

Date: Monday, November 7, 2005
Time: 3.00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

F. Scobie Director of Development Services (Chair)
L. Beasley Director of Current Planning
J. Forbes-Roberts General Manager of Community Services
T. Timm General Manager of Engineering Services

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
C. Cooper Representative of the Vancouver Heritage Commission
C. Henschel Representative of the General Public
G. Chung Representative of the General Public
M. Braun Representative of the General Public

Regrets

K. Hung Representative of the General Public

ALSO PRESENT:**City Staff:**

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

1285 West Pender Street

P. Busby Busby Perkins & Will Architects
A. Wade Evergreen Building Ltd.

Recording Secretary: D. Kempton

The Chair welcomed Cheryl Cooper, representative of the Vancouver Heritage Commission, and Michael Braun, representative of the General Public on the Board's Advisory Panel, to the meeting.

1. MINUTES

Mr. Scobie noted that the minutes of October 24, 2005 were not complete and therefore would not be dealt with at this meeting.

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of October 11, 2005 be approved with the following amendments:

- p.17, last paragraph, amend the first sentence to delete the words *the high density of*;
- p.17, last paragraph, amend the second sentence to read:
He said that there may be more tolerance for larger floor plates in this block than there would be in the middle of the *Downtown South District*.
- p.18, para.5, to reword the first sentence to read:
Mr. Beasley said, in this case *and it should seldom be done*, he was willing to consider providing informal commentary to the applicant because two of the regular Board members did not have the opportunity to see this application at the preliminary stage.
- p.8, last paragraph, amend the last sentence to add the word *addressed* after adequately.
- p.9, condition 1.7, amend to add the word *and* before adjacent.

2. BUSINESS ARISING FROM THE MINUTES

None.

3. 1285 WEST PENDER STREET - DE409493 - ZONE DD (COMPLETE APPLICATION)

Applicant: Busby Perkins & Will Architects

Request: To construct a 21-storey residential tower with a total of 61 dwelling units including 9 townhouses along Jervis and West Hastings Street, and commercial along Pender Street. Below grade loading and parking for 143 cars is provided.

Development Planner's Opening Comments

Ralph Segal, Development Planner, presented this application for a 21 storey building, 6.6 FSR, including a 10% heritage density transfer as permitted under the zoning, on the site of the existing Evergreen building. Referring to the model Mr. Segal described the immediate site context and broader Coal Harbour area context. Immediately to the east is a 66 ft. wide site which is presently occupied by a 2-3 storey commercial building with further development/re-

development potential. There was some regret from Planning staff that this 66 ft. wide parcel was not incorporated into this application or the easterly adjacent Palladio development.

With respect to the existing Evergreen building, Council instructed staff in March 2005 to enter into discussions with the owner of the existing building regarding possible retention options and, at the same time, process the current application as any other application under this zoning would be processed. Discussions regarding retention are underway and there has been a recent development application submission to retain the existing Evergreen building with a 4 storey addition on top.

Mr. Segal said staff consider that in response to the Guidelines, this is generally quite a reasonable proposal and an intriguing architectural response to the site except with respect to shadow and view obstruction.

Mr. Segal indicated the staff recommendation is to lower the building height by 33 ft. to take it down to approximately 200 ft. rather than the proposed 233 ft. Although at 200 ft. there would still be shadow cast into park, the shadow would be limited to the edges of the site where there are trees. Staff concluded that the recommended building height reduction reinforced the staff conclusion that the site can not accommodate the requested heritage density transfer. The developer has submitted a letter to staff indicating his agreement to lower the building by 3 storeys and also stating that he does not intend to pursue a heritage density transfer. A revised submission should therefore be able to comply with condition 1.1.

Further modification to the overall massing has to do with the externally positioned exposed concrete elevator core which staff have asked, via condition 1.3, be shifted into the body of the building without shifting the tower position. This would result in less view obstruction and less concrete mass to the neighbouring residents of the Palladio, Pointe Claire, and particular units of the FlatIron building.

Mr. Segal reviewed the notification process noting that 10 letters of objection were received from area residents.

In summary, staff believe that with the recommended modifications to the building, the main issues of shadow impact and view obstruction are addressed in compliance with applicable ODP provisions and Guidelines. The Staff Committee recommendation is for approval, subject to the conditions outlined in the report and which the developer has already agreed to.

Questions/Discussion

In response to a question from Mr. Beasley regarding notification of pre-purchasers in the area, John Greer, Project Facilitator, responded that the application was submitted in June 2005 and the pre-purchaser declaration, regarding the proposed FlatIron building, was submitted on July 11, 2005. Pre-sales of the FlatIron building commenced after this date. Andrew Wade, applicant team, confirmed that information and said marketing for the project began in late July. Mr. Wade believed that some pre-purchasers were informed of today's Development Permit Board meeting although it was not a specific requirement of the marketing team to relay that information.

