

Date: Monday, October 5, 2009
Time: 3:00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

C. Warren Director of Development Services (Chair)
B. Toderian Director of Planning (1060 Howe Street)
R. Jenkins Assistant Director, Central Area Planning Branch (1790 Beach Avenue)
D. McLellan General Manager, Community Services Group
T. Timm General Manager of Engineering Services

Advisory Panel

G. Eckford Representative of the Design Professions (Urban Design Panel)
S. Chandler Representative of the Development Industry
J. Stovell Representative of the Development Industry
S. Bozorgzadeh Representative of the General Public
H. Hui Representative of the General Public
K. Hung Representative of the General Public
A. Yan Representative of the General Public
R. Keate Representative of the Vancouver Heritage Commission

Regrets

M. Woodruff Representative of the Design Professions

ALSO PRESENT:**City Staff:**

R. Michaels Assistant Director Development Services
P. Storer Engineering Services - Projects Branch
D. Morgan Development Planner
P. O'Sullivan Development Planner
R. Segal Senior Architect/Development Planner
D. Autiero Project Facilitator
D. Robinson Project Facilitator
R. Whitlock Senior Housing Officer (1060 Howe Street)

1060 HOWE STREET - DE413030 - ZONE DD

S. McEwen S.R. McEwen Architect
L. Evans Portland Hotel Society
C. Hume Mental Health Commission of Canada
D. Buddle PRIMA Properties

1790 BEACH AVENUE - DE412932 - ZONE RS-1

R. Acton Acton Ostry Architects
P. Palm Vancouver Parks Board
D. Djurkovic Vancouver Parks Board
C. Sterry PWL Partnership Landscape Architects Inc.

Recording Secretary: L. Harvey

1. MINUTES

It was moved by Mr. McLellan seconded by Mr. Timm, and was the decision of the Board to approve the minutes of the meeting on July 27, 2009.

2. BUSINESS ARISING FROM THE MINUTES

None.

3. 1060 HOWE STREET - DE413030 - ZONE DD
(COMPLETE APPLICATION)

Applicant: S.R. McEwen Architects

Request: To change the use of the existing Motor Hotel to Dwelling Use - Rooming House and alter the building with minor renovations including the addition of dining area, office, amenity space and landscaping to the exterior and parkade roof. The proposed use is for a three year interim period.

Development Planner's Opening Comments

Dale Morgan, Development Planner, noted that the application was for a change of use from Hotel use (Bosman Motor Hotel) to Dwelling Use Rooming House. Mr. Morgan described the context for the area noting that the site is located mid block on the east side of Howe Street. He also described the main issues noting CPTED and the need for an Operation Management Plan concerns.

The applicant held an initial community open house in August plus a subsequent one in September with the Business Improvement Association. To date 87 letters have been received with 58 in support of the project.

The form of development is unchanged and therefore wasn't reviewed by the Urban Design Panel. The site is not scheduled for redevelopment for some time and there will be limited updating to the building to accommodate the change of use. The building is in serviceable condition and the liveability meets or exceeds City standards. All the units have access to daylight and ventilation and outdoor and indoor amenity spaces will be provided. The main floor will have the indoor amenity space and an urban garden and outdoor amenity space will be provided on top of the parking garage. Some repair work and upgrading to the public realm will include repainting the existing planters and power washing the sidewalk.

Mr. Morgan reviewed the recommendations contained in the Staff Committee Report dated September 9, 2009. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Rob Whitlock, Senior Housing Officer, noted that the City and the Province are working towards the development of 14 housing projects across the city, twelve of which are part of the December 2007 Memorandum of Understanding with BC Housing, the Province's Crown corporation. Funding for six of the sites was announced in March of this year. Two of the projects are underway, with the other four expected to start before year end. One of the six projects is in the Downtown South area, at 1338 Seymour Street. It is expected that the

funding for the remaining eight sites will be forthcoming over the next two to three years as the Provincial economy recovers and funds are available to provide for the construction of these sites.

