ft. setback. Lowering the residential entry is also recommended, to avoid terracing and stairs in the setback. With respect to the treatment along West Broadway, staff recommend adding a storey to achieve a minimum 30 ft. streetwall for a sense of street enclosure. Improvements to the semi private open space are sought by raising it for improved sun access, and architectural resolution is sought in response to comments made by the Urban Design Panel.

The Staff Committee recommendation is for approval in principle, subject to the conditions contained in the report dated February 19, 2003.

**Questions/Discussion**

In response to a question from Mr. Timm concerning condition 1.1, Ms. Rondeau confirmed that the requested notching of the tower massing refers to the entire height of the tower.

Mr. Beasley sought clarification as to why the application does not seek the maximum height allowable, with a much slimmer tower massing. Ms. Rondeau explained that view impact is a consideration; as well, the proposal is considered to fit quite well in the context. A higher building would also have greater shadow impact.

**Applicant's Comments**

Wing Ting Leung, Architect, said he is confident they can meet all the conditions recommended by the Staff Committee. However, he requested some adjustment to conditions 1.1 and 1.7 to be less prescriptive. He noted that the redistribution of the massing that will result from a deeper retail space and a second storey streetwall on Broadway will necessarily reduce the upper floor area and produce a slimmer building. He said the current proposal for eight units per floor will likely be reduced to seven units per floor. With respect to condition 1.7, Mr. Leung said they understand the desire to improve the resolution of the retail - noting this will occur at the complete stage in any event - but he requested that the Note to Applicant be amended to delete reference to the Spruce Street setback. He suggested that the tower anchoring at the corner would be a stronger architectural resolution.

In response to Mr. Beasley's earlier question about why the application fails to seek the maximum height and a slimmer tower, Mr. Leung explained that, in 1994, the development to the west was reduced in height by the Board of Variance so that the elevator penthouse is within the 120 ft. height limit. Based on this experience, a similar resolution is sought for the subject proposal, taking into account potential view impacts for buildings to the south. Mr. Leung added, their preference would be for a higher building given the view potential from this Broadway location.

With respect to the semi private open space, Mr. Leung said their experience with buildings to the west is that patios work very well when they are on the roof of the podium, with the lower patios on the lane being largely landscaped viewing areas. If the retail is extended in depth by about 60 ft. and a second storey of residential is added along Broadway, this would produce a series of three roof terraces. The lower terrace, about 8 ft. above the lane, would be a landscaped viewing area with limited sun access. The second terrace would allow some activity but the main activity would be on the second floor roof, with good sun access. Mr. Leung confirmed that lowering of the residential entry and amenity areas can be achieved.

**Questions/Discussion**

With respect to condition 1.1, Mr. Beasley agreed there are many ways to achieve a slimmer building but thought it would be important for the neighbours to have some security about the slimming at the corners, regardless of the floorplate size. Mr. Leung distributed updated view photographs, stressing they understand the need to be sensitive to the southerly neighbours' views and believe it can be addressed.

In response to a question from Mr. Scobie regarding Appendix C, Mr. Leung confirmed he believes they can deal with the issues raised by the Processing Centre - Building and Fire & Rescue Services.

**Comments from Other Speakers**

Dr. Paul Molund, resident of West 11th Avenue (8th floor), said his existing views will be directly affected by this proposal, in particular those to False Creek and beyond. He suggested the posted photographs are misleading because they are wide angle views. Dr. Molund said he was generally concerned about the prospect of a wall of buildings along West Broadway, and about the introduction of more cars into this already congested area. He noted that he and his immediate neighbours did not receive official notification from the City regarding this proposal. As well, noting the applicant has indicated the building is intended to be for rental accommodation, Dr. Molund questioned whether there is demand for rental suites at this time, or for more retail space on West Broadway.

Regarding notification, Alison Higginson, Project Facilitator, explained that two signs have been displayed on the site since mid December 2002. Notification letters were sent to 634 neighbouring property owners on December 17, 2002. The notification area was the typical one block radius around the site.

