
1096 WEST BROADWAY (COMPLETE APPLICATION)
DE411434 - ZONE C-3A

DM/TC/PH/LH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

B. Boons (Chair), Development Services
S. Brodie, Engineering Services
C. Edwards, Engineering Services
L. Gayman, Real Estate Services
C. Tapp, Social Planning
T. Driessen, Vancouver Park Board

Also Present:

D. Morgan, Urban Design & Development Planning
P. Huber, Development Services
T. Chen, Development Services
R. Cheung, Development Services

APPLICANT:

Nigel Baldwin Architect
1447 Hornby Street
Vancouver, BC
V6Z 1W8

PROPERTY OWNER:

Crean Management Inc.
c/o 1096 West Broadway
Vancouver, BC
V6Z 1W4

EXECUTIVE SUMMARY

- **Proposal:** To develop this site with a mixed-use building, containing retail on the ground floor plus 10 storeys of residential containing 49 units, all over 3 levels of underground parking. Further, the project includes a transfer of heritage density of 3,750 sq. ft. (10 %) to this site, for a total FSR of 3.3.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building comments

Appendix D Plans and Elevations

Appendix E Applicant's Design Rationale

- **Issues:** There are no significant issues.

- **Urban Design Panel:** Support
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE411434 as submitted, the plans and information forming a part thereof, thereby permitting the development of this site with a mixed-use building containing retail on the ground floor plus 10 storeys of residential containing 49 units, all over 3 levels of underground parking inclusive of a transfer of heritage density of 3,750 sq. ft. (10 %) to this site, for a total FSR of 3.3, subject to the following conditions:

1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:

- 1.1 design development to improve the livability of the second floor dwelling units facing Broadway, modifying the horizontal stone band and roof overhang to enable more natural light into the units and views out, and maintaining a 30 ft. high building base along the street frontage;

Note to Applicant: The height of the solid horizontal band and depth of the roof overhang cause excessive shadowing and reduce daylight and view angles.

- 1.2 design development to improve the public/private transition between the exterior access second floor units and adjacent common patio area and the material treatment of the south exterior elevation that faces onto the patio area;

Note to Applicant: Consider issues of privacy, overlook and spatial layering to better define and separate these spaces and enhance the material treatment of the south exterior elevation, providing elevations and details.

- 1.3 design development to the two common amenity spaces enlarging both, adding a water closet and wet bar to the second floor common amenity space and improving the connection from the ground floor library to the patio area;

Note to Applicant: The second floor amenity room should be large enough to host a strata council meeting. Reduce the adjacent mechanical room to enable a larger library and improve access to the patio area, with consideration to limit solar gain through the library windows. Relocation of the electrical transformer (see Standard Condition A.1.8) will allow a larger more useable patio area.

- 1.4 consideration to improve the pedestrian circulation and public realm interface at the corner of Spruce Street and Broadway;

Note to Applicant: The seating area potentially obstructs pedestrian flow at the corner. Consider possible alternatives, maintaining a level seating area. Provide detail sections indicating grade elevations.

2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.

3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

• Technical Analysis:

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size ¹			100 ft. x 125 ft.
Site Area			12,500 sqft.
Floor Area ²	Outright 12,500 sqft. Conditional 37,500 sqft. Heritage Density Transfer (10%) <u>3,750 sqft.</u> Total 41,250 sqft.		Retail 2,943 sqft. Residential <u>38,307 sqft.</u> Total 41,250 sqft.
FSR ²	Outright 1.00 Conditional 3.00 Heritage density Transfer (10%) <u>.30</u> Total 3.30		Retail .24 Residential <u>3.06</u> 3.30
Rear Yard & Setback	14.93 ft.		16.00 ft.
Height ³	Outright 30.2 ft. Conditional unspecified max. Guideline height 120 ft.		Top of parapet 116.7 ft. Top of mech. screen 121.2 ft.
Horizontal Angle of Daylight ⁴		50° angle, unobstructed distance of 78.7 ft. - OR - Two angles of 70°, unobstructed distance of 78.7 ft.	50° angle with an unobstructed distance of at least 78.7 ft., except for 2 nd floor N. facing units.
Parking	Small car (25%) 17	Retail 3 Residential <u>43</u> 46 Disability 2	Retail 4 Residential <u>64</u> 68 Disability 2 Small car 14 (21%) Visitors' 3
Loading		Class A Class B Retail 0 1 Residential 0 0	Class A Class B Retail 0 1 Residential 0 0
Bicycles ⁵		Class A Class B Retail 1 6 Residential 61 6	Class A Class B Retail 1 6 Residential 61 0
Amenity ⁶	8,250 sqft.		Level 1 Library 161 sqft. Level 2 Amenity room <u>286 sqft.</u> Total 447 sqft.
Balconies	Total (8%) 3,064 sqft. Enclosed (50% of open) 1,532 sqft.		Open 1,532 sqft. Enclosed <u>1,532 sqft.</u> Total 3,064 sqft.
Units			Townhouse units 2 Condominium units <u>47</u> Total 49

¹ Note on Site Area: The project consists of two separate legal lots and is required to be consolidated as per Standard Engineering Condition A.2.1.