Over the last winter, the City was working with the Province to fill the gap for much needed shelter and temporary housing. During the winter of 2008 and 2009, the City and the Province funded five shelters in the Downtown area. While these shelters served their purpose as part of the cold and wet weather response, they proved problematic when warmer weather prevailed in May and June. The two shelters at Howe and Granville Streets are now closed.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Mr. Morgan:

- The parking lot will be for the exclusive use of the facility and there will be no public parking provided.
- This will be a temporary use of the building for a limit of three years.

Applicant's Comments

Catherine Hume, Mental Health Commission of Canada, Vancouver Site Coordinator, noted that the project offers an approach that looks at providing safe housing for people and then engaging them in services and support. There is evidence from other jurisdictions that taking this approach has a meaningful effect on addressing homelessness. This project includes a strong research component with UBC and SFU. Ms. Hume noted that they have the resources to provide care for the duration of the project. The people that will be housed at the hotel will have mental and physical conditions and as well may have addictions. She said they were confident that the operator will be able to provide strong support for the residents and that the outcome will be significant. They have lots of support from other foundations as well. She added that this is a demonstration project and they will be able to provide more information as the project proceeds. She reiterated that they are confident that there are sufficient resources to ensure success for the project.

Liz Evans, Portland Hotel Society (PHS), Executive Director, noted that the society was established in 1993 and has established a track record that shows they are able to manage a range of supportive housing. She said that they see on a daily basis the positive impact of stable housing on people who were homeless. They also see people heal and start to care about themselves. She noted that PHS manages a number of other projects including Pigeon Park Savings Bank, the Interurban Art Gallery, the Portland Community Dental Clinic, Insite, Onsite, Washington Needle Exchange Program, as well as Our Community Security. Ms. Evans added that a number of their programs such as the Life Skills Centre, the Food Peddlers Program and Bugs Be Gone Pest Control hire local residents who receive regular work. She noted that the Bosman Motor Hotel project will have with enough funding to provide staffing for 100 homeless people. The residents will have a room with bathroom, a hot meal once a day, access to medical support, counselling, addictions treatment, mental health treatment, life skills assistance and recreational programs. Ms. Evans stated that while the residents have the right to move freely in the community PHS also believes the neighbours have the right to be safe in their community. She said they are committed to working with the citizens of the downtown as well as with the existing security staff and property managers in the area. Ms. Evans noted that their parking requirements are minimal as they will only be needed for staff parking. The reason the parkade can't operate as a commercial parking lot is more about the costs which are prohibitive. Additionally, the top floor of the parking garage will be turned into an outdoor amenity space for the residents.

Sean McEwen, Architect, noted that the building was well suited for the temporary use. There are 101 units that are comfortable from a liveability point of view. Mr. McEwen added that they are able to address the prior-to conditions in the Staff Committee Report. They are prepared to reposition the exit door and they will also repair the chain link fence. They are concerned with the overview of the outdoor space and they will try to open up and enhance the area. He also noted that they will not be moving forward with the planter beds due to cost concerns but they will be removing the river stones in the public realm. Mr. McEwen added that the building has been reviewed by City inspectors and there are some deficiencies in the building that will be addressed.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team and staff:

- There will be a minimum of two staff available at all times on the operation side of the project. There will be a ratio of 1 staff person to 10 residents in terms of the mental health and clinician teams. There will be front desk support on site seven days a week.
- There will be one person allotted per room. The facility will accommodate both men and women. Pets will be allowed.
- It is not a requirement to have the roof top gardens as an amenity.
- An extension could be requested by the applicant and it would be up to the Director of Planning to bring the application back to the Development Permit Board.
- In the last six months of the term, the operator would be looking at relocating the residents to other facilities.

Comments from other Speakers

Nadia Ladisernia said she was not in support of the project and was only made aware of the application in mid August. She felt that having the project across the street from her residence would cause the strata fees to go up because of the need for more security. She didn't feel it was democratic and felt that the businesses in the area were getting something from the City for allowing this project in the area.