Mr. Timm asked for clarification of the view impacts, in terms of orientation and width, of the proposed building to the Ritz project which is under construction. Mr. Segal explained that the existing Evergreen building as viewed from the south/southeast is quite bulky and almost to the full property dimension so those view angles might be slightly worse than with the proposed

new building. Mr. Segal stated that there has not been a view analysis conducted to do a direct comparison between the existing Evergreen building and the proposed building.

In response to a question from Mr. Timm regarding proposed floor plate size, Mr. Segal responded that the typical floor plates are 6,500 sq. ft. including the elevator core, and the terraced floors will be slightly less.

Ms. Forbes-Roberts sought further clarification regarding how much shadowing occurs on the park opposite and for how long in the day. Mr. Segal responded that, with the application proposed, on March 21st or September 21st (Spring/Fall Equinox) there would be shadow impact on the park from 10 a.m. until 12:30 p.m. The shadow would cover the playground area at 10 a.m. and by 11 a.m. it would come off of the playground and begin tracing across the park towards the Jervis Street edge and be completely off the park by 12:30 p.m. With the proposal for lower building height, staff found the impact to be significantly reduced and acceptable. Mr. Segal noted that the comment by the applicant, as reflected in the Urban Design Panel meeting minutes, with regard to shadow impact is incorrect. That comment is an understatement of the area that would be covered by shadow.

Ms. Cooper asked if there was a precedent for two development applications to be processed at the same time for the same site. Mr. Scobie responded that a similar situation happened, most recently with the nearby FlatIron building proposal. Although it is not that common, it is not unprecedented.

Applicant's Comments

Peter Busby, Busby Perkins & Will Architects, stated that the conditions of approval have been agreed to by the developer directly in writing. Mr. Busby said that he will respond to questions from the Board and Advisory Panel.

Questions/Discussion

In response to a question from Mr. Timm regarding the amount of parking proposed being well in excess of the Parking By-law requirement, Mr. Busby stated that it is the applicant's intention to provide parking as per the minimum amount required by the Parking By-law. Mr. Beasley noted that there is a specific number of parking spaces identified in the report and he would seek to establish a more appropriate number of spaces be attached to any approval, particularly since the total floor area will be reduced. Mr. Busby expressed concern that fixing a hard number of parking spaces to the approval might be counter-productive since the final suite sizes are not determined.

Mr. Scobie said that the letter received by staff from Mr. Laxton clearly indicates that he has no further intention of pursuing a heritage density transfer but the letter does not specifically agree to lower the building as staff have recommended. Mr. Busby confirmed that the applicant/developer has agreed to lower the building.

Mr. Henschel questioned how the form of this irregularly shaped building will change with the removal of 2 storeys and whether there is a way to change the shape of the building to reduce shadowing. Mr. Busby responded that the applicant team is currently studying how the form of the building will change with the height reduction and that they are not considering changing the shape of the building to reduce shadowing.

Mr. Acton and Mr. Scott both expressed concern about the condition requiring the elevator core to be moved into the building 15 ft. Mr. Scott noted that this change along with the height reduction will result in a lot of re-design with numerous implications such as column locations,

in addition to the loss of square footage. Mr. Busby responded that it is even more complicated because moving the elevator core will be difficult without being able to move the body of the building. The shaft will essentially bury itself in the upper floors making for less efficient floor plates and a murkier architectural solution. As well, the core will be pulled out into a drive aisle in the basement which becomes a technical issue.

Comments from other Speakers

John Hansen, resident/owner at 1228 West Hastings (The Palladio) and Glen Munro, Strata Chair of 1228 West Hastings, both spoke in opposition of the proposal. Mr. Munro thanked the developer for dealing with some of the concerns from residents of the Palladio; however there are still issues regarding the height and mass of the building and how that will impact shadowing on the park and the Palladio building. The other major issue for Palladio residents is the elevator shaft, which Mr. Munro said they would like to see softened with some sort of architectural treatment.

Mr. Hansen said his main issue is the proposed setback for the tower, which is very little on Hastings and Pender Streets with a bit more of a setback on Jervis Street. Mr. Hansen felt the proposed setback was inconsistent with the character of the neighbourhood and would impact livability. Mr. Munro said the tower is in the worst possible position in terms of view impact on the Palladio and seems inconsistent with other streetscapes in the area that have towers located back towards the centre of the site.

At Mr. Beasley's request, Mr. Segal responded that this proposal represents a considerable improvement for Palladio residents, noting that the existing building blocks 47% of views and the proposed building will only block 41%.

