

Date: Monday, May 28, 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	Director of Current Planning
B. MacGregor	Deputy City Manager
D. Rudberg	General Manager of Engineering Services

Advisory Panel

T. Bunting	Chair, Urban Design Panel
J. Hancock	Representative of the Design Professions
P. Kavanagh	Representative of the Development Industry
J. LeDuc	Representative of the General Public
M. Mortenson	Representative of the General Public
J. Ross	Representative of the Development Industry
B. Scott	Representative of the General Public

ABSENT:

D. Chung	Representative of the General Public
----------	--------------------------------------

ALSO PRESENT:

R. Segal	Senior Development Planner
A. Molaro	Development Planner
M. Thomson	City Surveyor

Item 3 - 401 Helmcken Street - DE405652 - Zone DD

C. Brook	Brook Development Planning
F. Rafii	Rafii Architects Inc.
S. Howard	S. Howard Architects

Recording Secretary:

R. Ratslef	Raincoast Ventures
------------	--------------------

CALL TO ORDER

A quorum being present, Chair Scobie called the meeting to order at 3:07 p.m.

1. Minutes

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting held May 14, 2001 be approved with amendments noted.

- CARRIED

2. **Business Arising From the Minutes**

None.

3. **401 Helmcken Street
(PRELIMINARY APPLICATION)**

Applicant: Brook Development Planning

Request: To construct a six-storey office building with two levels of underground parking for 61 vehicles, and a 26-storey multiple dwelling, consisting of 167 units, with three levels of underground parking for 185 vehicles. The proposal includes a heritage density transfer of 1,672 square metres (18,000 sq. ft.).

Development Planner's Opening Comments

Ralph Segal, Senior Development Planner, referencing the Development Permit Staff Committee Report dated May 2, 2001, posted drawings and a model, introduced the preliminary application for 401 Helmcken Street and discussed the application in the context of the surrounding neighbourhood.

Mr. Segal provided further detail concerning the conditions in the Report, particularly concerning residential livability, semi-open private space, and the scale of the lane elevation. Comments were also offered concerning the applicant's request for a transfer of 0.5 FSR in office density for this site, coming from 626 West Pender, a heritage bonus that has been approved in principle by Council. Staff are seeking a full acoustic assessment and anticipate that this will likely lead to the inclusion of a mechanical ventilating system for units on the lane so that windows can remain closed to reduce noise and still allow for proper ventilation. The relocation of sleeping rooms to be as far from the lane as possible is also recommended.

Mr. Segal introduced a proposed revision to Condition 1.5 of the Development Permit Staff Committee Report dated May 2, 2001, to add (c), as follows:

"(c) raising the ground floor elevation along the westerly edge of the Helmcken Street frontage to be closer to the elevation of the adjacent grade;"

Staff recommend approval in principle of the preliminary application, however, because there are concerns with respect to resolution of livability and semi-private open space it is recommended that the complete application also be reviewed by the Development Permit Board.

Questions

In response to questions, Mr. Segal clarified that staff are comfortable with the requested 50% increase in office floor space and that staff have reviewed Council's related policy in this regard. Concerning the distance between the buildings on the site, clarification was offered that the guidelines request an 80 ft separation between buildings that are 70 ft or higher. In this application staff are regarding the 73.5 ft

building as a low-rise, and, given the harsh lane circumstance, are requesting a minor set-back although this is not normally requested for low-rise buildings.

Information was also provided regarding staff's rationale for recommending standard engineering condition A.2.5. The applicant was requested to consider the possible relocation of transformers on the site, preferably underground, if necessary to maintain the required distance from overhead utilities.

Applicant's Comments

Chuck Brook, Brook Development Planning, commented concerning the application noting the applicant's view that it is an interesting and appropriate response to the surrounding context. Clarification was sought concerning how the applicant can substantially increase the quantity of the open space as referenced in condition 1.1. Mr. Segal commented on some possible space opportunities behind and over top of loading and exit areas. On the basis of this explanation, Mr. Brook advised that the condition is acceptable to the applicant.