- ² **Note on Floor Area and FSR:** The Development Permit Board may permit an increase in the maximum floor space ratio (FSR) of 1.00 to any figure up to and including 3.00. The Board may also increase the FSR resulting from a Heritage Density Transfer to a maximum of 10% over the total permitted floor space, in accordance with Section 4.7.5 of the C-3A District Schedule. Both increases have been sought by the applicant and staff is supportive of the increases (see page 8 - 11 for further discussion). A donor site has been identified as 163 West Hastings Street and Letter 'B' is required in support of the density transfer (Standard Condition A.1.1).
- ³ **Note on Height:** The Development Permit Board may permit an increase in the maximum height of a building with respect to any development. The Applicant is proposing that a height of 121.2 ft to the top of the mechanical/privacy screen be considered for this development, which is beyond the Guideline height of 120 ft. Staff is supportive of the proposed height. See page 8, Density Height and Massing, for further discussion.
- ⁴ **Note on Horizontal Angle of Daylight:** The north facing units on the 2nd floor have a solid obstruction (guard rail) approximately 12 ft. away from the window. Staff is prepared to accept this reduced distance and is recommending relaxation to 12 ft. (from 78.7 ft.). See page 9, Livability, for further discussion.
- ⁵ **Bicycles:** Residential Class B (visitors') spaces are deficient, and Standard Condition A.1.4 seeks compliance.
- ⁶ **Note on Amenity:** Additional design development and details are required for the amenity spaces as per Condition 1.3 and Standard Condition A.1.7.

● Guideline Analysis- Central Broadway C-3A Urban Design Guidelines (Fairview Slopes Sub-Area)

	RECOMMENDED	PROPOSED
Sect. 2.7 Street Trees	This is a priority area in the Broadway Corridor for curb tree planting. Tree characteristics should include one type of deciduous tree, two inch caliper minimum planted every twenty feet.	3 street trees are provided as per City of Vancouver Standards. Sidewalk treatment to conform to standard public realm treatment for commercial streets. One additional tree is recommended. See Standard Condition A.1.10.
Sect. 2.8 Parking & Servicing	Lanes should be retained for access and truck parking.	Parking and servicing is accessed from the lane, 13 ft. higher than W Broadway. This is considered a significant part of the conditional earning for this small site. See discussion, page 11.
Sect. 2.10 Rain Protection	Buildings on both north and south sides of West Broadway should offer rain protection to pedestrians.	Continuous rain protection is provided for along Broadway and part of Spruce Street for all commercial frontages. Staff consider this well resolved.
Sect. 3.1 Street Wall Length & Height	<p>A low-rise element (1-2 storeys) may occupy 100% of the street frontage with a maximum height of 30 ft.</p> <p>A mid-rise element (3-6 storeys) should occupy no more than 75% of the street frontage with a maximum height of 70 ft.</p> <p>Tower elements should have a max 67% of the street frontage. Higher buildings should be oriented to maximize sun penetration and views to the north.</p>	<p>The low-rise element occupies the entire Broadway frontage up to the 9½ ft. sideyard setback along Spruce Street to provide for an expanded public realm. Staff consider the low massing well resolved.</p> <p>The mid-rise/tower element at its widest, occupies 60% of the Broadway frontage. This improves views through the site and reduces shadowing along Broadway.</p> <p>The proposed height is 116.7ft. up to the roof parapet and 121.2ft. up to the elevator penthouse. The width of the upper massing varies from 46% along the Broadway frontage, widening to 60% at the rear of the site. Staff support the proposed building height and width, which meet the intent of the more prominent building height for the geographical high point on the Central Broadway corridor and provides for a slimmer massing form. See discussion page 8 and 9.</p>
Sect 3.4 Tallest Building	The tallest buildings in the sub area best located between Alder & Birch to accentuate topography.	The site is one block east of the highest West Broadway elevation. Staff consider the proposed building height appropriate for this part of West Broadway. See height discussion on page 8.

