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1808 WEST 1<sup>ST</sup> AVENUE (COMPLETE APPLICATION)  
DE410458 - ZONE C-3A

DM/TC/DR/LH

**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

B. Boons (Chair), Development Services  
M. Thomson, Engineering Services  
L. Gayman, Real Estate Services  
V. Morris, Social Planning  
T. Driessen, Vancouver Park Board

**Also Present:**

D. Morgan, UD&DP  
T. Chen, Development Services  
D. Robinson, Development Services  
R. Segal, UD&DP

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**APPLICANT:**

Ken Williams  
Wedgewood Ventures Ltd.  
1700-1030 West Georgia St.  
Vancouver, BC  
V6E 2Y3

**DESIGN PROFESSIONAL:**

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

**PROPERTY OWNER:**

Sea Gull Leasing Ltd  
3840 McDonald Road  
Richmond, BC  
V7B 1L8

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop a six storey mixed use building with two levels of underground parking, retail use on the ground floor, and five storeys of residential above containing 45 dwelling units with an FSR of 3.0.

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

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DE410458 as submitted the plans and information forming a part thereof, thereby permitting the development of a 6 storey mixed use building at the southwest corner of 1<sup>st</sup> Avenue and Burrard Street, with retail at grade, 45 residential units above grade and 2 levels of underground parking at the above-noted address.

- 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, clearing indicating:**
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- 1.1 design development to the retail frontage to improve its interface with the public realm, including:
- Increasing the apparent height & scale of the retail frontage along Burrard Street, and
  - Incremental stepping of the retail floor slab with the sloping grade of the sidewalks along Burrard Street and W 1<sup>st</sup> Avenue

**Note to Applicant:** Greater prominence for the retail frontage along Burrard Street is sought. This may be achieved, through window and column detailing, and canopy height and signage bands. Retail doorway thresholds should be level with sidewalk grades, to avoid stairs or ramps. Proposed retail demising walls, floor slab and adjacent sidewalk grade elevations should be indicated on the drawings. (See Engineering standard condition A.2.3)

- 1.2 design development to the public realm along Burrard Street, indicating the ultimate tapering 3.1m (10 ft) to 3.7 m (12 ft) road dedication, achieving a double row of trees, sidewalk upgrades to City standards and providing street furniture;

**Note to Applicant:** Provision of an expanded public realm treatment along Burrard Street up to the existing curb and including the road dedication is sought. The outer row of trees should include the existing tree in addition to two new trees located at the existing curb. The second inner row of trees should be located outside the road dedication to accommodate future curb relocation. See Engineering Condition A.2.1 and Landscape Condition A.1.9.

- 1.3 design development to the residential entry to strengthen its identity and improve its visibility from the street;

**Note to Applicant:** Provision of a canopy at the entry and other visual signifiers as may be appropriate to give added emphasis to the residential entry.

- 1.4 design development to improve the livability to the following units: (refer to Appendix D, pages 6 - 9)

- Modify the enclosed and open balcony configuration in units 1D1, 1D2 and 2D1, north elevation, so they are offset instead of stacked behind one another;

**Note to Applicant:** Enclosed balconies located behind open balconies do not either the Balcony Enclosure Guidelines or the horizontal angle of daylight.

- Enlarge the balcony depth of units '1B1' and '1B2', south elevation, to six feet to comply with private open space area guideline (minimum 4.5m<sup>2</sup> (48 sq. ft.);
- Consideration to interchange open and enclosed balconies in units '1D3', east elevation, to improve sound attenuation for bedrooms facing Burrard Street.

**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				135.9 ft. x 117.9 ft.	
Site Area <sup>1</sup>				16,026 sq ft	
Floor Area <sup>2</sup>	Outright Conditional	16,026 sq ft 48,078 sq ft		Residential Retail Total	41,020 sq ft. <u>7,058 sq ft.</u> 48,078 sq ft.
FSR <sup>2</sup>	Outright Conditional	1.00 3.00		Residential Retail Total	2.56 <u>.44</u> 3.00
Rear Yard & Setback	Residential Commercial	14.93 ft. 0 ft.		Residential Commercial	15.25 ft. 4.5 ft.
Height <sup>3</sup>	Outright Conditional	30.2 ft. unspecified Maximum		Roof parapet (max) Mechanical penthouse	65.0 ft. 70.4 ft.
	Guideline Height	45 ft. & 5 storeys at lane		64.6 ft. and 6 storeys in height at lane.	
Horizontal Angle of Daylight <sup>4</sup>			50° for one angle or 70° for combination of two angles for an unobstructed view of 80 ft. (Relaxable to 12 ft.)	50° for Level 2 bedrooms on the north side with an unobstructed view of 12 ft.	
Parking <sup>5</sup>			Residential 43 Retail <u>10</u> Total 53	Residential 61 Retail <u>10</u> Total 71	
	Small Car (25%)	18	Disability 3	Disability 3 Small Car 17 (24%) Visitors' 5	
Loading			Retail Class B 2	Retail Class B 2	
Bicycles			Residential Class A 56 Class B 6 Retail 1 6	Residential Class A 56 Class B 6 Retail 2 6	
Amenities	8,204 sq ft.			620 sq ft (Level 2 lounge/sitting room)	
Balconies <sup>6</sup>	Open (8%) Encl. (50% of open)	3,282 sq ft 1,641 sq ft		Open Enclosed	1,707 sq ft 1,641 sq ft

<sup>1</sup> **Note on Site Size and Site Area:** The development involves a tapered road dedication of Burrard Street of 3.1m - 3.7m. Floor areas and FSR is based on the site size prior to dedication.