With respect to a pedestrian oriented public realm, Condition 1.5, Mr. Brook advised that the applicant has the opportunity for a 2,000 sq.ft. restaurant and, with a relaxation to allow for an additional 1,800 of retail, for a total of 3,800 sq ft. of retail. It was noted that the Downtown South guidelines allow a maximum of 2,500 sq.ft. maximum on corner sites in an otherwise non-retail district. Clarification was offered that more active uses of the street front commercial gym would be more interesting. Staff clarified that the Board could invoke the "hardship" clause for the requested relaxation, but did not support this, suggesting that the applicant pursue an increase via rezoning if that is their desire.

Concerning the phasing of the development, Mr. Brook advised that it is the intention of the applicant to move forward with a complete development application for the office component, followed shortly by the residential component. The two elements will be developed and separately owned but with significant collaboration. The applicant will come forward at the complete DE application for the office component with interface details for the residential component to give the City confidence that there is collaboration.

Mr. Brook advised that, given the explanations offered concerning conditions 1.1, 1.3, and 1.5 the applicant has no concerns with the conditions and requested that consideration of the development permit be referred to the Director of Planning rather than require Development Permit Board review. Concerning Condition A.2.5, the applicant agreed that following discussion of the matter with BC Hydro, the information could be relayed to the Board, including an estimate of the cost for undergrounding.

Comments from Other Speakers

Chair Scobie called three times for comments from members of the audience and there were no members wishing to speak.

Board and Panel members reviewed the model and posted materials.

Panel Opinion

Mr. Bunting advised that the biggest concern of the Urban Design Panel regarding this application pertained to the quality of open space for residential and office, and suggestions to improve the access to the space and to increase the roof-top component. With the exception of one member, the Panel supported the lane massing presented. Also, there was a suggested material change or set-back on the upper floor to be expressed on the lane elevation and the Panel commented on the lack of highlighting the different uses. It was questioned whether the design of the office and residential components should be more uniform or more different, and suggested that there could be continuity at the street level with a greater differentiation in the identity of the two masses above the ground floor in terms of architectural design.

Mr. Hancock indicated his support of the application, commented that particular attention to Condition 1.1 is necessary, and noted his strong support of Conditions 1.7 and A.2.5.

Mr. Ross commented that the application handled the transition from old to new Yaletown very well in terms of its massing and character. He strongly recommended that the application come back to the Board to review its refinements, particularly with respect to Conditions 1.1, 1.2 and 1.4. Notwithstanding this, Mr. Ross indicated his support of the preliminary application as presented.

Mr. Kavanagh agreed that the proposal coordinates the old and new elements of Yaletown nicely, noted that it is finely modeled on Helmcken and Homer Streets, and recommended its approval. With respect to Condition 1.5, Mr. Kavanagh indicated that he would like to see staff work with the applicant to resolve the issue of street animation. Also, given that the applicant expressed confidence that they could meet the conditions in the Report, Mr. Kavanagh supported the complete development application being dealt with by the Director of Planning.

Mr. Mortenson expressed support for the application as presented and encouraged the developer to seek animated use at the street level. With respect to Condition 1.1, the applicant was encouraged to seek both improved access and increased area for open space amenity as much as possible.

Mr. Scott indicated support of the application and encouraged the applicant to pursue the underground utility opportunities suggested along the lane, and suggested that this would make for a much better development.

Ms. Leduc recommended approval of the application, and concurred with the suggestion for underground utilities. She further suggested that the City should initiate negotiations with BC Hydro to reduce the associated costs if possible given that, considering earthquakes, disasters, etc., there is reason for them to be underground. Ms. Leduc further indicated that she would not like to see the gym located at the street front in the office component of this application.

Board Discussion

Mr. Beasley commented that the level of detail and resolution in the application is generally good and indicated that it was a very good response to the Downtown South concept and guidelines. He suggested that there is some justification for the extra office area, but noted that it is important that it work well and not diminish the intent of the guidelines to create a residential area. While the preliminary scheme

doesn't achieve this, the staff report conditions do. Mr. Beasley further noted that the relationship of the office and residential buildings is not very well resolved and needs to be carefully worked out between the applicant team and staff, and indicated his support for the development permit coming back to the Board.

