

Date: Monday, June 1, 1998  
Time: N/A  
Place: N/A

**PRESENT:**

Minutes  
Business Arising from the Minutes  
1238 Seymour Street - DE403131  
Other Business

**Board**

F.A. Scobie, Director of Development Services  
B. Taylor, Director of Office of Cultural Affairs  
I. Adam, Assistant City Engineer

**ALSO PRESENT:**

**City Staff:**

R. Segal, Development Planner  
M. Kemble, Development Planner  
N. Peters, City Surveyor

**Item 3 - 1238 Seymour Street - DE403131**

Amalia Liapis, Representing Patrick Bohne and Mervyn Vidler

**CLERK TO THE BOARD:** Carol Hubbard

**1. MINUTES**

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of April 20, 1998 be approved.

**2. BUSINESS ARISING FROM THE MINUTES**

None.

**3. 1221 Seymour Street - DE403244 - DD  
(COMPLETE APPLICATION)**

Applicant: Amalia Liapis

Request:

To construct minor loft space additions to two existing residential units in this tower.

To receive an additional 260 sq.ft. (along with previously-approved transfers, totalling 6.86 percent of permitted density) of heritage density bonus floor area transferred from the former Vancouver Public Library site (750 Burrard Street), pursuant to Section 3.12 of the DODP By-law

**Development Planner's Opening Comments**

The Development Planner, Mike Kemble, presented this application. The original development application for 1238 Seymour Street ("Space") was approved in March 1994. Subsequently, a number of illegal additions were made to some of the loft spaces, which prompted Council, in May 1997, to direct staff to strictly enforce Building By-law requirements and order the removal of non-conforming loft units. In June 1996 and in October 1997, the Board approved heritage density transfers totalling 10,031 sq.ft. which allowed some loft units to be legally approved. The subject application will allow a further two units to be legalized. The amount of floor space still available for future transfers amounts to about 4,700 sq.ft. Mr. Kemble noted a correction to the technical analysis on p.2 of the Staff Report, namely that previous density transfer is 0.33 FSR, for a total proposed FSR of 5.34.

The application has received a preliminary review by the Building Code Review Branch although a complete review will be required at the building permit stage. Staff recommend that the Board approve the application subject to the conditions outlined in the report dated June 1, 1998, with the addition of A.1.7 relating to the adjustment of permitted FSR for 750 Burrard Street from which the density is proposed to be transferred.

**Discussion**

With respect to condition 1.1 of the report, Mr. Scobie questioned whether details relating to access stairs and railings should more properly be part of the building permit review as opposed to the development permit stage. The Development Planners agreed it could be left to the building permit stage. Given this application relates to two specific suites in the building, Mr. Scobie cautioned that their associated strata lot numbers should be properly identified in the development permit documents.

**Applicant's Comments**

Ms. Amalia Liapis noted the application is identical to the previous application which dealt with nine units in the building. With respect to the staff report, she pointed out that stair and railing detailing has not previously been an issue. In discussion, Ms. Liapis advised that between 50 and 60 units in the building have had illegal work carried out. To date, 11 owners (including the subject application) have sought to purchase heritage density and to legalize the alterations.

**Discussion**

Referring to Appendix D of the staff report, Mr. Scobie questioned whether it would be advisable to have confirmation that the arrangements to purchase heritage density from the former public library site have been concluded prior to issuing the development permit and amending the CD-1 by-law. Ms. Liapis confirmed that such confirmation can be provided.

Given that only 11 strata owners in this building have sought to legalize their loft additions, Mr. Scobie suggested to Ms. Liapis that it would be helpful if the remaining owners could be advised that there still is about 4,700 sq.ft. that could be negotiated, individually or collectively, through arrangements such as this application. Anything beyond 4,700 sq.ft. could not be considered by the Development Permit Board but would require referral to City Council, likely through a rezoning which is a more onerous process than a development application. Ms. Liapis noted it is extremely difficult to negotiate to obtain small amounts of floor space. It is only likely to be achieved if the owners collectively seek a larger parcel of heritage density to purchase because for the amount of work involved it is not worthwhile for owners to sell small allotments of floor space. She added, it is unlikely that more than 4,700 sq.ft. would be required to legalize the remaining illegal lofts in the building.

**Motion**

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

THAT the Board APPROVE Development Application No. 403131, in accordance with the Staff Report dated June 1, 1998, with the following amendments:

Delete 1.1;

Add a new condition 1.1: completion of the sale and transfer of 260 sq.ft. of heritage density;

Add A.1.7: CD-1 By-law No. 7246 for 750 Burrard Street (former Vancouver Public Library) shall be amended under application by the Director of Planning or alternate arrangements made to reduce its permitted floor space ratio by the amount being transferred (260 sq.ft.) to this recipient site, to the satisfaction of the Director of Legal Services.

**4. OTHER BUSINESS**

None.

There being no further business, the meeting adjourned at 3:30 pm.