<sup>2</sup> **Note on Floor Area and FSR:** The Development Permit Board may permit an increase from the maximum floor space ratio from 1.00 to any figure up to and including 3.00 in a C-3A zone. The Applicant is proposing that a maximum FSR of 3.00 be considered for this development. Staff supports the proposed increase in FSR. See pages 8-10 for further discussion.

<sup>3</sup> **Note on Height:** The Development Permit Board may permit an increase in the maximum height of a building with respect to a development in a C-3A zone. The Applicant is proposing that a height of 65ft. (19.8m) be considered for this development. Staff is supportive of this height increase to that proposed. See page 8-10 for further discussion.

<sup>4</sup> **Note on Horizontal Angle of Daylight:** The horizontal angle of daylight for bedrooms on the north side of Level 2 does not meet the 80 ft. (24.4m) unobstructed view dimension due to the brick fin walls between the balconies. Staff feel that

these brick fin walls add architectural expression to the building façade and is therefore supporting the relaxation of the horizontal angle of daylight requirements as proposed, as it meets the relaxed unobstructed view of 12 ft. (3.7m).

- <sup>5</sup> **Note on Parking:** The parking standard of Section 4.1.13(iii) governing C-3A sites results in a lower parking standard than that presented by the Applicant, and the proposed parking is now at a surplus. The Applicant can consider reducing the number of parking spaces proposed. (See page 13 & 14 for further discussion and Standard Condition A.1.1)
- <sup>6</sup> **Note on Balconies:** The majority of enclosed balconies are “stacked” behind open balconies and do not qualify for exemption for the calculation of floor space. Further, the livability of the bedrooms behind the stacked balconies is severely compromised and Condition 1.4 is seeking design development to these balconies.

**Technical Analysis: North Burrard C-3A Design Guidelines**

	RECOMMENDED	PROPOSED
Section 2.4 Views	<p>Public Views: There are 2 view cones located at Burrard and 10<sup>th</sup> Ave. and Burrard between 7<sup>th</sup> and 8<sup>th</sup>, set well above this site.</p> <p>Private Views:</p> <p>(a) Existing views enjoyed by adjacent developments should not be unduly compromised by incompatible siting, massing or orientation; and</p> <p>(b) Opportunities for near views of gardens and landscape areas should be provided for residents.</p>	<p>Proposed building height does not project into the public view cones. (See discussion, page 10).</p> <p>Private view impact has been addressed by stepping back massing at the top floor, minimizing elevator override &amp; mechanical penthouse.</p> <p>A green roof is proposed and well landscaped lower roof terraces. Staff considers overlook well handled. (See discussion page 10).</p>
Section 2.6 Light and Ventilation	Provision of sufficient daylight access to individual units and open spaces.	All units have good access to daylight and open spaces. Staff support relaxation of the horizontal angle of daylight for 2 <sup>nd</sup> floor units, north elevation, as provided for under Sect. 5.2 of the C-3A District Schedule.
Section 2.7 Weather	Developments on Burrard Street should include a continuous, architecturally integrated weather protection and signage system.	Continuous weather protection has been provided.
Section 2.9 Privacy	Unit orientation, window placement and screening should be used to enhance privacy;	Privacy impact on adjacent neighbour to the west is well resolved.
Section 4.2 Frontage	On Burrard Street, frontages for each individual occupancy located within 6.5 ft of street grade should be kept to a maximum of 50 ft.	Retail space layout needs further clarification. See Condition 1.1.
Section 4.3 Height	To preserve public views, the maximum height should be 45 ft measured from the lane or 5 storeys, whichever is less.	The proposed height of 65 ft. (19.8m) and 6 storeys does not project into the public view cone. (See discussion on height and views on pages 8-10).
Section 4.4 Front Yard and Setback	In locations along Burrard Street where sidewalks are less than 3.6m from the street property line, a setback should be provided to achieve this width. The additional space is to be integrated with the public sidewalk and remain unobstructed.	Building along Burrard Street is set back to provide for a 3.1 m to 3.7m (tapered) sidewalk and is required. Proposed new sidewalk and tree planting will be to City standards. (See discussion on the Public Realm, page 11 and Condition 1.2)
Section 4.5 Side Yard and Setback	For corner sites, exterior side yards and setbacks should not be provided and the first storey should be built up to the sidewalk so that a continuous commercial street frontage and street definition is maintained.	Street frontage meets the intent of the Guidelines. Burrard Street frontage provides a continuous commercial frontage and strong street definition.
Section 5.4 & 7.3 Balconies and Private Open Space	<p>Balconies should be designed to maximize light into the unit.</p> <p>Private open space should be provided for each unit in the form of balconies, decks or patios with a minimum single horizontal dimension of 1.8m a minimum area of 4.5 m<sup>2</sup>.</p>	All units have private outdoor space. Balcony windows are full height to maximize daylight. Staff recommends enlargement of balconies for units 1B1 & 1B2, as noted under Condition 1.4.

