

Date: Monday, November 10, 2003
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

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

Advisory Panel

S. Lyon	Representative of the Design Professions (Urban Design Panel)
P. Kavanagh	Representative of the Development Industry
C. Henschel	Representative of the General Public
J. Leduc	Representative of the General Public

Regrets

J. Hancock	Representative of the Design Professions
E. Mah	Representative of the Development Industry
D. Chung	Representative of the General Public
T. Durning	Representative of the General Public

ALSO PRESENT:**City Staff:**

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

2483 Spruce Street

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

1. MINUTES

The third sentence of the Development Planner's Opening Comments was amended to read: "Condition A.1.15 calls for this required parking *to be partially* relocated ... for this application".

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 October 14, 2003 approved as amended.

2. BUSINESS ARISING FROM THE MINUTES

None.

3. 2483 SPRUCE STREET - DE407180 - ZONE C-3A (COMPLETE AFTER PRELIMINARY)

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 44 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

Mary Beth Rondeau, Development Planner, presented this complete application which was approved in principle by the Board on March 3, 2003. The program of ground floor commercial with residential above remains unchanged since the preliminary stage but the number of residential units has been reduced from 68 to 44 larger units, which staff consider to be an improvement. Ms. Rondeau briefly reviewed the conditions applied at the preliminary stage and noted that they have all generally been met. The tower massing has been reduced to lessen view impact for residents to the southwest, and a 15 ft. public setback is now proposed for Spruce Street. As well, the residential entrance has been lowered. Staff seek a minor improvement to relocate the corner pocket park onto private property. Two-storey massing is now proposed for the Broadway frontage (previously single storey) and the depth of the retail space on Broadway has been increased substantially. This has resulted in provision of a larger, sunny, private open space on the roof of the retail which can be accessed by all the residents. At the preliminary stage the Board asked the applicant to consider reducing the width of the tower and increasing its height, to address view impacts from the southwest. While some slimming of the tower has occurred the height has been increased by only 2 ft. (to 110 ft.). However, staff note that additional height would cause shadowing to neighbours to the north and consider the applicant's proposal to be appropriate.

Since the preliminary stage an issue has been identified with respect to the loading bay. It is currently located off the lane which is 11 ft. lower than the retail level on Broadway. After detailed review of the complete submission, Engineering staff request provision of a freight elevator, or other mechanical device, to increase the viability of the loading bay, as called for in condition 1.2. This was strongly supported by the Staff Committee and the matter has been reviewed with the applicant. A range of options are considered to be adequate, including a

dumb waiter, a freight lift, an elevator, and a full large freight elevator. Given the height and density being sought in this application are highly conditional, staff believe this condition is not unreasonable.

Staff consider the preliminary conditions have been well met and that the application earns the requested density and height. The recommendation is for approval, subject to the conditions outlined in the Staff Committee Report dated October 15, 2003.

Questions/Discussion

In response to a question from Mr. Scobie regarding the loading elevator, Mr. Thomson explained the Parking By-law requires "direct access" from loading to the retail units. Due to the slope of the site, Engineering staff are concerned that the loading bay may not be used and loading will likely occur off Broadway, noting also that there is a bus zone on the Broadway frontage of this site. Staff believe the loading bay should be made to work as well as it can.

Mr. Scobie noted that none of the residents who participated at the preliminary stage are in attendance for the Board's review of this complete submission. Alison Higginson, Project Facilitator, advised the applicant has met with all the neighbours who appeared before the Board at the preliminary stage, to review the final submission. There has been no response from these neighbours to the City's notification of the complete application.

Applicant's Comments

Wing Ting Leung, Architect, confirmed that he reviewed the complete submission with each of the neighbours who had previously expressed concerns and they are all satisfied with the adjustments that have been made. Referring to the Staff Committee Report, Mr. Leung said he believes they can satisfy all the conditions.

With respect to condition 1.2, Mr. Leung said they consider the requirement to provide an elevator to be a "late hit" in the process. He noted that many of his firm's projects on West Broadway, which have a similar slope in grade, have a stair connection from the loading bay to the retail units. These work satisfactorily, including those with ground floor restaurants where loading occurs daily at the loading bay via a stair. Mr. Leung acknowledged the concerns raised by Engineering Services and recommended an amendment to the condition, to require "capability for installation of a freight lift or other mechanical device". He did not believe a dumb waiter would be a satisfactory solution. He agreed that provision for a freight elevator could be "roughed in", with a knock-out panel in the slab, if required in the future. He noted the cost of installing a freight elevator would be approximately \$24,000.

Referring to Appendix A of the Staff Committee Report, Mr. Leung requested deletion of reference to children's play equipment in condition A.1.10 since there is no requirement to provide it. With respect to condition A.1.14, Mr. Leung noted a trellis cantilevers over the parking entrance, and there is no north wall. He also requested deletion of A.2.3. He explained there are two card readers for added security - one for entry and one for exit.

Questions/Discussion

In response to a question from Mr. Beasley regarding Mr. Leung's requested amendments, Mr. Thomson said Engineering has no concern about the arrangements inside the parkade and would support deletion of A.2.3. With respect to A.1.14, Ms. Rondeau noted the wall in question is at the back of the retail space. She agreed that provision of columnar landscaping rather than vines would be acceptable. She also confirmed that the children's play equipment referenced in A.1.10 can be deleted.

