

Date: Monday, November 21, 2005
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 (items 3-5)
T. Timm General Manager of Engineering Services
J. Forbes-Roberts General Manager of Community Services (items 1 & 2 only)

Advisory Panel

A. Endall Representative of the Design Professions (Urban Design Panel)
R. Acton Representative of the Design Professions
J. McLean Representative of the Development Industry
J. Scott Representative of the Development Industry
K. Hung Representative of the General Public
C. Henschel Representative of the General Public
G. Chung Representative of the General Public (items 1-3 only)
M. Braun Representative of the General Public

Regrets

Representative of the Vancouver Heritage Commission

ALSO PRESENT:**City Staff:**

M.B. Rondeau Development Planner
R. Segal Senior Development Planner
J. Greer Project Facilitator
A. Higginson Project Facilitator
M. Thomson City Surveyor
A. Zacharias Assistant City Surveyor

1055 Richards Street

F. Rafii Rafii Architects
James Patillo Cressey Development
Hani Lamman Cressey Development

525 West Broadway

P. Busby Busby Perkins & Will Architects
D. Dove Busby Perkins & Will Architects
A. Grant PCI Holdings
A. Croft PCI Holdings

Recording Secretary: D. Kempton

1. MINUTES

It was moved by Ms. Forbes-Roberts, and seconded by Mr. Beasley and was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of October 24, 2005 be approved with the following amendments:

- condition 1.1 d), amend to delete the words "Pacific Coliseum";
- condition A.1.6 Note to Applicant, amend to delete the words "Pacific Coliseum".

It was moved by Mr. Beasley, and seconded by Ms. Forbes-Roberts and was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of November 7, 2005 be approved.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 1055 RICHARDS STREET - DE409696 - ZONE DD
(COMPLETE APPLICATION)**

Applicant: Foad Rafii

Request: To develop this site with an 18-storey multiple dwelling with townhouses at grade all over 3 levels of underground parking.

Development Planner's Opening Comments

Mary Beth Rondeau, Development Planner, introduced this complete application for a residential tower in the Downtown South District. Ms. Rondeau noted that the tower height complies with the view cone restriction.

Ms. Rondeau stated that the tower placement is in the correct location and the application received unanimous support from the Urban Design Panel. Ms. Rondeau reviewed the conditions noting that none of the conditions were very significant.

At the Urban Design Panel review there was discussion about the proposed colour of the building and Ms. Rondeau stated that staff felt that the colours of the material board were more representative of the proposal than the computer renderings. Therefore, no condition was inserted into the report regarding the proposed colour selection.

Staff felt that this application achieved the necessary high level of quality in the Downtown South District and that it has done a good job of addressing the lower height requirement due to the view cone while not seeking extra heritage density. Staff recommendation is for approval subject to the conditions of the report.

Questions/Discussion

Mr. Beasley asked Mr. Endall, Chair of the Urban Design Panel, to further explain the discussion that the Panel had with regard to the proposed colour selection. Mr. Endall responded that the elevations provided to the Panel were not an accurate representation of the materials. The elevations had a somber and dark appearance. A few Panel members felt that lightening the colour scheme would be warranted and suggested working some wheat tone into the overall colour scheme.

Mr. MacGregor stated that he is not satisfied with the material renderings which are quite dark. He is concerned that the finished product may not be substantially different from what is shown on the coloured elevation drawings and he suggested adding a condition to reflect the colour of materials that will actually be used. Mr. Scobie added that normally the colours shown in the renderings are what is used; however the concern in this case is that the colours in the renderings are too dark relative to the materials sample board.

Applicant Comments

Foad Rafii, Architect, stated that it is his intention that the colour of the building will be the same as is shown on the material board and the guarantee of that is the color chip number. Mr. Rafii said his reason for proposing darker colours than on most other projects is to add some variety and different colours. He confirmed that the glass on the building will be Low E, clear glass and will not be tinted.

With respect to the design, Mr. Rafii stated that his intention was to try and vary the form from other Yaletown buildings. He wanted to keep the idea of dual color in the building with the idea of keeping the masonry and high end materials but not extending these to connect the ends of the vertical "fingers", as is done on many of the Yaletown buildings.