• **Legal Description**

Lot: 1 and 2
 Block: 355
 Plan: 590
 District Lot: 526

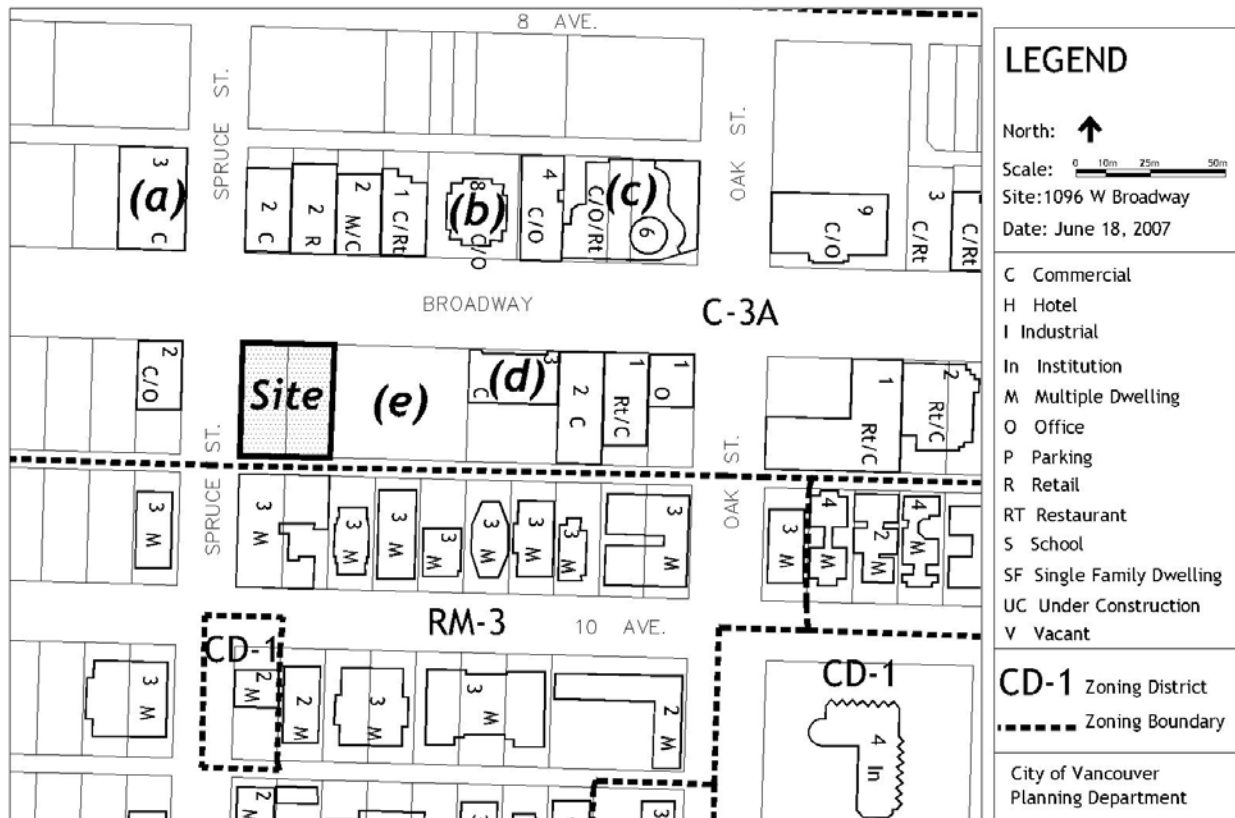
• **History of Application:**

07 06 07 Complete DE submitted
 07 07 04 Urban Design Panel
 07 11 07 Development Permit Staff Committee

• **Site:** The site is located on the south side of West Broadway, at the corner of Spruce Street. It has a 100 ft. frontage and a depth of 125 feet. There is a grade difference between the lane and West Broadway of approximately 13 ft., making vehicle access from the lane a significant challenge for this small site. The site is presently occupied by a 2 storey funeral home, with at grade parking off the lane.

• **Context:** Significant adjacent development includes:

- (a) 1111 W Broadway, 9 storey mixed use, under construction
- (b) 1055 W Broadway, 8 storey office building
- (c) 1000 W Broadway, 6 storey office building
- (d) 1030 W Broadway, 12 storey mixed use, under construction
- (e) 1070 W Broadway, 12 storey mixed use, under construction



- **Background:** This proposal constitutes the third tower form to be considered on the south side of the 1000 block of West Broadway. Presently there are two 12 storey buildings under construction to the immediate east of the site at 1096 West Broadway. There is a fourth and last potential tower site for this block face at the corner of Oak Street and Broadway.

At the initial development enquiry stage, staff advised this site was suitable for ground oriented multi storey townhouses along Spruce Street. Staff had requested a ten foot exterior sideyard along Spruce Street, reducible to 6 ft if terraces were provided for the townhouses. Staff also supported vehicular access to this site from the lane and recognized the significant challenge of achieving this.

- **Applicable By-laws and Guidelines:**

1. C-3A District Schedule
2. Central Broadway C-3A Urban Design Guidelines
3. Central Area Plan: Goals and Land Use Policy C-3A - Central Broadway

1. C-3A District Schedule

Use: Retail use is an outright approval use and residential use a conditional approval use in the C-3A District.

Density and Height: The outright density permitted is 1.0 FSR with a maximum conditional density of 3.0 FSR in accordance with Section 4.7 of the C-3A District Schedule. A transfer of heritage density up to 10 percent of the maximum permitted density is permitted under Section 4.7.5 of the C-3A District Schedule.

The outright height is 9.2 m (30.2 ft.). The height can be increased to a maximum which is unspecified in the District Schedule through Section 4.3 of the Zoning and Development By-law. Increases to density and height may be permitted provided the Development Permit Board first considers:

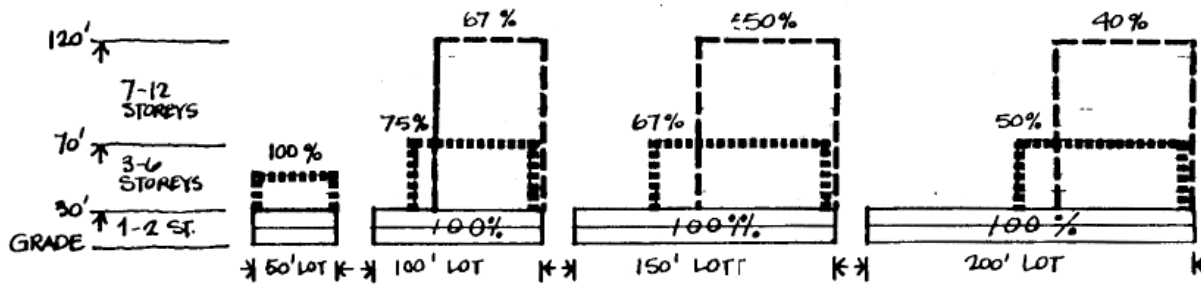
- the overall resolution of the building and its effect on the surrounding areas, including existing views;
- the amount of open space, the design and general amenity provided by the proposal;
- traffic, pedestrian amenity and livability of any dwelling uses; and
- submissions of any advisory group, property owner or tenant.

2. Central Broadway C-3A Urban Design Guidelines

In summary, the intent of the Guidelines as they relate to this development, are:

- to encourage residential uses above street-level commercial uses;
- to locate higher buildings on West Broadway in such a way as to emphasize the Alder Street high point, with heights up to 120 ft.;
- to allow private views through thinner mid-rise and tower massing;
- to ensure that parking, loading and services are accessed from the lane system; and
- to provide street trees and continuous pedestrian weather protection on West Broadway.

The suggested Guideline massing is illustrated below:



3. Central Area Plan: Goals and Land Use Policy C-3A - Central Broadway

This policy encourages residential use as the dominant use in this area.

• Response to Applicable By-laws and Guidelines:

Use: A mix of retail use at grade with residential use above is considered an optimum use for this location of Central Broadway.

Density Height and Massing: The requested increase in height from 30.2 ft. to 121.2 ft to the top of the elevator penthouse and in density from 1.0 FSR to 3.0 FSR (plus a 10 percent transfer of heritage for a total 3.3 FSR) is supported, but must be earned.

The proposed height of 121.2 ft. is slightly more than the maximum recommended Guideline height of 120 ft., noting that the main roof parapet is slightly less at 116.7 ft. Staff consider this proposed height supportable, given that the tower provides a sense of prominence for this high point of Central Broadway and that the massing and height is compatible with other recent towers along Broadway. The requested increase in density has been well handled and fits within the suggested massing of the Guidelines.