Christine Ackermann said she was in support of the project and noted that homelessness is a huge problem in the city. She said the community doesn't have the capacity to deal with the problem. She wanted to see a relocation plan for the last six months of the permit to make sure the residents don't end up back on the street.

Lini Evans was not in support of the application and thought the notification was poorly handled. She noted that the HEAT shelters caused havoc in the community and it took six months before the provincial government shut them down. She said she didn't feel the security measures had been addressed and she didn't see any indication in the Staff Committee Report about how problems would be handled.

Maxine Davis, Dr. Peter Centre, was in support of the application. She said it was remarkable how well people do in housing when they have adequate support. Ms. Davis noted that the Dr. Peter Centre had been welcomed into the neighbourhood and felt the Bosman Motor Hotel project would help support people with addictions and mental health issues. She added that it was refreshing to know that this project will help people get off the street and help them strengthen their lives.

George Laquian has lived in the neighbourhood since 1994 and was in support of the development. He said the project will help provide a better quality of life for the people who need it the most.

Jeff Ashworth was in support of the project. He said he had been dealing with mental illness for several years. He lost his business and his family and has lived in the area for about 10 years. He has often slept on the street. He takes his meds and has been clean and sober for 22 months. Now he teaches and counsels others and is scheduled to live in the Woodward's project.

Linda Hudson is not in support of the application. She lives in the area and works across the street from the hotel. She said she is concerned for her safety. She added that she only found out about the Board meeting a few days ago.

Sonny Dean said he was in favour of the housing project. He believes housing is a fundamental housing right, adding that it was better than having people sleeping on the street. Ideally the goal is to elevate the standard of living and their self-worth. Mr. Dean said he had a lot of respect for the people behind the project. He added that he thought it would be great to see over 100 people succeed in life.

Nathan Allen was in support of the project and stated that he had letters of support for the project. He said he works at the Pigeon Park Savings Bank and thought that helping people improve their health and self-esteem was a worthy cause. He added that there will be counselling services and the necessary support so people can address their addictions.

David Rothwell was not in support of the project and thought the DPB meeting should be held in the evening and downtown where people can voice their concerns. He said he didn't disagree with helping the homeless but was concerned with security in the neighbourhood.

John Bishop was in support of the application. He said the project will get people in safe and secure housing so their physical needs could be taken care of first. He noted that the residents for this project are part of the city too.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the staff and the applicant team:

- The HEAT program was intended to deal with emergency situations during cold/wet conditions. Guests had to leave early in the morning and couldn't return until the early evening. This project will have a room for each resident and will offer a hot meal each day. The residents will be able to occupy their rooms all day long.
- The project will be more of a landlord tenant situation and if there are problems the tenant could be asked to relocate or leave the building.
- Regarding security, the management of the building will be able to see who is coming and going. The area will be monitored to prevent drug use and prostitution. The general strategy is to involve the police with problem situations.
- The operator will be responsible for the sidewalk area and staff will keep it clean. They are also working with security staff in the surrounding buildings.
- The new facilities that have yet to be built will get their residents from this project.
- It is a requirement of the Mental Health Commission to develop a transition plan in the last year of the permit. BC Housing has made a commitment to work with individual residents to help them relocate.

Panel Opinion

Mr. Eckford noted that the application was not reviewed by the Urban Design Panel.

Mr. Chandler thought this was an opportunity to resolve some major issues that are confronting our city. He said he could understand the neighbours concerns, however he felt that care had been taken to provide medical support and counselling in order to have security for those who are residents of the project and for the public at large. He said he believed the building was an opportunity to provide housing for those who are in need and felt the hotel was an ideal fit for that use. He noted that most of the buildings in the area were not residential. Mr. Chandler thought the conditions of approval that have been set by Planning for the public realm would improve the appearance of the building. He also felt that the programs would offer help for the residents and having the hotel as an interim use provides a wonderful opportunity for the community and he thought it would be successful. Mr. Chandler was in support of the application.