In terms of the conditions presented in the report, Mr. Rafii stated that there is no problem complying with 1.1, 1.2, 1.5 and 1.6. He asked for further qualification regarding conditions 1.3 and 1.4, stating that he would increase the amount of masonry but does not want to have the entire podium in masonry material. He would like some flexibility to work further with staff on the design.

With respect to condition A.1.2 which addresses enclosed balconies, Mr. Rafii stated that he would like to change the affected units from one bedroom units to studio units which will then meet the guidelines in terms of the horizontal angle of daylight access.

Mr. Rafii expressed concern with condition A.1.3 that would require design development to provide a minimum balcony width of 6 ft. He stated that on enclosed balconies that dimension is not a problem; however on the open balconies that dimension requirement will create a major design issue. The width of open balconies is approximately 5.2 ft. or 5.3 ft. and can be increased by a few inches but to achieve 6 ft. Mr. Rafii said he would have to change the design of the building and that would affect the elevations. He asked for some leniency on that condition, noting the open balconies are at least 8 ft. deep but the width is not 6 ft. He requested that the reference to open balconies be removed from the condition.

Questions/Discussion

Mr. Beasley asked Ms. Rondeau to comment on the applicant's suggested response to condition A.1.2 which would change the one bedroom unit to a studio unit. Mr. Rondeau responded that the issue is the enclosed balcony being located behind an open balcony and that arrangement is not acceptable. A possible solution would be to reconfigure the space so that the enclosed balcony space becomes part of the bedroom.

Mr. Beasley asked Ms. Rondeau for clarification and her judgment with respect to condition A.1.3 which requires balcony width to be 6 ft. Ms. Rondeau stated that many balconies have a 6 ft. dimension and in discussions with the applicant team it was suggested that a small increase of approximately eight inches would get the balcony dimension close to 6 ft. The driver for this condition is the shortage of semi-private open space and the way to balance that shortage is to provide full sized balconies that include a 6 ft. width dimension, as per the Downtown South Guidelines.

Mr. Beasley asked the applicant to explain the philosophy behind the dark colour of the building. Mr. Rafii responded that the darker colour of the building against the Vancouver skyline and lightness of soffits and hedges will provide a contrast. He stated that he is open to discussion about the colour and noted that although there was much discussion about the colour at the Urban Design Panel, the application nevertheless received unanimous support.

Mr. Scott questioned why the lighter edging of the balconies, slab edges etc. stops before the 2-storey penthouse. Mr. Rafii responded that there is a sizeable steel and glass canopy and the canopy colour could be lightened to make that area appear lighter.

With respect to the enclosed balcony located behind an open balcony, Mr. Timm questioned why turning a one bedroom unit into a studio unit would not comply. Mr. Segal responded that the proposal does not comply with the intent to add amenity to the suite rather than detract from the livability. This is the first time an enclosed balcony has been proposed behind an open balcony and staff feel it is a big problem and should be deleted. Mr. Segal further clarified that with the design as a one bedroom unit the issue is with angle of daylight as well as the intent of enclosed balconies, whereas with the unit as a studio the issue is that the enclosed balconies do not meet the intent.

Mr. Scobie asked the applicant if he had reviewed Appendix C and whether he had any issues with those requirements. Mr. Rafii responded that he has reviewed Appendix C and will comply.

Comments from other Speakers

None.

Advisory panel comments

Mr. Endall stated that the Urban Design Panel unanimously supported this application. The proposed colour was an issue at the Panel review and there was some commentary from Panel members that, in general, the colour palate might benefit from some lightening. A couple of Panel members also suggested that the 4-storey podium should look more like three storeys with a one storey cap to better reflect where the masonry material begins and ends.

Mr. Endall said that he personally welcomes the architect's efforts to introduce a different colour palate, however he also agrees with the Panel commentary to give consideration to lightening the colour scheme; perhaps by introducing a higher percentage of beige tones.

With respect to the minimum dimensions for open balconies, Mr. Endall felt that flexibility on those dimensions would be warranted.

Mr. Acton stated that staff have identified the key issues and he supported the conditions of the report. Mr. Acton encouraged the applicant to use more masonry materials at the base and

stated his concern with painted concrete at the podium level. To express verticality, Mr. Acton suggested using darker masonry in combination with ariscraft material.

Mr. McLean stated that because of the view cone restrictions on this site he would support some discretion regarding balcony dimensions. He felt that the massing was wonderful, however he did not like the proposed darker and lighter colours together.