Ms. Rondeau confirmed that staff were informed the developer intends the building to be for rental accommodation, although it will not be secured for rental. Mr. Leung said the intention is to strata title the building prior to occupancy. In discussion, Mr. Scobie said he does not believe there is a surplus of residential rental accommodation in Vancouver and the City has been encouraging the development community to provide more rental suites. In this case, it will be up to the individual strata lot owners to decide whether to rent the units, both residential and commercial.

Commenting on Dr. Molund's concerns about view impact, Mr. Timm noted there is also potential for development on the south side of West Broadway. He suggested Dr. Molund's concern relates more to the C-3A zoning and the City's guidelines and intent for development in this area. He stressed that the Development Permit Board is obliged to work within the zoning and guidelines approved by Council. In general, Dr. Molund said he would prefer to see a limited number of towers permitted on any block. As well, he said he would prefer a wider and lower building on this site, rather than a taller, slimmer solution. In discussion, Ms. Rondeau said it is not envisaged there will be a higher tower form on the adjacent lot to the west.

With respect to parking, it was noted the proposed parking exceeds the required minimum.

Kerry Bevington, third floor resident of 10th Avenue between Alder and Spruce Streets, was concerned about view impact. Mr. Scobie briefly explained that the C-3A zone does allow a maximum 3.0 FSR, but this must be earned by demonstrating that the building responds appropriately to the Council-approved guidelines. In discussion, Ms. Bevington said she would prefer a lower and wider building because the height blocks view.

Mr. Morrison, third floor resident of West 10th Avenue (close to Spruce Street), indicated support for the comments of the previous delegations and expressed concern about increased noise and traffic congestion in the area.

Mr. Timm noted that the City is attempting to address some of the city's traffic congestion problems by encouraging mixed use development such as this so that people can live and work in the area. He suggested that much of the traffic congestion in this neighbourhood relates to commuters from outside the area. The meeting briefly adjourned for Board and Panel members to review the model and posted drawings.

In response to an earlier question from Mr. Beasley concerning the potential massing of the building with the recommended changes, Ms. Rondeau suggested it would result in a reduction of about 10 ft. in tower width. Mr. Leung said the tower floorplate will be reduced by approximately 400 sq.ft. per floor (about 15 percent, noting this may not equate to a 15 percent reduction in width).

#### **Panel Opinion**

Mr. Francl advised the recommended conditions are a fairly good reflection of the Urban Design Panel's commentary. He supported amending conditions 1.1 and 1.7 to be less prescriptive, and concurred with the architect's wish to mass the tower successfully to the ground at the corner. With respect to narrowing the tower, Mr. Francl said it might be worthwhile to explore how slim the tower could become if another storey is added, noting that, in general, slimmer towers are more attractive. He acknowledged the tower will be somewhat narrower with the recommended adjustments. He supported approval in principle with the complete application returned to the Development Permit Board.

Mr. Hancock commented that most of the views being obstructed are from the third floor and below of buildings to the south, albeit from a higher ground plane, and that to distribute this density in a lower building form would still result in a five or six storey building. He suggested a better solution would be for a taller, narrower building, with the sculpting as suggested. He supported the proposed conditions and recommended approval in principle, with the complete to be returned to the Development Permit Board.

Mr. Kavanagh concurred with the previous speakers. He recommended amending the Note to Applicant in condition 1.1 to be less prescriptive about the notching called for, and with deletion of the Note to Applicant in 1.7. He recommended that the complete application be dealt with by the Director of Planning.

Mr. Mah encouraged exploration of further slimming of the tower. He supported rounding and notching of the Broadway and Spruce corner treatment as described by the applicant. He also agreed with Mr. Kavanagh about being less prescriptive in the Notes to Applicant in 1.1 and 1.7. He supported approval in principle, subject to the conditions.