**Legal Description**

Lot: L  
 Block: 8  
 Plan: LMP45514  
 District Lot: 196

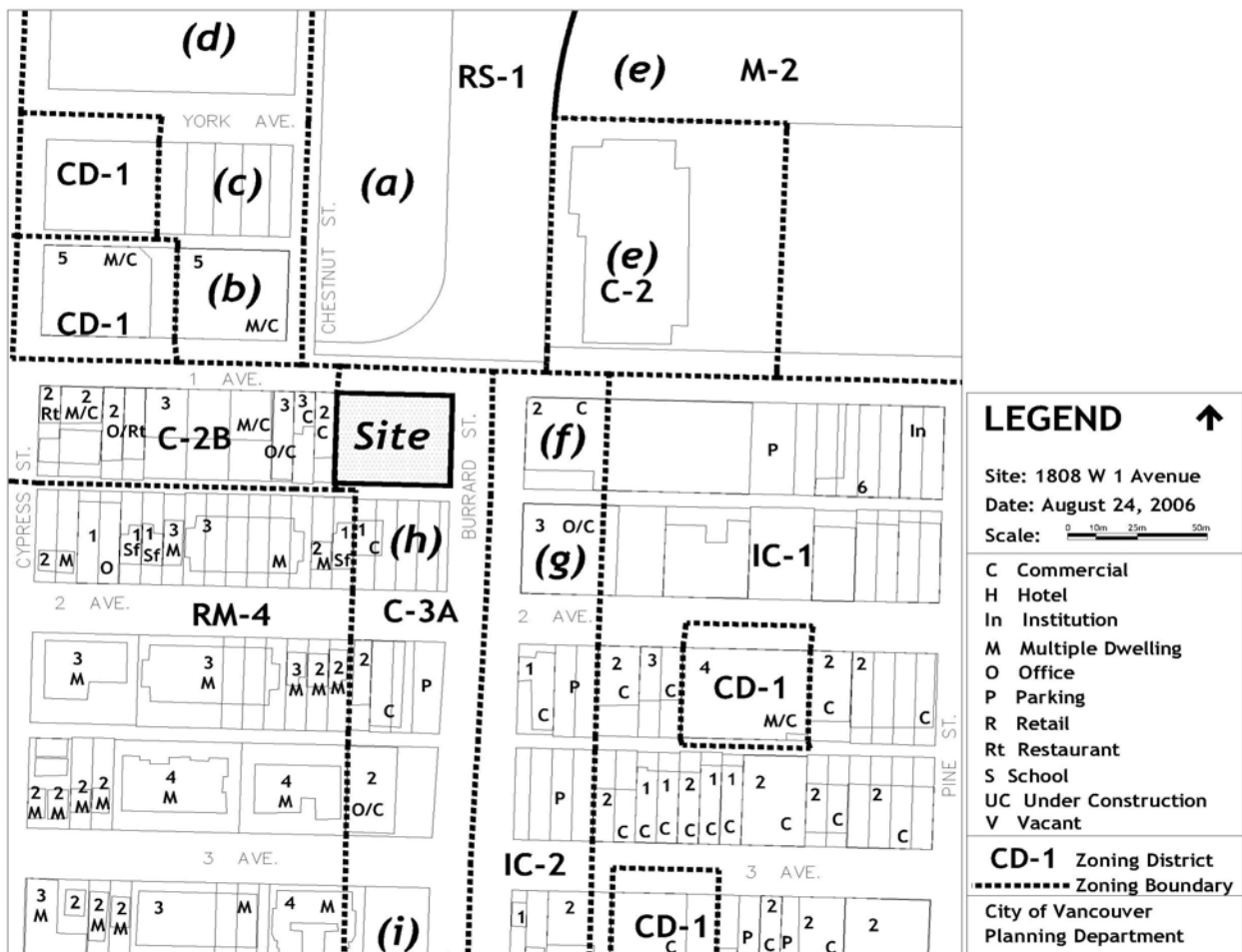
**History of Application:**

06 06 21 Complete DE Submitted  
 06 08 02 Urban Design Panel  
 06 08 30 Development Permit Staff Committee

• **Site:** The site is located on the south west corner of Burrard Street and 1<sup>st</sup> Avenue. The existing land use is a car rental agency with parking at grade and driveway access from Burrard Street and West 1<sup>st</sup> Avenue. The Seaforth Park is located immediately north of the site. The site to the west is zoned C-2B.

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

- (a) Seaforth Peace Park
- (b) 1681 Chestnut St. - Mixed commercial; 5 storey building
- (c) 1625 Chestnut St. - "Canadian Tire"
- (d) 1818 Cornwall Ave. - "Chemetics Building"
- (e) 1650/1550 Burrard St. - Seaforth Armory & Molson's Brewery
- (f) 1730 Burrard St. - "MCL Motor Cars" Auto Dealer; 2 storey building
- (g) 1770 Burrard St. - "Lexus" Auto Dealer/office building; 2 storey
- (h) 1743 Burrard St. - "Petro Canada" Gas Station
- (i) 1808 West 3<sup>rd</sup> Ave. -5 storey mixed commercial/residential building (DE 409776-recently approved)



● **Background:** At the enquiry stage, staff recognized the importance of this corner site in establishing the context for future development along the west side of Burrard Street as well as the opportunity to frame the south end of Seaforth Peace Park and supported a building massing that would provide a continuous and strong street wall definition along Burrard Street to create an “urban room” framing Seaforth Peace Park. Staff supported a building height of six storeys, one storey higher than recommended in the Guidelines, to allow for redistribution of the building massing and a more neighbourly interface with the C2-B development to the west.