Figure 1, shows a comparison between the proposed building and suggested Guideline massing. This illustrates that the proposed building is significantly slimmer in both the mid-rise and high-rise portions of the building than what the Guidelines recommend. This slimmer tower form has the positive effect of both reducing shadows on the street and improving sun access and views through the site.

The Guidelines recommend a continuous base height of 30 ft. along the retail street frontage to give pedestrian scale and a sense of street enclosure. The low rise massing along Broadway is 30 ft. and continuous across the street frontage, up to a 9 ½ ft. exterior sideyard at the corner of Spruce Street. This 9 ½ ft. setback is supported by staff for the benefits of an expanded public realm. (See Figure 1) The second floor residential units facing Broadway step back from the street edge to provide a private outdoor amenity space and buffer to the street. The continuity of the 30 ft. high building envelope is achieved with vertical privacy walls, horizontal stone banding and prominent roof overhangs. The Urban Design Panel agreed these elements reinforced the desired 30 ft. high scale at the street edge, but thought the deep roof overhangs and stone banding would negatively affect livability by restricting natural light access into these north facing units. (See further discussion on livability page 9 and 10 and Condition 1.1)

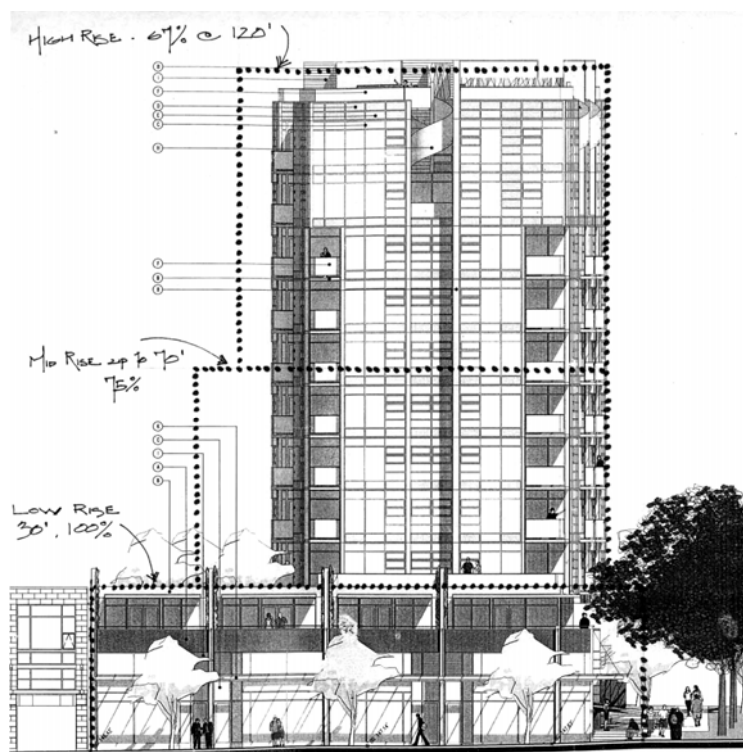


Figure 1

The applicant has proposed setting the tower massing 23 ft 5 in back from the street edge, departing from other recent C-3A developments on the same block face, notably 1070 and 1030 W Broadway, where the tower massing is positioned at, or close to, the street edge. The consensus of the Urban Design Panel was that this setback was appropriate for the corner site and gave more variation to the street pattern. The slight splaying of the tower massing was derived in part to allow for the retention of an existing large tree located along Spruce Street and for compositional reasons, adding further interest and variety to the tower forms along Broadway. The Urban Design Panel agreed this to be an appropriate site response. Staff support both the proposed building setback and tower massing.

Livability: The spacing of the mid and upper massing from the adjacent tower to the east at 95 ft. 8 in. exceeds the minimum 80 ft. tower separation typically used in high density residential development. The size of the tower floor plate, at approximately 4400 SF, is relatively small and most units have a corner orientation with good multidirectional natural light and views out. All habitable rooms have exterior windows. The bedroom windows of the second floor units along Broadway meet the minimum 12 ft. unobstructed distance to enable the relaxation of the horizontal angle of daylight requirement and staff recommend this is acceptable. There is a variety of unit types and size, including one and two bedrooms and ground oriented multi level townhouse units. All units meet or exceed the minimum requirements for private outdoor amenity space. The top floor units have extended roof patio areas with direct access by exterior spiral stairs to the roof level.

As pointed out by the Urban Design Panel, (See previous discussion on massing, page 9) the second floor roof overhang and horizontal stone band that help to reinforce the Guideline recommended 30 ft. building height along Broadway, also cause excessive shadowing and limit natural light access into the north facing second floor units. Staff recommend the horizontal band and roof overhang be modified to

improve natural light access, while maintaining a 30 ft. high building height at the street. These livability issues are addressed under Condition 1.1.

There are two common amenity spaces with adjacent common outdoor amenity areas; a library adjoining the main entry lobby with direct access to a small common patio and a second floor amenity space also with direct access to a larger common patio area. The Urban Design Panel recommended enlarging the library, by reducing the adjacent mechanical space and improving its relationship to the outdoor space. Staff recommend that the second floor amenity space also be enlarged to adequately host a strata council gathering and equipped with a water closet and wet bar. These issues are noted under Condition 1.3.

Two of the second floor units along Broadway have exterior entries directly fronting onto the common patio. The Urban Design Panel recommended a better transition between the semi-private space of the second floor units and common patio area and improved material development to the south facing exterior wall of the second floor units. These concerns are covered under Condition 1.2.