Mr. Stovell said he had confidence in the Portland Society as he has seen their work in the Downtown Eastside. The HEAT experience was really bad for the neighbourhood and people have lost faith in the operator's ability to maintain reasonable conditions. He thought this project would be a lot different but would like to see the application revisited in one year as he felt the neighbours had a legitimate concern.

Ms. Maust noted that there weren't any heritage concerns but was confident that it was an appropriate reuse of the building. She said she would like to see landscaping on the roof. Ms. Maust felt that three years was a long time and would like to see the application reviewed after the second year.

Mr. Yan said this was a much needed project and should be repeated throughout the city. He agreed that reporting back in a year to identify any weaknesses in the project was a good idea. Mr. Yan said he was concerned with the notification process. Mr. Autiero clarified how the notification was done noting that staff normally allows 3 1/2 weeks for people to respond and that they were still taking letters.

Ms. Hung was in support of the application. She thought it was a good use of the building and will give people some dignity to have housing. She thought the conditions in the Staff Committee Report would address the CPTED issues. Ms. Hung said she thought the notification was terrible. In August a lot of people are on vacation and since this was a sensitive project, that should have been taken into consideration. Ms. Hung said she thought there needed to be communication with the neighbourhood regarding the Operational Management Plan and would have liked to have seen a draft included in the Staff Committee Report. She thought there were a lot of questions and fear from the public as to what was going to happen. She suggested that the operator should start a dialogue with the community as soon as possible.

Mr. Hui said he understood the necessity for the homeless and mentally ill to find shelter. He was in support of the application. He noted that the location was mostly commercial and the project should have little impact on the neighbourhood. He thought the length of the permit was correct but would like to have seen a relocation plan for moving the residents to the new social housing projects once they are built.

Ms. Bozorgzadeh was in support of the application. She said she understood the concerns of the public and hoped that the operator would be accountable for any problems and would continue discussions with the community.

Board Discussion

Mr. Toderian asked Mr. Whitlock about the Operational Management Plan. Mr. Whitlock said the operator, along with the Director of Planning and an advisory group, will construct the plan to address any potential problems. Mr. Toderian also asked for clarity regarding issuing the permit for one year and then having it reviewed for an extension. Mr. Whitlock felt that wasn't a practical solution as there were financial considerations that BC Housing had undertaken to make the program successful. The approval of the funding was based on the three year time frame.

Mr. McLellan said that in reviewing the application he could see the value in the project. Regarding the notification to the neighbourhood, Mr. McLellan noted that mail wasn't sent to the tenants but only to the owner of the buildings. He said he thought a lot of the neighbours' concerns were regarding crime and felt that developing an Operational Management Plan in consultation with the community would be effective. Mr. McLellan said that he didn't think the shorter time frame was viable. He added that he thought it was a good project and recommended the application be supported.

Mr. Timm noted that it would not be appropriate for the Board to deny this application. He felt the conditions in the Staff Committee Report were appropriate and the use is allowed under the zoning. He added that the application was also consistent with Council Policy for short term housing. Mr. Timm thought the project would help with the housing problem in the city until the new social housing projects are in place. The hotel is available and can be brought into service in a short amount of time. Mr. Timm said he understood the concerns of the neighbours but felt that the Board didn't have a legitimate reason to turn down the application. He added that it is Council's intention to provide housing for the homeless and the Board's role is to implement Council Policy.

Mr. Toderian noted that the application was for conditional use and not an outright use and dwelling units are permitted under the zoning. Mr. Toderian thanked the speakers noting that the problems with the HEAT program may have tainted the discussion. He thought that the project was critically needed in the city and that the project was radically different from the HEAT program. He noted that safety and security issues come from the absence of housing and supportive services and that there are lots of positive statistics to support housing the disadvantaged. He added that a well done operational management plan would address any problems and he encouraged the operator to have a discussion with the immediate neighbours. Mr. Toderian thanked staff for a thorough report. He encouraged the operator to have their relocation plan start in the last year before the permit expires. Mr. Toderian thought the community had a right to be informed should the operator wish to extend the permit past the three years but he hoped that wouldn't be necessary. Mr. Toderian thanked the Portland Hotel Society for their ongoing work and as well the developer for taking a risk with the project. He said he would like to see other developers take on this kind of project. He thought that all the parties who were involved in the project were acting from a strong sense of community in helping to address the social problems in our city.