Mr. Scott encouraged development of the design to extend the ariscraft look and noted that masonry at the ground level would give a look of quality to the building. He also felt that the masonry look should be carried up to the 4th storey. Mr. Scott said that development of horizontal lines with the off-white colour should be further developed, with input from city staff, to achieve a logical beginning and end to materials. He encouraged the applicant to work with staff on some form of an outline for the dark cavernous areas at the top of the building.

Mr. Scott was supportive of the use of discretion with regard to the balcony widths since the balconies add to the look of the building and the site is constrained. He noted his support for the application.

Mr. Henschel commended staff on developing concise conditions in the report. He felt that the proposed building was elegant and he appreciated the idea of having a darker building which will provide important variety. That said, Mr. Henschel suggested that perhaps the darker concrete could be lightened by a shade or two. He would like to see the lighter coloured masonry material extend to the second storey and end there or extend all the way to the fourth storey as opposed to ending in little trickles as is currently proposed.

With regard to the balconies, Mr. Henschel stated that he would support the use of discretion around the width requirements. He stated that this is a great building and he liked the idea of improving the children's play area.

Ms. Hung said she liked the strong symmetry of the building, however the building is too dark for something of its size. She supported the application and the conditions. Ms. Hung asked the applicant to pay careful attention to the treatment of the lane elevation since many of the lanes downtown are becoming pedestrian walkways.

With regard to condition 1.6, Ms. Hung expressed concern that lowering the walls of the residential entry may compromise the privacy of the townhouse units. She asked the applicant to consider bringing the residential entry forward to approximately 22 ft. so that the sides of the entry would not have to be lowered. With approximately 20 units affected by enclosed balconies, Ms. Hung stated that she would prefer to see the enclosed balconies deleted and larger bedrooms instead.

Mr. Braun said staff have done a good job with the conditions in the report. He expressed concern about the dark colour of the building and questioned whether it was being done simply for the sake of being different.

He was pleased to see a condition regarding the children's play area because the current design seems to have the play area too far from the amenity space which leads to questions about its usability. Mr. Braun encouraged the Board to delete the word "open" from condition A.1.3.

Ms. Chung said this building will be a valuable addition to the Downtown South area; however the colour contrast is too intense. Ms. Chung agreed with Mr. Scott that the off-white colour should extend to the penthouse units and she also agreed with the Urban Design Panel that a lighter colour palate would enhance the building.

Board Comments

Mr. MacGregor said he liked the form of this development noting that sites constrained by view cones are difficult. He supported the larger floor plate and stated that there are conditions in the report that need to be in place and the developer needs to look at those. Mr. MacGregor said that he does not have confidence from looking at the materials, about the proposed colour of the building and the glazing. He suggested a condition to address that concern.

Mr. MacGregor moved approval with the conditions of the report and several further amendments.

Mr. Beasley said that this is generally a good building. He had some difficulty with the darkness on the renderings and cannot tell from the material samples how that would show. Mr. Beasley supported the condition to change that. He would like to see a colour that reflects more light.

Mr. Beasley said that he is confident after discussion with the applicant, of how the cladding will be handled and the interface. He was supportive of the condition regarding that issue. He did not have a problem with the proposed configuration of different colours and materials.

However he suggested a friendly amendment to condition 1.3 to provide a more pervasive masonry treatment so it doesn't appear as simply an appliqué. Mr. MacGregor accepted the amendment. Mr. Beasley added that he wants to see detailing of the interfaces of materials so that they do not end randomly. He supported the condition to ensure that the glass on the building will be clear.

With respect to the balcony dimensions, Mr. Beasley supported the use of discretion to allow the dimension to be less than 6 ft. in width. He seconded the motion with the further amendments.

Mr. Timm stated that other than the architecture of the building, which should be addressed via the Urban Design Panel process; there are relatively few unresolved issues. Mr. Timm said the enclosed balconies as discussed earlier must be deleted. The narrow exterior balconies are an important element of the design of the building and therefore Mr. Timm supported the resolution to exercise discretion on the width dimension.