Materials and Architectural Expression: High quality materials have been proposed and the detailing well resolved, subject to Condition 1.1. and 1.2 (See discussion under Livability) The building is clad predominately in glass; a mix of clear and spandrel glass interspersed with metal panels, painted concrete shear walls and stone tile accents at the base. The exterior spiral stairs providing roof access are wrapped in perforated metal panel that accentuate the upper massing. Staff recommend clarification on the drawings of the location of the stone tile at the base of the west elevation. (See Standard Condition A.1.6)

Public Realm and Landscape Treatment: The public realm treatment is well handled and meets the City of Vancouver standards for this part of Broadway. An additional tree along Broadway is recommended as per the suggested tree spacing in the Guidelines. (See Landscape Condition A.1.11.) Staff also recommends that the parking exhaust vent located at the lane edge be relocated to allow a continuous landscape edge at the lane. (See Landscape Condition A.1.12).

The retail store frontage is well resolved and addresses pedestrian scale, interest and comfort with smaller bay sizes, full height glazing, numerous entries accessed directly at sidewalk grade and continuous weather protection. The retail frontage turns the corner and continues one bay width along Spruce Street. A landscaped 9 ½ ft. exterior sideyard is provided along Spruce Street with a seating area at the corner, suitable for a small café. To maintain a level seating area where there is substantial slope, a grade transition is necessary. The applicant has proposed graduated steps to meet the changing grade while maintaining a level area for seating. The Urban Design Panel suggested as a consideration that pedestrian circulation through and around this area be better resolved. Staff has included this consideration under Condition 1.4.

Parking: As previously mentioned, there is substantial slope across the site, dropping approximately 13 ft. from the lane down to Broadway, making underground parking access from the lane a challenge, further complicated by the relative narrowness of the 100 ft site. Staff consider the integration of the parking ramp with the vertical circulation core, commercial space and ground level townhouses to be well resolved. Staff consider the provision of lane access to be an important aspect of the discretionary earning.

Views: The Guidelines recommend minimizing private view loss where possible, recognizing that some view loss may occur. To the south of the site is RM-3 zoning, where building heights can achieve a maximum of 120 ft., depending on lot size. Existing lot patterns in this area are relatively small with typical building heights of approximately three to four storeys. The slender massing of the tower form and spacing between adjacent developments preserves views through the site. In the future, if and when the RM-3 sites to the south of the site are redeveloped, significant view potential is possible through the 90 ft. plus wide spacing between the recently approved towers for this block face.

Sustainability: The applicant has indicated their intention to provide a number of initiatives related to energy efficient building design that is consistent with other recently approved C-3A applications, including heat exchanger systems, compact fluorescents, "energy star" appliances and motion sensor activation controls. Low flow plumbing fixtures and the reuse of potable water for irrigation are also proposed. The building has responded to different site orientations with more solid and opaque surfaces, overhangs and recessed balconies on the west and south exposures. Most of the units have dual orientation with good cross ventilation. Roof areas include drought resistant planting in raised planters and heat reflective pavers.

Conclusion: This proposal meets the intent of the Guidelines with regard to building form, and surpasses them in terms of providing benefits beyond the Guidelines through thinner building massing. Staff consider the building well resolved and an important addition to the 1000 block Broadway streetscape. Earning the requested increases in density and height has been provided primarily through:

- a slimmer massing at both the mid-rise and tower sections, to allow views and sunlight access through the site, reducing shadow impact on the street;
- high quality retail frontage and street treatment;
- expanded landscaped public realm along Spruce Street;
- ground oriented townhouses;
- taking vehicular access from the lane (approx. 13 ft. higher than the street); and
- the use of high quality materials, including natural stone cladding, architectural concrete and glass.

On that basis, staff consider that the requested increases to density and height have been earned and recommend approval of this application.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on July 4, 2007, and provided the following comments:

EVALUATION: SUPPORT (6-0)

- **Introduction:** The Panel adjourned to the model, where Dale Morgan, Development Planner described the surrounding area and the design development for the project. The property is located on central Broadway in the Fairview sub-area. The proposal is for an 11-storey mixed use development with commercial at grade and three levels of underground parking. The applicant is seeking a density of 3 FRS plus 10% heritage density transfer for a total of 3.3 FSR. The height is approximately 120 feet. The site is on the southeast corner of West Broadway and Spruce Street with a 100 foot frontage and grade drop across the site of 13 feet. Mr. Morgan noted that there have been a number of new developments in the area in the last few years. The C3-A Guideline massing allows for a continuous 30 foot high base podium, an intermediate building massing up to 70 feet with 75% of the frontage width, and the tower form to 67% of the frontage width up to 100 feet.

Advice from the Panel on this application is sought on the following:

1. Discretionary Earnings: Has this project earned the discretionary density 3.0 FSR (plus an additional 10% for a total of 3.3 FSR) and a height increase from 30.2 ft to approximately 120 feet?
2. Urban Form: Does the building fit into the overall emerging pattern of development along the Broadway corridor? The tower form is setback 23.5 ft from the podium/street edge, as compared to 1070 and 1030 West Broadway where the towers are placed at or close to the street edge. Given the small site, slope and corner condition, is this an acceptable response?

3. Architectural Expression: Comments are requested on the materiality and architectural expression.

- **Applicant's Introductory Comments:** Nigel Baldwin, Architect, further described the project noting that the tower was set back to create some difference in the streetscape along West Broadway. He noted that he created a glassy tower with an angled face. The 10 foot set back along Spruce Street allows for the three large trees to remain and to have an open space on the corner to accommodate a café. The 2nd floor units have been set back to allow for some patio space.

Chris Sterry, Landscape Architect, described the landscape plans for the project noting the solid green wall that is proposed along the lane to provide privacy for the outdoor space that is next to a small indoor library area. Mr. Sterry also noted the landscaping for the communal outdoor space as well as the roof decks and balconies.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - Design development to the overhang on second floor units on west Broadway to improve natural light access;
 - Consider design development to the patio area on the corner of Spruce Street and West Broadway with regard to pedestrian circulation and use;
 - Design development to the 2nd floor courtyard and relationship with the exterior accessed 2nd floor units;
 - Consider improving the relationship with the library and the outdoor terrace; and
 - Consider reducing the area of exposed painted concrete on the south façade.
- **Related Commentary:** The Panel unanimously supported the proposal and thought the project had earned the discretionary density as well as the 10% heritage density transfer.