Motion

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

THAT the Board APPROVE Development Application No. DE413030 in accordance with the Staff Committee Report dated September 9, 2009, with the following amendments:

Delete Condition A.1.4, Condition A.1.8 and Condition A.1.9;

Renumber the following Conditions A.1.5 to A. 1.4, A.1.6 to A.1.5 and A.1.7 to A.1.6.

4. 1790 BEACH AVENUE - DE412932 - ZONE RS-1
(COMPLETE APPLICATION)

Applicant: Acton Ostry Architects

Request: To construct a Class 1 restaurant and associated terraces and loading area on this park site.

Development Planner's Opening Comments

Patrick O'Sullivan, Development Planner, introduced the application for a restaurant to be located at the intersection of Denman Street and Beach Avenue. He noted that there is a major pedestrian access point at this location and as well it is a sensitive and prominent site. The historic 1932 bathhouse will remain untouched by the proposal. Mr. O'Sullivan described the use under the zoning, noting that a restaurant is an accessory use to a park.

The application is for a two-storey restaurant and is proposed on the site of the existing concession facility. The proposal addresses both levels with entries at the Beach Avenue sidewalk with a terrace and also at the seawall promenade level. The indoor seating will be for approximately 80 and the outdoor seating will be for 70. On the lower level the take-out/concession area will have seating for about 50. The second level will contain the main entrance, and elevator serving both the kitchen and handicapped access and the loading/staging area.

Mr. O'Sullivan described the context for the proposal noting the building will be about 1.2m higher and 15m longer than the existing building. Staff believe the proposal will be an improvement over the existing structure as the building has a very strong design, appropriate for this high profile site.

Although the restaurant patrons are expected to arrive on foot, staff support provision of parking 300m south of the site. Regarding the loading space, Mr. O'Sullivan stated that there are two options being presented to the Board for consideration as noted in the Staff Committee Report.

Option 1 [Condition 1.1(a)]:

This option is for a single curb cut with loading occurring onsite. Once the loading truck is in position, normal pedestrian and cyclist movement can occur.

Option 2 [Condition 1.1(b)]:

This option allows for loading out of the stream of traffic in a lay-by, offsite. The advantage is that the loading truck does not physically have to cross the pedestrian and cyclist paths. The disadvantage is that the actual carting of goods would occur across the paths. The other disadvantage is that there could be an element of misuse by private vehicles.

The Bicycle Advisory Committee had concerns regarding conflicts between loading and cyclists in both options however they passed a motion supporting Option 1.

Mr. O'Sullivan noted that in either option, a detailed Loading Management Plan needs to be completed to the satisfaction of the General Manager of Engineering Services. The purpose of the plan would be to control the loading operation and to minimize the disruption. The Plan will identify the loading operations, hours of use, operational impacts on the bikeways and pedestrian path and measures to mitigate any impacts of the loading operations.

Mr. O'Sullivan reviewed the recommendations contained in the Staff Committee Report dated September 23, 2009. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Mr. O'Sullivan:

- The option of having a tunnel from Pacific Avenue to the loading area was not raised.
- The existing concession stand partially obstructs the street end view and the new restaurant will not diminish the view.
- Loading is expected to occur in the early morning hours between 6:00 and 8:00 a.m. It is also expected that there will be approximately eighteen deliveries per week.

Applicant's Comments

Russell Acton, Architect, further described the application, noting that the site was challenging and constrained. They had to take into consideration the high tide requirements, the sidewalk, and the proximity to the historic bath house. Loading was also a challenge in order to provide a service storage space that would allow loading to take place efficiently. They also needed to orient the building within the existing landscaping. In terms of the presence of the building, it will be as transparent as possible. There will be a narrow glazed entrance pavilion that will pay homage to the rhythm and scale of the historic bath house. They will be using a multitude of glass colored to represent the concept of fiery sunsets. The building material will be high quality and suitable for marine conditions. An image of Joe Fortes will be proposed on the glazing to make the connection to the history of English Bay. Mr. Acton noted that this will be a LEED™ Gold project.