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

THAT the Board APPROVE Development Application No. 409696, subject to the conditions presented in the Development Permit Staff Committee Report dated October 26, 2005, with the following amendments:

Amend 1.3 to delete the word "extensive" and replace with the word "pervasive" and to add at the end (after Richards Street) *,including detailing for the interface between materials;*

Add 1.7

design development to ensure that a significantly lighter exterior palette than shown on the renderings and clear glazing is achieved and with all specifics to be to the satisfaction of the Director of Planning;

Amend A.1.2 to add in the Note to Applicant:

It would not be acceptable to open the enclosed balconies.

Amend A.1.3 to read:

design development to provide a minimum *enclosed* balcony dimension of 6 ft. and provision of details of balcony enclosures;

4. **525 WEST BROADWAY - DE408752 - ZONE C-3A
(COMPLETE AFTER PRELIMINARY APPLICATION)**

Applicant: Busby Perkins & Will Architects

Request: A complete development application for an 8-storey mixed-use building with office, retail, restaurants and residential uses totaling 3.3 FSR, including a 10% heritage transfer of density. A transit station entrance for the Richmond-Airport-Vancouver (RAV) line is also proposed as part of this development.

Development Planner's Opening Comments

Mary Beth Rondeau, Development Planner, introduced this complete after preliminary application. Ms. Rondeau stated that the response to preliminary conditions has been well resolved especially given the size and complexity of the project. She noted that this is a very important site at the Cambie Street and Broadway corner in an emerging retail/commercial node and an uptown link to the downtown core.

After the preliminary application stage there was a fundamental change to the shape of massing above the podium which was oriented east/west and the Board requested a north/south orientation to the massing. This has been accomplished and allows views through from the south, as well as improving shadowing on 8th Avenue.

Ms. Rondeau reviewed specific conditions of the report and identified some of the issues that still require resolution such as the residential portion on 8th Avenue and the relationship between residential and office outdoor amenity space.

Ms. Rondeau noted that the proposed height, at the top of the building, is a primary issue in this application. At the preliminary stage the parapet heights for the upper massing were 3 ft. below the maximum elevation and the mechanical uses were less obtrusive which staff felt met the intent of the 250 ft. maximum elevation as stated in the Guidelines. The parapets in this application are at 250 ft. with a minimum of 10 ft. of mechanical on top of that. Condition 1.1 suggests that the parapets come back to the height of the preliminary parapets.

As discussed at the Urban Design Panel, Ms. Rondeau noted that the public realm treatment on Broadway, and in general, is well resolved with a condition added to ensure that weather protection comes out as close as possible to the inside row of street trees.

On the corner of Broadway and Cambie Street is a proposed pylon sign with a small stair and since the preliminary application there has been one change. The diameter of the corner was increased to accommodate bus turning and to keep the sidewalk width it was necessary to take a 3 meter by 3 meter triangular setback. This change may result in the deletion of the pylon sign and steps.

The RAV station, as proposed on Broadway, has been accepted by the Rapid Transit Office and all other authorities involved. The three parts of the RAV station entrance are the stair, the escalator and the elevator which the Rapid Transit Office has suggested be consolidated. There will be a retail, glassy enclosure to encompass those three elements and the surge space but no retail entrances at the 6 meter surge space.

Ms. Rondeau explained that due to a variety of requirements and cost issues related to the provision of a tunnel from the platform at Broadway and Cambie Street it is likely that this station entrance will not initially be a part of the RAV line. The budget is not available at this point so in the interim until the extension of the Millennium line westerly is achieved staff are suggesting this area becomes a retail space with knock out walls and appropriate security for future provision of the elevator, escalator and stair. Ms. Rondeau stressed that this is the number one location for a connection but due to budget issues there isn't the ability to have it happen now.

In summary, staff recommend approval of the application with the conditions as noted. Ms. Rondeau stated that this is a conditional development application and the increases requested to maximum density and height have been earned through extensive setbacks on Broadway (12ft setback), provision of a RAV station entrance which includes fit-out, massing that is north/south to respect views and shadows, high quality detailing and public realm treatments and the commitment to provide an environmentally sustainable project with LEEDS certification.

Questions/Discussion

Mr. MacGregor expressed concern that the RAV transit station and connection to the Millennium line might be built at this location and then not connected in the future; as is the case at Discovery Square at Burrard and Dunsmuir Streets. Ms. Rondeau responded that the Rapid Transit Office staff have confirmed that this is the number one location for a station entry and this location will be critical and fundamental when the Millennium line is extended. Mr. Timm further explained that at this location there is a high volume of transfer riders north bound to west bound and although it would be ideal to have the station completely developed, the funding is not available. He expressed some discomfort with the suggestion that this important connection may not happen until the Millennium line is extended.