The Panel supported for the tower setback along West Broadway as they felt it offered greater variability on West Broadway and helped break down the monotony of the series of small towers that are all in a row. Some Panel members suggested that the tower massing should either have a stronger symmetrical or asymmetrical form. One Panel member thought the exterior spiral stair on the north side seemed a little pinched

The Panel thought there were some very strong elements on the project including the roof top gardens and fireplaces, the expression of the landscape coming to the building edges and the treatment of the building in terms of breaking up the massing.

The Panel supported the Spruce Street building setback but several members suggested some design development to the transition between the patio space and the sidewalk by considering a different resolution than the proposed stairs to help integrate the patio into the sidewalk and make for better pedestrian circulation.

Most of the Panel felt the long canopy on the 2nd floor of the West Broadway frontage would restrict light access to the suites and suggested lifting the cornice line to improve the liveability of the units. One Panel member suggested the overhang on the west façade could be turned around and made vertical. The Panel liked the layout of the suites but thought the townhouses on Spruce Street were too small.

The Panel felt the relationship between the outdoor amenity and interior amenity space needed some work as they thought it wouldn't be used and would like to see the outdoor space have a stronger definition. The Panel was concerned with the private/public transition of the two units on the podium facing the courtyard and thought the units could have semi-private transitional spaces

and improved material treatment of the south facing wall. Also, the Panel thought the internal library space was too small and suggested improving its relationship to the outdoor terrace area.

The Panel supported the proposed materials of predominately glass wall and painted concrete with stone tile accents at the base, however there was some concern about the amount of painted concrete on the south façade and recommended design development to reduce it's area. Several Panel members thought the black band of stone below the 2nd floor units on West Broadway needed to be lowered or reduced in height to improve light and views to the 2nd floor residential units. Several Panel members commented on the frames of the building with some liking them and some finding them somewhat busy.

One Panel member had concerns about the location of the garbage in the basement as they thought it would take a lot of work to get the containers up to the lane.

- **Applicant's Response:** Mr. Baldwin thanked the Panel for their comments. He said he agreed with the comments regarding the overhang on the West Broadway side of the building and the depth of the black band of stone.

ENGINEERING SERVICES

Recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

LANDSCAPE

The provision of one additional street tree is required. (See Standard Condition A.1.11)

HOUSING CENTRE/SOCIAL PLANNING

Families Living with Children: The proposed development includes a total of 49 units, 22 of which include two or more bedrooms that may be attractive to families living with children (45% of total units).

The applicant has provided an amenity library area on level 1 and a multi-purpose common amenity room on level 2. General design development will be required to increase the area and functionality of both amenity areas. In addition, design development will be required to provide a fully accessible washroom and storage area in the multi-purpose amenity room on level 2 (Condition 1.3)

There is an outdoor common area patio located adjacent to the indoor amenity room. The patio has seating areas, however the overall layout of the patio could be improved to accommodate children's play activities through a more flexible design. Design development will be required in order to provide opportunities for children's play activities, without necessitating inclusion of a play structure which may take up additional space in the relatively confined patio areas.

Urban Agriculture

Shared Garden Plots: The applicant has not designated an area on the amenity patio for shared garden plots; however, the design and location of the raised concrete planters provides opportunities to easily accommodate urban agriculture. Design development will be required to convert one of the planters into a shared garden plot area.

Edible Landscaping: Edible landscaping is the use of plants that produce food in place of more commonly used ornamental plants, and is supported under the City's Food Policy objectives. Many of these plants provide ornamental quality while also producing edible leaves, flowers, nuts, and berries. In this way, edible plants serve "double duty". The applicant is encouraged to consider incorporating edible landscaping into the edges of raised planters on the amenity patio and other common walkways which are accessible to residents.

ENVIRONMENTAL PROTECTION BRANCH

The site has been noted as a funeral home since 1948 and this has been confirmed by archives search. No schedule 2 activities have occurred on the site. No further soils approvals are required. Submission requirements at the Building Permit stage are included in Appendix A.

PROCESSING CENTRE - BUILDING

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Processing Centre-Building staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, fire fighting access and energy utilization requirements.

Further comments regarding Building By-law requirements are contained in Appendix C attached to this report.

VANCOUVER COASTAL HEALTH AUTHORITY

The VCHA advises the applicant to take note of the following:

- (i) Detailed drawings of food/retail spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction; and
- (ii) The garbage storage area is to be designed to minimize nuisances;

NOTIFICATION

Two signs were erected on the site on June 22, 2007. On June 27, 2007, 898 letters were sent to neighbouring property owners advising them of the application. On October 25, 2007 an update letter was sent to advise the neighbours of the change of the Development Permit Board date. The applicant has confirmed that they do not have any pre-purchasers in the notification area. To date 4 responses have been received, 3 objections, and 1 support, their comments are as follows:

- the proposed development will densify the area too much and create additional parking and traffic congestion in an already busy area;
- the proposed development will have a negative affect on views;
- this site should remain as a low-rise commercial;
- the possibility of a "wind tunnel effect" should be considered;
- the project looks like it will add significantly to the streetscape;

Response to Notification:

- *The proposed density of 3.3 FSR is permitted under the C3-A District Schedule and meets the urban design objectives for this area.*
- *The proposed parking meets the requirements of the Parking By-Law and will be located underground, off of the lane.*
- *The slimmer massing of the mid and upper massing enables views through the site.*
- *Wind deflection for buildings of this relatively modest height, are not considered a problem.*
- *The proposal meets the intent of the Guidelines with a continuous 30 ft building frontage along Broadway with continuous weather protection and high quality retail development.*

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law it requires decisions by the Development Permit Board.