With respect to condition 1.2, Mr. Beasley noted it would be easier to install an elevator now rather than to leave it to small tenancies to deal with later if the loading becomes problematic. Mr. Leung noted there is no requirement in the Parking By-law to provide an elevator and he believes his suggested amendment to the condition is a reasonable compromise, noting also that the amount of retail space involved is quite small. Mr. Thomson said Engineering Services would prefer to see the elevator installed at the initial construction stage rather than leave it until loading becomes a problem. He noted this condition has been applied recently to other projects and it will likely continue to be a requirement. Mr. Kavanagh questioned whether provision of an elevator could be tied to the permit for a restaurant if an application is made for this use. Mr. Thomson said it would be difficult to tie the cost of the elevator to the restaurant. In response to a question from Ms. Leduc as to why this issue was not raised at the preliminary stage, Mr. Thomson said preliminary reviews are generally confined to issues of form and massing only. With respect to transit services, Mr. Adam noted that West Broadway is one of the busiest transit corridors in the city and there is a bus stop in front of this proposed building. In response to a question from Mr. MacGregor concerning the retail space, Mr. Leung confirmed the amount of retail area has increased by about thirty percent since the preliminary submission. Mr. Thomson confirmed that staff attempt to ensure that developments are able to serve a variety of commercial uses.

Comments from other Speakers

None.

Panel Opinion

Mr. Lyon advised the Urban Design Panel unanimously supported this application and thought there was considerable improvement to the scheme since the preliminary submission. The Panel found the application responded very well to the preliminary conditions, especially with regard to the general massing and organization of the tower. The Panel particularly supported the two storey podium on Broadway, the raised roof garden and the treatment along Spruce Street.

Mr. Kavanagh recommended approval and said he considered it to be a very fine development. He supported the architect's recommended amendments to the conditions.

Mr. Henschel also found it to be a very attractive project, significantly improved since the preliminary stage, especially the outdoor areas and the pocket park. Mr. Henschel supported Mr. Leung's suggestion regarding the freight elevator because he said he was hesitant to require an elevator if it is not actually needed for the users of the commercial space. He recommended approval, with amendments to the conditions.

Ms. Leduc also supported the application and commended the architect for the improvements made to the scheme. She also supported the applicant's suggested amendment to condition 1.2, or to delete it in its entirety because it is a new requirement that should not be requested at this stage of the development.

Board Discussion

Mr. Beasley said the project has evolved very nicely since the preliminary submission and it is a good illustration of the preliminary process being properly applied, noting that none of the previous objectors now indicates any concerns. With respect to the suggestion that requiring a freight elevator is a "late hit", Mr. Beasley said he believed the applicant was best served by not considering this kind of detail at the preliminary stage. The preliminary review should deal with issues of the basic massing so that further discussions can then be held with the neighbours, rather than including all the details that might well change as the design evolves,

which is what occurred in this case. For this reason, Mr. Beasley said he did not believe it to be a "late hit" but that the complete stage is the appropriate time for this kind of detail to be addressed. Further, Mr. Beasley said he believed the elevator is needed now. Given the importance of the transit system and that there is a bus stop in front of this building, loading violations cannot be tolerated on West Broadway. The building has to be designed for the next fifty years when there will be tenancies of all kinds. It is therefore wiser to design the building appropriately now. Mr. Beasley added that this is a discretionary project which is also an important consideration.

Mr. MacGregor agreed with Mr. Beasley's comments. He added, another good reason to install the elevator now is to avoid the cost of enforcing the matter in the future. He agreed there is no choice but to install it now, especially given the conditionality of the project. He also suggested that during the life of this building there are likely to be further parking and loading restrictions imposed along West Broadway.

Mr. Adam supported the previous comments. He said it is a very attractive project. Mr. Adam also supported the need to install the elevator now, noting that Broadway is a major bus corridor and Translink are already seeking the addition of bus lane.

Motion

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

THAT the Board APPROVE Development Application No. 407180, in accordance with the Development Permit Staff Committee Report dated October 15, 2003, with the following amendments:

Amend 1.2 to read:

provision of an elevator or freight lift to enable adequate access to the commercial retail units from the loading space, to the satisfaction of the General Manager of Engineering Services;

Amend A.1.10 to delete "including the children's play equipment";

Amend A.1.14 to read:

provision of an alternative landscaped screening scheme on the south wall of the lower courtyard;

Delete the Note to Applicant in A.1.14;

Delete A.2.3.

CARRIED UNANIMOUSLY

Mr. Scobie questioned whether it would be prudent to forewarn future applicants in situations like this where there is a very sloped site and where the grade level commercial would be some considerable distance from the elevation of the loading bay. While it may not warrant amending the Parking By-law to clarify the intent of "direct access", staff may need to forewarn applicants in these situations, perhaps by way of an Administrative Bulletin, that there may be need for consideration of something beyond stairway access from the loading to the commercial space that it serves, possibly citing the Board's decision today.

Mr. Scobie added, he fully agreed with Mr. Beasley regarding the intent of the preliminary development application process.

4. OTHER BUSINESS

None.

There being no further business, the meeting adjourned at 4.00 p.m.

C. Hubbard
Clerk to the Board

F. Scobie
Chair

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