Mr. MacGregor questioned the proposal to send transit users underground and back up above ground again for connections. Ms. Rondeau responded that the distance for transit users to go underground is not that different than if all of the connections were made above ground.

Mr. Beasley expressed concern about two issues that remain unresolved: the stream that is running beneath the site and the need to relocate the GVRD sewer. He questioned whether those issues are resolvable and if not what that would mean. Mike Thomson, City Surveyor, responded first to the issue of the stream. The stream issue came up late in the review of the application; however he has good faith that the stream issue is easily resolvable. With respect to the GVRD sewer, Mr. Thomson said that it is not known at this point if the GVRD will accept construction over the right-of-way. From an engineering perspective, Mr. Thomson said this issue could be resolved but he cannot speak for the GVRD process. If the proposal is not

acceptable to the GVRD then there would be a requirement to redesign the building at the northeast corner. Mr. Timm added that he felt it was an overstatement to say that this issue could jeopardize the viability of the project.

Mr. Braun sought clarification with regard to the roof top deck separation between the residential and office components. Ms. Rondeau responded that there is a blurring of the line in that area and staff are seeking better definition. Mr. Scobie stated that he would expect clarity at the time the site is subdivided.

Applicant Comments

Peter Busby, Busby Perkins & Will Architects, presented the application. He indicated that the wording of condition 1.1 regarding the proposed height, needed some adjustment to reflect discussions that the applicant team had with City staff. Ms. Rondeau responded that Mr. Busby is correct in requesting refinement of the wording.

Mr. Busby discussed issues specific to conditions as follows:

Condition 1.2, Mr. Busby stated that it was his understanding that the area dedicated to the RAV station would not be counted in FSR for this project. Mr. Scobie explained that at the preliminary stage it was the conclusion of the Board that the wording in the by-law did not provide sufficient latitude to exclude the RAV station area from FSR and that a request for that exclusion would have to go before Council in the form of a clarifying amendment to the C-3A zoning. Ms. Rondeau stated that staff concluded that they would not seek an amendment to the by-law, noting that it is a very small percentage, approximately 1,500 sq. ft. total, of the floor area of the building. Ms. Rondeau further explained that this area may be used for retail until the RAV station entry is functional.

Standard condition A.1.1, Mr. Busby stated that the condition indicates that covered mechanical spaces are not excludable from FSR and he would like to request that the exclusion be considered since the stacked mechanical design is better, in terms of livability, than having mechanical units dispersed throughout the roof top and the unit is only covered by a grate. Ms. Rondeau explained the rationale for counting the mechanical unit and she said that if the Board wanted to consider excluding the mechanical space from FSR it would constitute a relaxation. Mr. Beasley informed the applicant if a relaxation was granted by the Board it would be subject to an appeal process.

Within the same condition as above Mr. Busby referred to the statement that all non-residential decks (i.e. Restaurant decks) are not excludable from FSR. It was his understanding that decks without covers would not count in FSR; however City staff require a cover over the restaurant decks for acoustical reasons. He expressed concern that counting the deck space in FSR will not be economical for the developer and may lead to the removal of that space. Ms. Rondeau responded that outdoor restaurant seating is an important feature that is supported by the Planning Department and these spaces are being counted by the Fire Department in terms of occupancy. She further clarified that the space would be counted in FSR whether or not it was covered and without furniture; if there was a possibility for future use, it would be counted.

Andy Croft, applicant team, addressed condition A.2.5 regarding the GVRD sewer right-of-way. Mr. Croft explained that a survey is being done to ensure that the GVRD sewer right-of-way is in fact where the asbuilt sewer drawing indicates it should be. Once the survey is complete, Mr. Croft said the remaining process with the GVRD will be a formality and he does not anticipate

any difficulties. He agreed with Mr. Timm's statement that the viability of the whole project is not affected by the outcome of the sewer right-of-way issue.