This proposal constitutes the second recent C3-A development application considered in the North Burrard area. The first application, located 2 blocks to the south at 1808 W 3<sup>rd</sup> Avenue is a proposal for a six storey development with stepped back massing of the sixth floor to present a five storey scale from the street. This development application was approved by the Development Permit Board on March 13, 2006.

As part of the current development application, Engineering requires a road dedication along Burrard Street, tapering from 3.1 m (10 ft) at the north property line to 3.7m (12 ft) at the south property line.

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

**1. C-3A District Schedule**

**Use:** Retail Store is an outright approval use in this zone. Residential use is a conditional approval use and can be approved provided the Board first considers:

- 3.1 (a) *the intent of this Schedule and all applicable policies and guidelines adopted by Council; and*  
(b) *the submission of any advisory group, property owner or tenant.*
- 3.2. *the design and livability of the dwelling units.*

**Density:** The District Schedule provides for a discretionary increase in density as follows:

- 4.7.1 *The floor space ratio shall not exceed 1.00. The Development Permit Board may permit an increase in this maximum floor space ratio to any figure up to and including 3.00, provided that it first considers:*
  - (a) *the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;*
  - (b) *the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;*
  - (c) *the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;*
  - (d) *the effect of the development on traffic in the area;*
  - (e) *the provision for pedestrian needs; and*
  - (f) *the design and livability of any dwelling uses.*

**Height:** The outright height permitted is 30 ft. (9.2 m). Discretionary increases in height are permitted as follows:

- 4.3.2 *The Development Permit Board may permit an increase in the maximum height of a building with respect to any development, provided that it first considers:*

- (a) *the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;*
- (b) *the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets and existing views;*
- (c) *the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;*
- (d) *the provision for pedestrian needs;*
- (e) *the preservation of the character and general amenity desired for the area; and*
- (f) *the submission of any advisory group, property owner or tenant.*

## 2. North Burrard C-3A Guidelines

Key concepts of the guidelines relate to:

- Preserving guideline identified public view cones and consideration of private views
- Livability qualities, associated with light, ventilation, noise and privacy
- Active and safe pedestrian environment
- Active, interesting retail frontage along Burrard St. that corresponds to sloping grades
- Height and building massing that respects adjacent development
- High quality design and building materials

**View Cones:** The North Burrard C-3A Guidelines include two view cones that define building form on Burrard Street and, to a lesser degree, to preserve views to the north along Burrard Street. Relevant to this application is the view cone taken from between 7<sup>th</sup> and 8<sup>th</sup> Avenues with an elevation of 108 ft. Projecting into this view cone is an older apartment tower (1450 Chestnut Street) located near the foot of the Burrard Street bridge.

The view cones are presented in the "North Burrard C-3A Guidelines" that have been adopted by Council and are to be used in considering any Development Application that requires conditional approval. As guidelines, they are distinguished from other view cones that Council has adopted in zoning by-laws and the Downtown Official Development Plan.

**Height:** Recommended building height is limited to 45 ft (13.7 m) measured from the south (lane) side of the site or five stories whichever is less and must also meet the view cone requirement.

### • Response to Applicable By-laws and Guidelines:

1. C-3A District Schedule, Use, Density & Height:
2. North Burrard C-3A Guidelines

**Use:** Retail and residential uses are considered optimal for this location. A strong continuous retail frontage along Burrard Street has been provided, satisfying the desired active pedestrian oriented frontage. Staff seeks clarification on the drawings indicating that the retail floor slab steps incrementally with the slope along Burrard Street and W 1<sup>st</sup> Avenue, allowing direct sidewalk access for all retail entrances. (See condition 1.1)

**Height, Density and Massing:** The requested increase in height from 30.2 ft. (9.2m) to 65 ft. (19.8m) (six storeys) and in density from 1.0 FSR to 3.0 FSR, is supported on the following basis:

- the proposed extra height does not project into Guideline adopted public view cones;
- the massing is stepped back on the top floor to preserve a 5 storey scale at the street;
- the impact on the livability of the neighbouring C-2B site is minimized by redistributing building massing away from the smaller building, thereby lessening shadow impact; and



- the overall massing provides a stronger street wall definition along Burrard Street and W 1<sup>st</sup> Avenue and greater prominence to this important corner.

Figure 1 is a perspective view of the massing relationship between the proposed building and the neighbouring building to the west. As shown, the proposed massing steps back in plan, substantially reducing the building depth so that the southwest corner of the proposed building at the property line aligns with the interior courtyard of the adjacent building. This enables the courtyard to maintain unobstructed sun access and sky views. Further, the sixth floor of the proposed building is set back 20.75 ft (6.3 m) from the west property line and has no shadow impact on the neighbouring building.



Figure 1

The proposed height is consistent with adjacent development that borders the western edge of Seaforth Peace Park to the north, as illustrated in Figure 2. The buildings to the right of the photograph at 64 ft. (19.5m) and 70 ft. (21.3m) in height respectively, are of a compatible height and scale to the proposed building, supporting the notion of an “urban room”, formed by the buildings enclosing the park’s edges. The Urban Design Panel agreed that the proposed building massing would provide a good end to the southern edge of Seaforth Peace Park.