Mr. Beasley asked whether the elevator shaft wall could be modified architecturally to moderate the impact on the Palladio residents. Mr. Segal responded that once the elevator core is moved in 15 ft. that will allow opportunities for glazing. Mr. Busby said he would be happy to incorporate glazing but that will be subject to the structural requirements of the core as determined by a structural engineer.

Bogue Bibiki, structural engineer for the existing Evergreen building, spoke in opposition to the proposal, stating that there is nothing wrong with the existing building and it should not be demolished. He asked why this new proposal is even being considered and what the benefit to the public is by replacing the existing building with a new one. Mr. Bibiki said the architecture of the proposed building is not suited to Vancouver and voiced his serious objection to the approval of this application. Mr. Scobie clarified that the Board is considering the application for a new building because it has been rightfully submitted under the zoning, ODP and Guidelines; therefore the Board has an obligation to consider it. He further explained that the redevelopment has been initiated by the property owner, not the City, and if it is approved it would be because the proposal is seen to be within the scope of the Zoning and Development By-law, ODP and Guidelines.

David Thom, a tenant of the existing Evergreen building, spoke in opposition to the application. Mr. Thom explained that he has a lease, does not want the existing building demolished, and he intends to assert his rights as a tenant to prevent its demolition. He stated his strong objection to the proposal.

Jeff Erickson, son of Evergreen building architect Arthur Erickson, spoke in opposition to the application stating that it would be a shame to lose one of the signature buildings in downtown

Vancouver. He said the existing building is good structurally and allows breathing space in a sea of glass towers.

Christopher Grunert, architectural photographer, spoke in opposition of the proposal noting that in the architectural photography realm the existing building is known around the world. He said the existing building is well built and connects to Vancouver.

Panel Opinion

Mr. Endall said when this project was reviewed by the Panel there was not a strong turn out of Panel members. The members that were present were generally supportive of the architecture and any primary concerns had to do with shadow and height as noted in the minutes. It is clear that the applicant has agreed to the conditions as presented in the report and has further agreed to address any primary concerns from the Panel in regards to height, density and articulation of the townhouses and the entry situation off of Pender Street as well.

Mr. Endall said there was a general comment from the Panel about their disappointment and concern for the potential demolition of the existing Evergreen building and noted that many Panel members would be happy if the option for retention was realized. Despite their wishes to retain the existing building, Mr. Endall stated that the majority of Panel members would be amenable to the Board approving this application.

In Mr. Endall's personal opinion, the existing building just seems to be maturing and coming into it's own as an important building in Vancouver when it is threatened with demolition; therefore he strongly encouraged the applicant to pursue retention of the existing Evergreen building.

Mr. Acton stated that the existing Evergreen building, and all of Mr. Erickson's work, influenced him has a young architect and it is important to get buildings that are deemed worthy onto the Vancouver Heritage Register.

With respect to this proposal the applicant has agreed to a height reduction and Mr. Acton stated that he does not believe any further reduction is warranted. He strongly does not support the recommendation to shift the elevator core to the west because it will have a severe impact on the design resolution and will hamstring the architect.

Mr. McLean said that if the City wasn't constrained under the narrow terms of reference requiring that this re-development application be considered, then retention would be the only option for this site but that is not the case here. Mr. McLean said that the application proposes a beautiful building and he supports the application with the changes as recommended by staff and that the developer has agreed to.

Mr. Scott said that he doesn't see the design as resolved. The height reduction is not clear, the size of units and column layouts will change and he is concerned that staff will have to be vigilant to ensure that the end result achieves what the Board is seeking in granting approval. He expressed skepticism that the building could realistically be constructed with a remote "core" as proposed since the core provides structural support for the balance of the building.

Mr. Scott said that he does not share concerns of some of the delegations that spoke tonight regarding setbacks. He said it appears that there is a view gain of 6 percent with this design and generally setbacks should not be a concern. Mr. Scott stated that he hopes that negotiations with the property owner result in retention of the existing Evergreen building

while recognizing that it is the right of a property owner to pursue an application for change within the Zoning.

Mr. Henschel said that this is a very striking building at first glance and invokes the existing building in some ways. Mr. Henschel said that he can only recommend approval as a preliminary application since it is unclear what the final building will look like after 2 storeys/33 ft. have been removed. He also believed that the townhouse details need more resolution. With these unresolved issues he felt the application should only be granted approval as a preliminary application and return to the Board as a complete application upon re-submission.

In terms of moving the elevator shaft in 15 ft., Mr. Henschel believed it would help the building as it would permit adding a glass panel down the shaft. Mr. Henschel stated that this proposal is a moral question for the property owner of whether to demolish a perfectly good building and replace it with another perfectly good building and Mr. Henschel asked that it be noted he does not approve of doing so.