Mr. Acton noted that the Loading Management Plan will help to minimize the impact of the loading. There will be approximately eighteen deliveries per week and will occur in non-peak hours. There may be times when deliveries occur at peak times but the deliveries will be coordinated with other food services in the area. The Park Board plans to develop a good neighbour policy to ensure the operations are occurring in a way that doesn't affect the surrounding community. The Park Board has advised that it is prepared to accept the decision of the Board regarding the options, but prefers Option 2. Mr. Acton noted that his firm is also recommending Option 2. In Option 2, the truck will not be required to back up and won't have to cross the pedestrian and bike paths. Mr. Acton added that in Option 1, in order to have all the loading occur on the site, it would be necessary to have a slight relocation of the building. The terraces would be closer to the sea wall and there would be a loss of some trees that would be retained in Option 2.

Chris Sterry, Landscape Architect, noted that the existing trees are significant on the site. There are two beech trees to the south of the building that act as a punctuation of the green space. The primary patron seating area will be in the front of the building with public seating for the concession. He said he also preferred Option 2 as it would mean the loading trucks wouldn't be crossing the bike and pedestrian paths and there wouldn't be a loss of any seating.

Stephen Gardiner, Ward Group, was a consultant regarding the loading and had looked at the City's plan. He said that with the onsite option there could be an issue depending on the size of the truck in that it may have to wait on the bike path if there were traffic. Mr. Gardiner thought that 18 deliveries a week would be typical and could be somewhat higher in the summer months.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team:

- The Park Board prefers Option 2 but will work with either option.
- The client is interested in expressing sustainability elements in the design.
- The restaurant exhaust will come out into the sidewalk and at the south end of the site.
- The lay-by option would allow for one shorter curb cut for the loading area.
- The existing concession is 1.5 meters above the sidewalk and the proposal will be 2.6 meters.

Comments from other Speakers

Brent Granby, West End Residents Association, was concerned with the affordability of the restaurant and asked that the restaurant menu have some more affordable options.

Eleanor Hadley was concerned that alcohol would be served in the restaurant and noted that alcohol is prohibited from being consumed in the parks and on the beach.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the staff:

- Affordability and lease issues would be for the Park Board to consider.
- The City has a noise bylaw that will help take care of any noise complaints from the neighbours.
- The Operational Management Plan will address accountability to the public and should address how disputes will be handled.
- The concession stand will have lower priced menu items.
- The restaurant doesn't need more parking spaces as it is well served by transit and bike paths.

Panel Opinion

Mr. Eckford said the Urban Design Panel strongly supported the application and felt it would be a minor intrusion into the street-end view. The Panel supported the increase in height for the restaurant level and thought there was a high level of landscape design. Their primary concern was the loading conflict, with the Panel acknowledging that Option 2 was preferable. They were concerned with the loss of the trees in Option 1 and thought it would be difficult to handle the loading on the beach side. They also thought there would be a conflict between the loading/delivery trucks and the pedestrian and cyclists. The Panel did have some concerns with the mechanical systems as they felt there could be heat build up with all the glazing. However, they did not want to see any mechanical equipment on the roof of the building. The Panel thought the project was very supportable and was an improvement over the existing building. The Panel also suggested that the restaurant not use temporary plastic screening on the patio during inclement weather. They felt that although the building needed to be transparent, the restaurant operator should ensure that in the off-season the space is still used and that the protective enclosure be of a high quality.

Mr. Chandler thought it was a beautifully designed building and would be an attribute to the area. He thought the use of glass was creative and appropriate for the area and that the applicant had spent a lot of time and attention to detail. Mr. Chandler said he endorsed the lay-by access and a Management Loading Plan related to the loading. He suggested additional storage units be used for quick off-loading and to ensure that the delivery trucks are in and out as quickly as possible. Mr. Chandler also thought there shouldn't be any mechanical equipment

on the roof. He thought it would be critical for the restaurant operator to manage and control noise issues. Mr. Chandler added that he was in support of the application.