Seaforth Peace Park, Looking South, with Proposed Building Superimposed  
Figure 2

The Urban Design Panel also considered that the proposed building provided a good massing transition with the neighbouring C-2B context. The adjacent C-2B building to the west is 40 ft. (12.2m) in height with a maximum conditional height of 50 ft. (15.24m) possible. Stepping of the sixth floor is supported by staff for the benefits of a more compatible transition to the lower height of the adjacent C-2B zone and because it presents a lower 5 storey scale at the street, as suggested in the Guidelines. The proposed form of development with the recently approved development application at 1808 W 3<sup>rd</sup> Avenue will establish a consistent pattern of a 5 storey street wall for future development along the west side of Burrard Street.

The proposal received support by the Urban Design Panel for the proposed height, density and massing. Staff considers the requested increase in density has been well handled and generally fits within the suggested massing of the Guidelines.

### **Public and Private Views:**

The height limits of 45 ft.(13.7m) and 5 storeys as suggested in the Guidelines is intended to preserve public views, as defined by the view cones. The proposed building elevation at the elevator penthouse roof does not encroach into the Guideline view cone. Notification did not result in any specific concern over private view loss and staff analysis indicates minimum view impact from existing buildings and allowable zoning heights. Nevertheless, possible private view impact has been further mitigated by the following:

- setting back the building massing on the top (6<sup>th</sup>) floor to minimize obstruction of private views;
- elevator penthouse height is minimized with a “low rise” elevator override and the mechanical penthouse is orientated behind the elevator in a north south axis to lessen view obstruction;
- the provision of a green roof for the sixth floor roof and landscaping of the sixth, third and second floor terraces to improve overlook.

### **Livability:**

There is no direct overlook with the C-2B neighbour to the west and the building interface between buildings has been well resolved. Windows on the west elevation where they occur are setback 8 ft 9 in. (2.7m) from the west property line. The massing of the sixth floor is likewise set back 20 ft 9 in (6.32m) with a 4 ft. (1.2m) wide landscape planter at the patio edge. There is an existing long narrow light well on the neighbouring C-2B building located at the side property line and adjacent to the proposed party wall as indicated in Figure 1. Staff in discussion with the adjacent neighbour concluded that the light well will receive good reflected day lighting off the proposed party wall, with enhanced day lighting in the afternoon.

There are a variety of one and two bedroom layouts, with numerous corner units afforded by the stepping of the building massing, providing opportunities for enhanced day lighting and cross ventilation. All units have private outdoor space and have good access to natural day light. Staff recommend minor improvements to the open and enclosed balconies in some of the dwelling units to improve livability, as addressed in Condition 1.4.

The second, third and sixth floor terraces are developed primarily as private outdoor space. There is a semi private shared outdoor amenity space on the second floor level that connects with an indoor amenity room. Staff recommend an outdoor amenity play area suitable for children, their families and visitors. (See standard condition A.1.12 and discussion on page 14).

### **Architectural Treatment and Materials:**

High quality materials proposed include brick masonry on the Burrard Street elevation, and around the corners of W 1<sup>st</sup> Avenue and the lane to give added emphasis to the corner conditions. Two storey high brick masonry piers along the W 1<sup>st</sup> Avenue frontage link the retail usage and material treatment with the Burrard Street elevation. The remainder of the five storey massing is painted and textured concrete interspersed with clear and spandrel glass and metal detailing. The sixth floor is treated in a lighter manner; predominately glass with metal detailing.

Continuous weather protection along retail frontages proposes a glass and steel canopy, articulated at the columns to emphasis the smaller scale retail frontage as suggested in the Guidelines. The Urban Design Panel thought the retail frontage along Burrard Street at the lane should be taller and suggested the height of the building could be increased. Staff consider the floor to floor height of the retail frontage at the lane an acceptable height. Although not supportive of additional building height, Staff nevertheless recommend that the apparent height and scale of the retail frontage along Burrard Street be increased to give it more presence, as seen from the street. Condition 1.1 addresses this issue. The Urban Design Panel also considered the residential entry should have a stronger identity, and this is addressed by Condition 1.3.

### **Public Realm and Landscape Treatment**

The proposed street upgrades will provide new sidewalks to City standards, eliminating the two existing curb cuts and providing new trees along w 1<sup>st</sup> Avenue and Burrard Street. The sidewalk along Burrard Street will be widened by approximately 3 ft (0.9m), to meet the minimum 12 ft (3.6m) width, as recommended in the Guidelines. A landscape setback is provided along the lane edge. Staff recommend this landscape edge be continuous and the parking exhaust vent be relocated. (See Standard Conditions A.1.1 & A.1.3)

Engineering requires a tapering 3.1m (10 ft.) to 3.7m (12 ft.) road dedication from the site to widen Burrard Street, however there is no specific time line to complete this work. In the interim, staff recommends that the wider boulevard be included as part of the upgraded streetscape to achieve a partial double row of trees recognizing that the outer row will not be permanent but could remain for a considerable length of time. The Urban Design Panel advised on further animating of the public realm to inject more life and pedestrian interest into the streetscape. These issues are addressed in Condition 1.2.

Parking, loading and utilities are appropriately screened and landscaped at the lane edge.