The application requires the development Permit Board to exercise discretionary authority as delegated to the Board by Council, with respect to the requested building height and density including the 10% heritage density transfer. It also requires the Board to consider a By-law relaxation per section 4.10 of the By-law (Horizontal Angle of Daylight).

The staff committee supports the relaxation of the horizontal angle of daylight in this case as the relaxation is limited to the north facing units on the second floor.

The Staff Committee supports the requested height and density on the basis that the application has demonstrated that they have "earned" the increases through the design, materials and high quality retail frontage and street treatment proposed and recommends approval of the application subject to the conditions contained in the report.

B. Boons
Chair, Development Permit Staff Committee

D. Morgan
Development Planner

T. Chen
Project Coordinator

Project Facilitator: P. Huber

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

A.1 Standard Conditions

- A.1.1 submission of letter "B" which includes confirmation from the owner of the identified "donor" site that the Heritage Transfer agreement has been finalized, and confirmation of the new "balance" of transferable density remaining on the "donor" site;

Note to Applicant: Sample letter "B" may be obtained from the Project Facilitator.

- A.1.2 provision of a letter from a Building Envelope Professional, as defined in the Building By-Law, sealed and signed, recommending the proposed wall types as indicated on the tracing overlay;

- A.1.3 provision of details of balcony enclosures;

Note to Applicant: To qualify for an exclusion from floor space ratio (FSR) calculations, an enclosed balcony must be a distinct space separated from the remainder of the dwelling unit by walls, glass, and glazed doors (hinged or sliding), have an impervious floor surface, a flush threshold at the bottom of the door (for disabled access), large, openable windows for ventilation, and distinct exterior architectural expression. In addition, each dwelling unit should have no more than one enclosed balcony, and all balconies, both open and enclosed, should be clearly identified on the floor plans. Notation should also be made on the plans stating: "All enclosed balconies shall be designed and constructed in accordance with the Council-approved Balcony Enclosure Guidelines".

- A.1.4 provision of residential Class B (visitors') bicycle spaces at or near residential entrances;

Note to Applicant: Bicycle spaces are to be shown on both the ground floor plan and the Landscape plan. Further, denotation of a gate or fence should be shown separating the two Class A bicycle room compartments as shown on Parking Level 1 (sheet A203).

- A.1.5 clarification on the drawings, indicating location and maximum slope of the handicap access ramp to the main entry lobby;

- A.1.6 clarification on the drawings, clearly indicating the extent of the proposed stone tile, west elevation;

Note to Applicant: Removal of the trees from elevation drawings is required so that the elevation treatment and reference notes are clearly indicated.

- A.1.7 denotation on the plans of proposed amenity space, including details regarding type, finishing, equipment and/or furnishings;

Note to Applicant: See also Condition 1.3 for further requirements for the amenity spaces.

- A.1.8 design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impact on the building's open space and the Public Realm;

Note to Applicant: Electrical transformer to be relocated away from the side property line and screened appropriately. (See also Condition 1.3 and Standard Landscape Condition A.1.11)

- A.1.9 clarification on the drawings that the internal second floor stairs of the townhouse units are correctly aligned with the floor plans;
- A.1.10 consideration to reduce the proposed number of residential parking spaces.

Note to Applicant: The proposed number of spaces exceeds the new Parking By-Law.

Standard Landscape Conditions

- A.1.11 provision of one additional street tree along West Broadway. New street trees should be noted: "Final species, quantity and spacing to the approval of the City Engineer and Park Board. Contact Kevin Cavell (60-873-7773) of Engineering Services regarding street tree spacing and quantity." Contact Amit Gandha (604-257-8587) of Park Board regarding tree species;

Note to Applicant: Central Broadway C-3A design Guideline 2.7 Street Trees states trees should be planted "every twenty feet" along the street edge).

- A.1.12 relocation of the parking exhaust vent away from the lane edge to enable a continuous landscape edge treatment;

Crime Prevention Through Environmental Design (CPTED)

- A.1.13 design development to the rear lane setback area to reduce opportunities for mischief;

Note to Applicant: This can be achieved by incorporating the services into the building and located east of the amenity patio;

- A.1.14 design development to reduce opportunities for residential break and enter by securing the exit stair from the roof amenity area at the lane level with a gated enclosure;

- A.1.15 design development to reduce opportunities for mail theft by locating mail boxes within full view of the residential elevators;

- A.1.16 design development to improve visibility in the underground parking by reducing the amount of solid wall where possible;

Social Planning/Housing Centre

- A.1.17 design development to incorporate opportunities for children's play activities on the 2nd floor amenity patio.

Note to Applicant: Staff recommend utilizing a flexible design and not the inclusion of play structures which are larger and may limit other uses for the space.

- A.1.18 conversion of one of the raised concrete planters on the common amenity patio on level 2 into a shared garden plot area, ensuring that it receives sufficient sunlight to be viable for food production;

- A.1.19 incorporation, where possible, opportunities for edible landscaping, with particular attention being paid to the use of edible shrub plantings that provide all season interest, in the planters of the amenity patio and other common walkways which are accessible to residents;

- A.1.20 design development to provide a fully accessible washroom and storage area in the multi-purpose amenity room on level 2.
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A.2 Standard Engineering Conditions

A.2.1 arrangements shall be made to the satisfaction of the General Manager of Engineering Services for the consolidation of Lots 1 and 2, Block 35, Plan 590, District Lot 526;

A.2.2 provision of all property lines to be shown, annotated, and fully dimensioned;

A.2.3 arrangements shall be made to the satisfaction of the General Manager of Engineering Services for the release of Covenant H69416 prior to building occupancy;

A.2.4 provision of the correct building grade in lane west of parking ramp from 156.62' to 157.45' and corresponding design elevations on both sides of parking ramp. All design elevations adjacent to entrances on Spruce Street shall be shown, including the correction of the design elevation from 147.20' to 147.27' on West Broadway;

A.2.5 provision of a parking ramp slope not to exceed 10% for the first 20' from the property line;

A.2.6 provision of parabolic mirrors noted on plans to enable improved visibility of oncoming vehicles entering and exiting parking ramps and around the tower core;

A.2.7 provision of disability parking spaces located within the residential parking area;

Note to Applicant: parking spaces 25 and 33 could be designated disability parking spaces

A.2.8 clarification of the operating controls for the security gate located in the ground level parking area;

A.2.9 modifications to the parking stall layout to eliminate column encroachment on both sides of a single stall space;

Note to Applicant: Parking stalls 6, 28 and 56 are affected.