Mr. Stovell thought the lay-by option was okay but a bit challenging although it would have the least negative impact on pedestrians and cyclists. He thought the architecture was fantastic and that this was the right location for the restaurant. Mr. Stovell thought there were some impacts with the street-end view but that it was worth it because of the architecture. He added that he was in support of the application.

Ms. Maust recommended support for the application. She said she liked the clean modern design and the use of colored glass and thought the project respected the heritage aspect of the bath house. Ms. Maust wasn't concerned with the loading as she felt staff would be able to take care of any issues.

Ms. Hung recommended support for the application and preferred Option 2. She said she was opposed to delivery vehicles backing up over the pedestrian and bike paths. Ms. Hung thought that staff had captured all the issues in the Staff Committee report and thought the architecture was delightful.

Mr. Hui supported the application and said he was glad to see some competition for the other restaurants in the area. He said he thought the coloured glazing would make for an interesting building.

Ms. Bozorgzadeh thought it was a beautiful building. She thought the design was very modern and high-end although she would have preferred more organic lines to blend into the beach. Also she suggested using more sand blasted glass as well as wood. Ms. Bozorgzadeh thought signage would be important and would like to see more greenery.

Board Discussion

Mr. Jenkins noted that it wasn't the purview of the Board to address restaurant affordability and operational issues like liquor sales, however comments and suggestions regarding these matters could be passed on to the Park Board. It is within the purview of the Board to address operational issues such as noise and traffic. There are two conditions that relate to the operation plans that the Board can rule on and that includes the loading Management Plan and urban design. Mr. Jenkins thought it was important how the street-end views were handled but thought it had been very carefully done and the intrusion was acceptable. The water views will still be visible through the building from Denman Street, as the views open up as you approach the intersection of Beach Avenue and Denman Street. Mr. Jenkins agreed that there shouldn't be any intrusions on the roof with mechanical equipment. Mr. Jenkins moved the motion to support Option 2 as he felt it was important to keep pedestrians and bikes away from the loading area.

Mr. McLellan noted that he is in the area a lot and regularly uses the bike paths. He said he was a bit perplexed by the application at first but since studying the application he said he couldn't think of a better place to put the restaurant. He thought the architecture had mitigated any problems and said he supported the motion.

Mr. Timm thought it was a good looking architectural solution and a great location for the restaurant. He noted that he heard the objections when the Watermark (at Kits Beach) came forward and since the restaurant opened there haven't been any of the problems that were originally anticipated. He said that he wished to be recorded as opposed to the motion because he could not support Option 2 as the solution to the loading issue. The reason he was

opposed was because he feels the lay-by will be used by taxis and drivers dropping off and picking up patrons of the restaurant. He was concerned that cars will pull up onto the sidewalk on a regular basis and will interrupt the regular flow on one of the busiest cycling routes in the city. This is an inappropriate use of the public sidewalk/bike route. However given the Panel advice and the decision of the Board, Engineering Services will certainly be prepared to work with the applicant to implement this design in the best manner possible. Other than the loading issue, Mr Timm indicated that he does support the remainder of the motion and approval of this development. Regarding affordability in the restaurant menu and serving alcohol, Mr. Timm thought that was an issue for the Park Board.

Motion

It was moved by Mr. Jenkins and seconded by Mr. McLellan, and was the decision of the Board:

THAT the Board APPROVE Development Application No. DE412932 in accordance with the Staff Committee Report dated September 23, 2009, with the following amendments:

Delete Condition 1.1(a)

Renumber Condition 1.1 (b) to Condition 1.1

CARRIED (Mr. Timm opposed)

5. OTHER BUSINESS

None.

6. ADJOURNMENT

There being no further business, the meeting adjourned at 7:00 PM

L. Harvey
Assistant to the Board

C. Warren
Chair