### **Conclusion:**

This development application proposes a maximum density of 3.0 FSR and height of six storeys, one floor higher than the recommendation of the Guidelines. Staff support these increases and consider that discretionary earning of increases to floor area and height will be achieved by the following:

- A building form that provides the desirable street enclosure along Burrard Street and W 1<sup>st</sup> Avenue and frames the southern edge of Seaforth Peace Park;
- Provision of an expanded and improved realm along Burrard Street, including a 3 ft (.9 m) widening of the sidewalk and a possible additional widening to the boulevard to 12 ft (3.6m), subject to confirmation by engineering;

- A continuous retail floor frontage continuous weather protection and pedestrian amenity along Burrard Street that is well handled subject to providing at grade level access and minor improvements to the façade treatment;
- High quality architecture and material treatment.
- The provision of a green roof;
- Elimination of the existing surface parking and driveway crossings off of W 1<sup>st</sup> Avenue and Burrard Street and replacing it with vehicle access off the lane to underground parking.

On this basis, staff recommend approval of the Development Application subject to the conditions of this report.

#### **URBAN DESIGN PANEL**

The Urban Design Panel reviewed this application on August 2, 2006, and provided the following comments:

#### **EVALUATION: SUPPORT (5-1)**

- **Introduction:**

Mary Beth Rondeau, Development Planner, presented this application at 1808 West 1<sup>st</sup> Avenue in the C-3A zone. The proposed use is a five-storey-plus-penthouse mixed-use building. The first floor provides retail along Burrard Street and West 1<sup>st</sup> Avenue. The upper five floors are occupied by a variety of residential suites. Two levels of underground parking are proposed.

The massing of the building supports Planning's long term goal to create an "urban room" around the "formal green" of Seaforth Park. The five storey penthouse height also relates to previous approvals of a proposal at 3<sup>rd</sup> and Burrard which provides a strong streetwall along this prominent portion of Burrard Street

All roofs are actively or passively landscaped.

The proposal varies from the guidelines by an additional floor and a height of 65 feet rather than 45 feet at the lane as suggested in the guidelines.

- **Applicant's Introductory Comments:**

Nigel Baldwin, Architect, reviewed the project in greater detail and answered questions of the panel. He stressed that this is an important site. It is a modest building of six stories and a brick frame. This part of Burrard Street doesn't have a strong residential presence as yet. The lane side will be a visible façade and have an east/west orientation. The east glazing is punched openings and the south has overhangs with balconies on the north façade. The applicant has provided a green roof or made them outdoor spaces.

Gerry Eckford, Landscape Architect stated that there will be a band of Japanese Cherry Trees along 1<sup>st</sup> Avenue. Some new trees will be added on the Burrard Street frontage. The top of the building is a green roof, fully functioning with all storage capacity and paver bands for articulation. There are a number of roof top terraces with landscaped elements to minimize structural screening between the units.

- **Panel's Consensus on Key Aspects:**

- General support for the proposition in terms of height, density and massing. The building will be a good end to the park;
- Good massing transition into neighbouring C2B buildings and providing prominence on Burrard Street; and
- The residential entry could be emphasized more.

- **Related Commentary:**

The panel thought the project was generally well handled. The site is a gateway to downtown as seen from Burrard Street making for a strong corner. It fits with the character of the neighbourhood and makes a nice bookend to Seaforth Park to the north. The panel supported the proposed height and density for the development.

It is not a large building but integrates well and transitions gracefully with the massing of the masonry frame appropriate for Burrard Street. The massing is well handled in terms of transition from 1<sup>st</sup> Avenue to Burrard Street using glass elements to separate and define north and east elevations. The south side is horizontal in expression and more modern in vocabulary.

The panel felt that this side of Burrard has the potential to be a really great pedestrian oriented street and the sidewalk should be enhanced as much as possible within the area of the future road widening. One panel member had a concern with the City's standard concrete sidewalk treatment and concrete tree surrounds which do not enable good tree growth.

There was a concern about the height of the retail on Burrard at the lane. It was suggested the height of the building could be increased several feet to resolve this.

The panel would like to see the brick volume be stronger giving it more presence on the park as well as from Burrard Street.

The panel felt the entrance was too subtle and might be too dark especially at night and that perhaps a canopy could add interest to the entrance.

- **Applicant's Response:**

Nigel Baldwin, Architect thanked the panel for their comments.

## **ENGINEERING SERVICES**

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

The General Manager of Engineering Services will require all utility services to be underground for "conditional" developments. All electrical services to the site must be primary with all electrical transformers located on 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.

The applicant is proposing a parking provision well in excess of the parking required for this C-3A zoning. The Parking By-Law was changed to introduce a new parking 0.25 spaces per dwelling unit plus 1/120m<sup>2</sup> gross floor area. The required residential parking for this site is much less, at 43 spaces versus 54 calculated as required by the applicant. The applicant could potentially eliminate a ½ floor of

parking on the P2 level. Staff has identified concerns that the parking ramp design does not enable adequate two-way vehicle flow and are requiring modification to at least the bottom of the main parking ramp. (See standard condition A.2.4). This site requires 2 Class B loading spaces which have been provided. We are seeking provision of a service corridor connection from the residential lobby to the loading spaces to facilitate residential moves since stopping on Burrard Street is prohibited and 1<sup>st</sup> Avenue presently has parking meters extending along the retail frontage of this building. (see condition A.2.6)

The owner/developer would be well advised to make arrangements for the release of Restrictive Covenant 499979M (which expired on the 21st day of October 1994) prior-to proceeding with the subdivision or strata titling of any development on site.