A.2.10 provision of a section drawing through the loading space and the parking entry clearly demonstrating the required unobstructed vertical clearance;

A.2.11 clarification of the residential garbage pick-up operations;

Note to Applicant: Provision of access doors to the scissor lift from the ground level parking area is preferred;

A.2.12 arrangements shall be made to the satisfaction of the General Manager of Engineering Services for all canopies encroaching over City property;

Note to Applicant: A canopy application is required. Canopies must be fully demountable and drain internally into the buildings drainage system.

A.2.13 provision of a separate application is required for the planting of trees on City property;

Note to Applicant: A copy of the landscape plan shall be submitted directly to Engineering Services for review. No modifications to the existing lane entry are required.

A.2.14 confirmation that all utility services will be provided underground;

Note to Applicant: All electrical services to the site must be primary with all electrical transformers located on this site. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The Applicant may be required to show details of how the site will be provided with all services being underground.

A.3 Standard Vancouver Coastal Health Authority Conditions

A.3.1 an acoustical consultant's report shall be submitted which assesses noise impacts on the site (by the development) and recommends noise mitigation measures in order to achieve noise criteria;

A.3.2 confirmation shall be submitted by the applicant that the acoustical measures will be incorporated into the final design, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer);

A.3.3 confirmation shall be submitted by the applicant that mechanical (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact on the neighbourhood and to comply with Noise By-law #6555;

A.3.4 provision of a letter from an acoustical consultant shall be submitted confirming that the development permit drawings show a minimum STC 55 construction between the commercial and residential components of the building, or a minimum 6" solid concrete slab shall be specified on the drawings. Where music, recorded or live, may be a major activity in the commercial premises, submit a report from an acoustical consultant recommending minimum STC 60 construction between the commercial and residential components and advising the required control of music levels to satisfy the requirement of the City of Vancouver Noise Control By-law No. 6555.

A.4 Standard Licenses & Inspections (Environmental Protection Branch) Conditions:

A.4.1 an erosion and sediment control plan is required at the Building Permit stage for Environmental Protection Branch review and approval

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Processing Centre-Building, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated November 7, 2007. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the "prior-to" response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **June 3, 2008**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Conditions of Development Permit:

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
 - B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
 - B.2.3 All approved street trees shall be planted in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
 - B.2.4 All trees in accordance with Tree By-law No. 7347 are to be installed prior to issuance of any required occupancy permit or use of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
 - B.2.5 In accordance with the Private Property Tree By-law No. 7347, the removal and replacement of trees is permitted only as indicated on the approved Development Permit drawings.
 - B.2.6 The enclosed balconies are to be maintained at all times in accordance with the balcony enclosure details on the approved plans and are not to be used as an integral part of the interior space of the building.
 - B.2.7 Amenity areas located on Level 1 and 2, which have been excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved
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application for the exclusion. Access and availability of the use of all amenity facilities, including the adjacent outdoor patio area of approximately 2,300 square feet on Level 2, located in this project, shall be made to all residents of the building.

AND

Further, the amenity spaces and facilities approved as part of this Development Permit shall be provided and thereafter be permanently maintained for use by residents of this building complex.

- B.2.8 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.9 This site is affected by the Development Cost Levy By-law No. 8149. Levies will be required to be paid prior to issuance of Building Permits.**
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Processing Centre - Building comments

The following comments have been provided by Processing Centre - Building and are based on the drawings prepared by Nigel Baldwin Architects dated May 2007 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law #9419.

1. Building construction is required to be noncombustible.
2. High-rise building and VBBL 3.2.6. requirements for high buildings apply to the entire building.
3. The building is required to provide access to persons with disabilities to all public areas, common areas, storage, amenity, meeting rooms, and to areas where work functions could reasonably be expected to be performed by persons with disabilities.
4. The building is required to meet Enhanced Accessibility provisions.
5. * At least 2 exits are required from Level 2; only one is provided.
6. Storage garage security shall conform to 3.3.6.7.
7. CRU's not provided with a public corridor at the rear of the units; therefore doors at the rear of the units are not permitted to be used as a required means of egress from the suite.
8. Exposure to exit condition exists at the south exit pathway.
9. Curved or spiral stairs shall comply with Article 3.3.1.16.
10. No obstructions into the required width of exit permitted, including standpipe hose connection at Level 2.

*Items marked with an asterisk have been identified as serious non-conforming Building By-law issues. Written confirmation that the applicant has read and has understood the implications of the above noted comments is required and shall be submitted as part of the "prior to" response.

The applicant may wish to retain the services of a qualified Building Code consultant in case of difficulty in comprehending the comments and their potential impact on the proposal. Failure to address these issues may jeopardize the ability to obtain a Building Permit or delay the issuance of a Building Permit for the proposal.

Fire Issues: The following comment relates to the review for Subsection 3.2.5. "Provisions for Fire Fighting":

1. Building safety facilities such as central alarm and control facility, fire fighter's elevator, and stairwells equipped with standpipe connections shall be coordinated with the location of the firefighters' entrance.