Ms. Leduc recommended approval, with amendment to conditions 1.1 and 1.7 as discussed. She said she would like to see further slimming of the tower and an increase in height. She suggested this development might set a precedent for future development if it is found to be an appropriate response.

Mr. Henschel agreed with the comments made so far. He questioned whether conditions 1.4 and 1.5 might be in conflict, suggesting that if there is a trade-off to be made he would prefer to see a single storey along West Broadway in favour of greater sun access on the terrace.

#### Board Discussion

Mr. Beasley said it is essential that this building be slimmed to improve views for the residents who have addressed the Board as well as others in the neighbourhood. He stressed that for residents on lower floors, the narrower this building is, the better it will be, because a wider building will eliminate almost all of their view. Mr. Beasley concurred with staff that the applicant must maximize the amenity benefit of the setback as a rationalization, in part, for achieving the maximum density on this site. He said it is essential to re-mass the lower element of the building to achieve a deeper retail space and to improve the open space above it, noting the addition of another storey along West Broadway will further improve this space in terms of noise attenuation. Mr. Beasley commented that he looks forward to this building reaching Mr. Leung's typical high architectural standard and he expects to see this at the complete application stage. As well, to fully achieve rationalization for the density and height being sought, the detailing and materials must be of very high quality, in keeping with the adjacent Real Estate Board building to the north (although not replicating its materials).

Mr. Beasley moved approval in principle. With respect to condition 1.1, he stressed that he will expect significant reduction in the tower massing in view sensitive areas. Regarding condition 1.7, he noted he expects the retail to continue around the corner. In recommending exploration of a taller, slimmer tower, Mr. Beasley urged the applicant to share the results with the neighbours so that they can judge the pros and cons for themselves before the application is returned to the Board for final consideration.

Mr. MacGregor agreed with Mr. Beasley's comments. He stressed there is considerable development potential between this site and the neighbours on 10th Avenue, which could have far greater impact on their views.

#### Motion

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

THAT the Board APPROVE IN PRINCIPLE Development Application No. 407180, in accordance with the Development Permit Staff Committee Report dated February 19, 2003, with the following amendments:

Delete the **Note to Applicant** in condition 1.1;

Amend the **Note to Applicant** in condition 1.7 to delete "up to the Spruce Street setback";

Add 1.8:

design development to consider potential to achieve a significantly smaller floor plate for the tower and therefore a significantly slimmer building, by making the habitable building height closer to the guideline maximum of 120 ft.

CARRIED UNANIMOUSLY

**4. OTHER BUSINESS****C-3A Statistics**

A summary of Development Permit Board approvals in the C-3A District since 1981 was distributed for information. In discussion, the Board agreed that, in recent years, staff have been very vigorous in identifying the public benefits of projects that seek the maximum height and density in this zone.

**Board of Variance**

On two recent occasions, Board members have attended the Board of Variance to provide information on Development Permit Board's approvals of applications subsequently appealed. In discussion, it was agreed that appearance by Development Permit Board members at the Board of Variance should not be routine and attendance determined on a case by case basis only. It was noted that Development Permit Board decisions are rarely overturned by the Board of Variance.

**Video presentation to the Board**

A request has been received from a member of the public to show a short video to the Board in relation to an upcoming development application before the Board. The Board agreed that this would be acceptable, provided it is made clear that the presentation will be time limited. More time may be permitted if a delegation is speaking on behalf of others, who would then forfeit their right to address the Board.

**Videotaping of Board Proceedings**

The Board agreed that the adopted minutes are the official record of Development Permit Board meetings and video recordings are inappropriate and will not be permitted at this time.

**Board Procedures**

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

THAT the Board APPROVE the Development Permit Board Procedures dated 2003 02 17.

CARRIED UNANIMOUSLY

There being no further business, the meeting adjourned at 5.15 pm.

C. Hubbard  
Clerk to the Board

F. Scobie  
Chair

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