Ms. Cooper thanked the Board for inviting her on behalf of the Vancouver Heritage Commission (VHC). The VHC has strongly supported and advocated for retention of the existing building and they have asked Council to intervene in the retention of the Evergreen building which was not on the Heritage Register and therefore did not have any heritage protection.

Ms. Cooper said she was very encouraged by the comments made by the Advisory Panel, in terms of the respect shown to the original building, including the moral issue. She noted that talks are continuing with respect to retention of the Evergreen building and VHC reviewed a formal development application for the retention of the existing building on September 12, 2005. Ms. Cooper expressed concern that the two development applications are happening simultaneously and one cannot be discussed without referencing the other. She stated that the VHC strongly supports the retention development application on September 12th and designation of the existing building. That application would also allow the unique opportunity to enlist the services of the original architect, Arthur Erickson.

With respect to urban design, Ms. Cooper noted the divided support of the Urban Design Panel and said the heritage community regards the substantial referencing to the Evergreen building in the design of the replacement building not as homage but as an affront.

In terms of sustainability, Ms. Cooper said the most sustainable option is to retain the existing building. As for public realm and community support, the existing Evergreen building with a modest 4 storey addition would not shade the community park the same way that the replacement building would and it would also be the most neighbour friendly option.

In conclusion, Ms. Cooper said support for the Evergreen building is local, national and international and it would be tragic if the Evergreen building were demolished at a time when Arthur Erickson's work is being celebrated in our Country.

Ms. Chung said that she was surprised at the number of parking spaces allotted to each unit; at two spaces per unit that is quite a lot of parking. Ms. Chung would like to see the number of parking spaces limited to be consistent with the wider policy of the City.

Ms. Chung noted that was unfortunate that there wasn't a requirement for mandatory notification of the Development Permit Board meeting to pre-purchasers. Ms. Chung stated

that this linkage is critical to keep residents and future residents informed of what is happening in their neighbourhood. She recommended that the Board approve the application.

Mr. Braun said he agreed that the existing Evergreen building should be retained; however he supports approval of this application. The biggest issue for Mr. Braun was shadowing of the park which has been addressed by the height reduction as recommended by staff.

Mr. Braun concurred with Mr. Acton regarding his comments about the elevator shaft. However, he likes the look of the building as it is and is concerned that condition 1.3, requiring the elevator shaft to be moved 15 ft. in, will put too much of a constraint on the architect and the building will lose an interesting feature.

Board Discussion

Mr. Timm stated there are clear directions from Council to deal with this application on its merits and separate from other processes that are taking place. This is a good design that tries to evoke design aspects of the existing building and although Mr. Timm had difficulty with the removal of two floors from the building and the way the architectural rhythm will play out, he felt that issue could be dealt with through the design development process.

Mr. Timm said that he does not want to be prescriptive in terms of the number of parking spaces approved as the applicant has agreed to be consistent with the Parking By-law. Mr. Timm moved approval of application with all of the conditions in report and one amendment to the preamble in the first page specific to parking stalls.

Ms. Forbes-Roberts said that she has a mixed reaction to this application being a former Heritage Planner for the City and although this is a great building, she wished it was being built on another site. She believed that there was enough information here for this to be treated as a complete application. Ms. Forbes-Roberts seconded Mr. Timm's motion with a friendly amendment to condition 1.3. Mr. Timm concurred with the amendment and added one further refinement to which Ms. Forbes-Roberts agreed.

Mr. Beasley said this is a great design and he wished there was such quality in other residential developments. Mr. Beasley said it would be an insult to the design to treat this application as a preliminary rather than a complete application. He hoped that approval for this application would not be acted upon by the owner and said that as Director of Planning he will do everything within his power to save the existing Evergreen building. The Board is dealing with this application consistent with policy that has been set and if negotiations for retention fail, which are currently going very well, there will be a report back to Council to identify other options before a demolition permit would be issued.

In conclusion, Mr. Beasley said he appreciated the last amendment to condition 1.3 to consider incorporating glazing in the relocated core because that will create a more neighbourly relationship. Mr. Beasley supported the motion as had been moved and seconded.

Motion

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

THAT the Board APPROVE Development Application No. 409493, subject to the conditions presented in the Development Permit Staff Committee Report dated October 26, 2005, with the following amendments:

Amend the main motion at the bottom of page 1 to remove the words *with four levels of parking for 143 cars* and replace them with:
with parking in accordance with the provisions of the Parking By-law;

Amend 1.3 to add at the end:
and to consider incorporation of glazing onto the east façade of the elevator core.

4. OTHER BUSINESS

No other business.

There being no further business, the meeting adjourned at 5:15 p.m.

D. Kempton
Assistant to the Board

F. Scobie
Chair