## LANDSCAPE

The dedication for future road widening of Burrard Street plus the lack of any immediate plans for this road widening may result in a 24 (7.3m) foot sidewalk. The current proposal contains four new street trees to be planted in the location of the new curb edge, along with the retention of the existing curb edge and one existing street tree. Engineering (Streets Branch) has concluded the curb edge location proposed for West 1<sup>st</sup> Avenue street trees is appropriate because they match the existing tree locations on West 1<sup>st</sup> Avenue. Staff recommend that a double row of trees by adding two trees at the existing curb edge. (See standard condition A.1.9)

## SOCIAL PLANNING/HOUSING

### Families with Children

Although the proposed residential building contains a total of 45 units, of which 19 (43% of the project total) are suitable for families living with children, no designated, secure outdoor children's play area is proposed. However, as the development site is located across the street from the Seaforth Peace Park, some flexibility in meeting the criteria regarding outdoor children's play spaces based on the High-Density Housing for Families with Children Guidelines may be considered

While children will find or create play spaces in a diversity of environments, common outdoor areas designed flexibly to allow a variety of uses can accommodate both adults and children of various ages. When designs of common outdoor areas employ durable, natural materials and incorporate a mixture of hard and soft surfaces, covered outdoor areas, and nearby seating, the needs of families living with children are met. Plans indicate there is a 620 s.f. amenity space on level 2 with an adjacent outdoor patio area. Staff propose design development to investigate the possibility of creating an informal children's play area on the amenity patio that would also accommodate a variety of activities for both adults and children. (See standard condition A.1.12)

### Urban Agriculture

The City's Food Policy identifies both environmental and social benefits of urban agriculture and seeks to maximize opportunities for food growing activities in the city. On May 30<sup>th</sup>, 2006, Council approved a motion calling for the creation of 2,010 new garden plots by 2010 as an Olympic legacy for Vancouver.

These policy objectives can be met with the provision of gardens on rooftops, podiums and terraces. Private balconies are not suitable for community food gardening due to a combination of orientation, size and competing functions. Staff propose that opportunities to utilize the terrace on Level 2 for community garden plots be further explored as a means of enhancing the sustainability and livability of the project.

Staff recommend that some raised beds to allow for accessibility by people in wheelchairs be provided.

The applicant is encouraged to explore opportunities to integrate the proposed play areas and the proposed garden plots in order to facilitate children's involvement in gardening and to support parent's ability to garden and monitor children's activities.

Design development to employ edible landscaping materials throughout the site is also required. Edible landscaping is the use of plants that produce food in place of more commonly used ornamental plants. Many of these plants are beautiful and still provide ornamental quality while producing edible leaves, flowers, nuts and berries. In this way, edible plants serve "double duty" by creating attractive outdoor spaces and gardens and by providing local, healthful and delicious food. (See standard conditions A.1.13 & A.1.14)

### **ENVIRONMENTAL PROTECTION**

The Branch has received a site profile from the applicant and Ministry of Environment approval is required prior to the issuance of a development permit. (See standard condition A.1.15) Approval of the application is subject to the submission of an erosion control plan during the BU application stage. In the event special waste is present, proper disposal is required.

### **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:

- (1) 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;
- (2) The garbage storage area is to be designed to minimize nuisances;
- (3) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases;
- (4) All fresh-air intake portals are to be located away from driveways and parking/loading areas in order to prevent vehicle exhaust from being drawn into the building.

## NOTIFICATION

One sign was installed on the site on July 18, 2006. On July 25, 2006, 249 letters were sent to neighbouring property owners and community organizations advising them of the application.

Two responses to notification were received. The issues raised are as follows:

- More development will add to traffic congestion;
- The building height of 65 feet (19.8m) is too high and is inconsistent with both existing and proposed neighbouring developments;
- Additional multi-family development will increase the demand for limited on-street parking available in the neighbourhood;
- The use of brick as a building material is supported and is a welcome design feature to the redevelopment of buildings on Burrard Street;
- The larger building will add to the construction timetable which adds to the construction disruption and noise to the neighbourhood.

### *Staff Response to Notification*

The proposal will provide underground parking accessed off the lane for seventy one space vehicles, eighteen more than required, including five dedicated spaces for visitors and ten for retail use. Residential traffic patterns typically are intermittent and the existing lane and road infrastructure are considered adequate for future anticipated increases in traffic. With the change of use of the subject site from a car rental agency with at grade parking and driveway access off of Burrard Street and West 1<sup>st</sup> Avenue, it is anticipated that the negative impact of traffic in this neighbourhood will be reduced.

The proposed building height of 65 feet (19.8 m) and six storeys is consistent with another recently approved development applications in the North Burrard area. By comparison, the neighbouring zone C-2B immediately adjacent to the west permits a conditional height of 50 feet (15.2m). Other development around the perimeter of Seaforth Peace Park have heights as high or higher; Seaforth office building at approximately 64 feet (19.5m), Canadian Tire at 70+ feet (21.3m), the Chemetics building which is up to 90 feet (27.4m) and the Seaforth Armory and Molson's plant at over 80 feet (24.4m). The proposed building itself does project into the public view cones identified in the Guidelines.