With respect to A.2.9 which deals with a canopy encroachment issue, the applicant requested that the condition be deleted since the proposed canopy will be unboltable and demountable. Mike Thomson, City Surveyor, responded that this is not seen as a canopy because the feature does not provide pedestrian level weather protection. He stated that Engineering Services has not approved encroachments over the property lines in this district and there is some question about the demountability of the canopy and subdivision issues. The feature could be covered under a standard encroachment agreement with annual fees that would apply; however it does not qualify as a canopy.

Condition B.2.5 contains a physical dimension for the amenity space and Mr. Busby asked that the number be deleted as the size of the amenity space may change as the design moves progresses. Alison Higginson, Project Facilitator, responded that it would be acceptable to delete the number from the condition. Mr. Beasley suggested that the condition be reworded to indicate that the amenity space be an amount to be finalized before permit issuance and not to exceed what the by-law allows.

Mr. Busby thanked the Board for their consideration of his requests and said that he hoped they could approve the project in what he sees as an imperfect C-3A zone.

Mr. MacGregor asked the applicant to summarize what public benefits are being offered in exchange for maximum height and density on this C-3A zoned site. Mr. Busby responded that the principle gifts to the public are setbacks and dedication on the Broadway and Cambie frontage, significant public contribution in the form of the RAV station, semi-private amenity in the greenery and roofscape of the project, respect for view cones, commitment to follow through with LEEDS certification. As well as green strategies, and also a level of quality and detailing at podium level with a large amount being spent on the lower two floors of the project. Mr. Busby stated that this is downtown quality that hasn't been seen in Broadway developments.

Mr. Scott asked the applicant to clarify what will happen in the 1,500 sq. ft. of dedicated easement for the RAV space. Mr. Busby responded that approximately 400 sq. ft. will be used temporarily for retail with knock out walls. He noted that although the lower portion of the space is not useable at this time it is still counted in the FSR calculation.

Comments from other Speakers

None.

Advisory Panel Comments

Mr. Endall stated the Urban Design Panel unanimously supported this application and was very complimentary to the well thought out design and presentation. Any of the Panel's concerns for improvement have been addressed in the conditions. The Panel felt that it was a big win to get this quality of public realm treatment and street front pedestrian experience which will set a new standard for Broadway.

Mr. Endall made a personal comment regarding the issue of the many FSR exclusions that the applicant requested, noting that he felt they were reasonable requests. The RAV station, the mechanical space and the exterior terrace areas are not essential to the operation of the project and are being proposed to make the project better, therefore Mr. Endall felt that there should be some allowance to exclude these spaces from FSR. He also stated that if there is no

room for the Board to use discretion then there should be a strong recommendation for the Design Guidelines to be reviewed.

Mr. Acton said that this is an impressive project that has good design, high quality materials, details and planning and will set a new standard for Broadway. He echoed Mr. Endall's comments about the need for a review of the existing Design Guidelines so that creative solutions such as stacking the mechanical spaces are not penalized.

Mr. Acton stated that the RAV station connection through the escalator, elevator and stairway would provide animation and is a missing piece that could get messy with retail displays and sandwich boards migrating into that space in the interim.

Mr. Acton highly recommended, if the Board has the authority, to exclude the outdoor seating from FSR. He felt that without the outdoor seating the project would not be as rich. He also offered support for the applicant's request to delete condition A.2.9, regarding the canopy, and encouraged the Board to consider allowing it.

Mr. McLean said that this is the highest quality project we can imagine for this location. He commended the staff that worked on this project and said that he hoped it would be approved.

Mr. Scott said that he considers this an important site and is pleased to see a significant building like this proposed. He asked the Board to use as much flexibility as they could to work around the issues presented, noting that the developer is struggling with costs and needs some additional FSR. Mr. Scott supported the 250 ft. height elevation and highly recommended approval.

Mr. Henschel concurred with the previous speakers in terms of the quality of the building and the frustration around the limitation of the existing Design Guidelines. Mr. Henschel stated that the RAV station seemed too small and modest and felt that bringing the retail forward 2 ft. would compromise the pedestrian user friendliness of the building.

He would also like to see 5 ft. of weather protection along Cambie Street to accommodate pedestrians walking with groceries etc. In conclusion, Mr. Henschel said it is a great project and the applicant should be proud of the contribution being made to the city.

Ms. Hung said she is excited to see something happening on this corner and she liked the clean lines and modern, glassy look of the design. Her biggest concern is the RAV station and whether the entrance will be able to accommodate all of the users. She did not support the idea of bringing the retail forward 2 ft. and also expressed concern that one staircase and one escalator will be crowded and is not enough.