Mr. Rudberg indicated his support that the application is an appropriate response to the site and agreed that the development permit should come back to the Board to ascertain how well the architectural team has worked together to resolve the site.

Motion

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

THAT the Board APPROVE IN PRINCIPLE Development Application No. 405652 as submitted, the plans and information forming a part thereof, thereby permitting the construction of a six-storey office building with two levels of underground parking for 61 vehicles, and a 26-storey multiple dwelling, consisting of 167 units, with three levels of underground parking for 185 vehicles, subject to the conditions outlined in the Development Permit Staff Committee Report dated May 2, 2001, with the following amendments:

- Condition 1.5, add item (c) as introduced by Mr. Segal;
- Condition 1.7, rewrite as follows:
“design development to diminish the apparent scale of the lane elevation of the office building.”
Note to Applicant: This may be done by stepping the upper floor level back and/or by differentiating the facade at this upper level lane elevation.”
- Condition A.2.5, rewrite as follows:
“drawings to clearly show location of all wood utility poles and overhead transformers in the lane, ensuring that they satisfy utility separation requirements and do not obstruct access to loading or parking and, if so, arranging for their relocation.”
Note to Applicant: Consider placing all utilities underground and bring an estimate back in regard to this at the time of the complete application.”

- CARRIED

4. Other Business

4.1 Application Review Process

Chair Scobie informed the Board of recent staff discussions concerning the role of preliminary applications. Since the requirement for preliminaries was first introduced, the nature of submissions has significantly progressed and more information than was previously expected from preliminaries is being provided by applicants. Because of the increased level of detail, reviews of preliminaries are also becoming more and more detailed, thereby lengthening the approval process. As such, question has been raised regarding the role of preliminaries, the appropriateness of the amount of staff analysis that is being undertaken and whether the level of detail is necessary.

Discussion ensued during which members of the Board and Panel offered general comments, including:

- the level of detail in preliminaries is largely being determined by applicants who may require approval of a certain level of detail to proceed with financing arrangements and marketing,

- therefore the needs of applicants need to be understood before a change in the process is considered;
- question whether the distinction between preliminary and complete applications should be eliminated with the level of detail submitted dependant on applicants' needs;
 - question whether the level of staff review is too detailed at the preliminary stage thereby resulting in a lengthy processing and review time frame;
 - suggestion that conditions of approval in the Appendix to the Staff Committee Report (The A and B conditions) could be standardized and less specific to speed the processing time;
 - question regarding the implications of eliminating preliminaries in terms of public process;
 - suggestion that applications should not be considered at the complete stage if they have not met the conditions and considerations of the preliminary review; and
 - need to review the fee schedule to ensure that it is appropriately structured to recover costs.

In response to questions, Chair Scobie provided information regarding the length of time it takes for an application to proceed from the preliminary to complete stages and reported regarding staff's efforts to shorten the process that would somewhat compromise the time allotted for reviews.

Members of the Board and Panel agreed that some contextual information would be helpful in further consideration of the matter.

Request of Staff

Staff was requested to provide additional information for further discussion of this matter at a future meeting, including earlier and current examples of application processing time and staff resource allocations, background policy and fee schedule information, and the pros and cons of considering last minute drawing submissions.

In further discussion, the need to consult with industry was reiterated. It was suggested and agreed that members of the Urban Development Institute, who are involved in the City's development application process on a regular basis, be invited to attend the Board's meeting at which the matter will be reconsidered, to add their comments to the discussion.

As a final comment, a Board member noted, concerning Condition A.2.5 of the application at today's meeting, their struggle with its appropriateness given that there is inconsistency in the applications and the requirement is not referenced in the bylaws.

4.2 250 Howe Street

Mr. Rudberg requested a status report regarding the application for 250 Howe Street. In response, Mr. Segal advised that Director of Planning had considered and approved the application based on a previously Board approved development permit that had been kept active by the applicant.

5. Adjournment

There being no further business, the meeting adjourned at 4:59 p.m.

Rae T. Ratslef
Recording Secretary

F.A. Scobie
Chair