In terms of FSR exclusions, Ms. Hung stated that she would support an amendment to exclude the stacked mechanical space; however she agreed with staff that the restaurant outdoor seating should be included, especially if that area is part of the calculations for load and liquor licensing. The outdoor restaurant seating space is highly desirable and Ms. Hung would like to see it remain as part of the project.

Mr. Braun commended the staff and applicant for the number of issues they have dealt with. Overall, Mr. Braun felt the building design was nice; however he was disappointed that the applicant suggested not enclosing the restaurant seating below residential units. He also did not like the idea of residential units on Broadway.

Mr. Braun said that he would like to see a condition to ensure that it would not be permitted to have a retail store entrance right next to the RAV station entrance. Ms. Higginson responded that this concern is addressed in condition 1.2 and the Note to Applicant.

Board comments

Mr. Beasley stated that this is a good project that is elegantly designed although, given its scale, the project is not particularly impressive in terms of public amenities in exchange for a two hundred percent increase in density (i.e., from 1.0 to 3.0 FSR). The one thing that sets this project apart is that it is offering a very important transit access station.

Mr. Beasley did not think a relaxation was warranted for this project to allow FSR exclusions. He agreed with the applicant's request for marginal flexibility on the height. Mr. Beasley also agreed with the suggested changes to condition A.2.4, and with regard to condition A.2.9 he felt that it should be clear that encroachments need to be dealt with by the General Manager of Engineering Services.

Mr. Beasley stated that he would like to see allotment gardens for the residents and also wanted it noted that he does not expect the outdoor amenity space to disappear because it is not considered economical by the developer if it is counted in FSR.

Mr. Beasley moved approval of the application with some changes to the conditions.

Mr. Timm agreed with Mr. Braun's concern regarding the suitability of residential uses on Broadway. He stated that Broadway should be commercial use and a hub for transit lines. Mr. Timm stated that overall this is a good project and the changes from the preliminary application stage have improved the project, noting that the setback on Broadway will be very important at this busy location.

Mr. Timm felt that it was not the Board's place to discuss FSR exclusions for the RAV station or the covered restaurant space unless there was a hardship which there is not in this case. He seconded the motion to approve the application and all of the amendments proposed by Mr. Beasley.

Mr. MacGregor stated that this is a good project but he felt it was wrong for this portion of the city and he shared the concerns about residential use at Broadway and Cambie Street. He said that the City should look at different zoning for transit stations but recognized that nothing can be done at this location at this time.

In terms of the requested FSR exclusions, Mr. MacGregor was not sympathetic to the applicant's requests and stated that he expects the roof top outdoor seating to remain, despite the fact that it will be counted in FSR. He did not want to see a new policy set to achieve an FSR exclusion for the RAV station entrance or stacked mechanical and if it can't be interpreted to be excluded then Mr. MacGregor would support its inclusion.

Mr. MacGregor expressed concern that he does not want the 40 ft. setback for residential units adjacent an interior property line on this site to become a precedent for the C-3A zoning and would like a clear indication from the Planning Department as to what the policy is on that issue. He also supported the approval but noted his disappointment with a project of this scale being proposed on this site.

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

THAT the Board APPROVE Development Application No. 408752, subject to the conditions presented in the Development Permit Staff Committee Report dated November 9, 2005, with the following amendments:

Amend 1.1 to read:

design development to reduce the maximum elevation of the building; *except* the mechanical penthouses *which may be marginally higher*, to meet the *intent* of the Central Broadway C-3A Urban Design Guidelines elevation of 250 ft. and provide detailed height calculation;

Amend 1.3 to delete the word "legal" and add *the General Manager of Engineering Services and* prior to "the Director of Legal Services";

Amend A.2.4 to delete the word "natural" and to delete the word "through" and replace it with *beneath*;

Amend A.2.9 to add a new sentence at the end to read:

Encroachments are subject to application and approval by the General Manager of Engineering Services;

Amend B.2.5 to delete "4,592 ft²" and replace with *an amount to be finalized prior to permit issuance.*

5. OTHER BUSINESS

No other business.

There being no further business, the meeting adjourned at 7:40 p.m.

D. Kempton
Assistant to the Board

F. Scobie
Chair