Although construction can be disruptive to a neighbourhood, it is subject to the City's noise bylaws which restrict activity to certain times of the day. A construction management plan is also required by Engineering.



**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.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council as follows:

1. FSR - The Development Permit Board may permit an increase in FSR based on an evaluation by staff under Section 5.1 of the Zoning and Development Bylaw.
2. Height - The Development Permit Board may permit an increase in maximum height based on an evaluation by staff under Section 5.1 of the Zoning and Development Bylaw.

With respect to the decision by the Development Permit Board, the application requires that the Development Permit Board relax the provisions of the Zoning and Development Bylaw as follows:

3. Horizontal Angle of Daylight - The Development Permit Board may relax the horizontal angle of daylight having regard for residential unit livability and a requirement for a 3.7m (12 ft) unobstructed view from the proposed residential units under Section 5.2 of the Zoning and Development Bylaw.

With respect to the decision by the Development Permit Board, the application requires that the Director of Planning relax the provisions of the Zoning and Development Bylaw as follows:

4. Enclosed Balconies - The Director of Planning may permit floor area exclusion of enclosed balconies based on prescribed guidelines under Section 4.7 of the Zoning and Development Bylaw.

The Staff Committee supports the Board's use of its discretionary authority and the proposed relaxation. The Staff Committee recommends approval of this application noting that the applicant has met the criteria for increased height and density under C-3A zoning.

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B. Boons  
Chair, Development Permit Staff Committee

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D. Morgan  
Development Planner

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T. Chen  
Project Coordinator

Project Facilitator: D. Robinson

## 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 correction on the project statistics table of the required residential parking requirements;

**Note to Applicant:** Section 4.1.13(iii) permits a lower parking requirement for sites located in the C-3A district than that of Section 4.2.1.4. The Applicant may wish to consider revising the parking provisions for this development.

A.1.2 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.

### Standard Landscape Conditions

A.1.3 design development to provide a greener lane edge by relocating the parkade vents and adding additional planting at the lane edge;

**Note to Applicant:** All lane edge planting should be protected by an eighteen inch curb or planter edge. Confirm minimum in ground soil depth of 2 ft.

A.1.4 provision of a large scale section (1/4"=1') illustrating the soil depths of the lane edge planter and underground lab for the Ponderosa Pine, as well as the planting depths for the 2<sup>nd</sup> level amenity deck planter for the Katsura tree;

**Note to Applicant:** The BCNTA Landscape Standard planting depth for medium to large trees is 24-36".

A.1.5 clarification on drawings indicating any lane edge utilities such as gas meters on landscape and first floor plans;

**Note to Applicant:** Gas meter needs to be integrated with landscaping and/or building treatment and be unobtrusive as seen from the public realm.

A.1.6 provision of and a notation on the Landscape Plans of an irrigation system in all planters. Hose bibs should be provided for all private patios with planters;

**Note to Applicant:** The irrigation design and installation shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

A.1.7 clarification on the landscape plan indicating the three birch trees growing on the neighbouring site at the west property line, rear yard;

**Note to Applicant:** These trees should be retained and a report from an ISA certified arborist provided detailing safe methods of retention.

A.1.9 design development to provide a detailed public realm on the Landscape Plan and the Site Plan including street trees and paving pattern, consistent with Engineering design guidelines for public realm treatment;

**Note to Applicant:** If the proposed road widening is delayed for the foreseeable future, a double row of trees should be provided on Burrard Street. This could be achieved by adding two street trees at the existing curb edge.

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If the existing curb location on Burrard Street is retained, the paving pattern should contain a 4' wide strip of exposed aggregate at the curb with 4 piece exposed aggregate tree surrounds. The main sidewalk should be two, six foot wide panels of broom finished concrete with a remaining width against the building façade in exposed aggregate.

The Park Board has reviewed the choice of tree species and has recommended a larger species for West 1<sup>st</sup> Avenue, Gleditsia Trieanthos. For the Burrard Street double row of trees, the Park Board agrees that the proposed Persian Ironwood (Enges Ruby Vase) is large enough for this street.

A.1.10 provision on the Site Plan and the Landscape Plan showing:

- the existing and future property line;
- the following notations on the Landscape Plan: "Final species, quantity, size and location of street trees to the approval of the COV General Manager of Engineering Services. All public realm treatment, including sidewalk paving, tree surrounds and road widening to the approval of the COV General Manager of Engineering Services;"

**Note to Applicant:** Contact Eileen Curran (604-871-6131 in Engineering Streets Division regarding street tree spacing and quantity. Contact Bill Stephen (604-257-8587) regarding tree species.

#### Crime Prevention Through Environmental Design (CPTED)

A.1.11 design development to reduce opportunities for theft in the underground;

**Note to Applicant:** This can be achieved by providing intermediate doors within the exit stairs to separate residential parking from commercial, by separating the elevator from the exit stairs and by ensuring that the commercial parking does not exit through the residential lobby.

#### Social Planning

A.1.12 design development to create an informal children's play area on the amenity patio designed to accommodate a diversity of uses and activities for both adults and children;

**Note to Applicant:** Particular care should be given to avoid the use of toxic plants and landscaping materials in and around any play area. A list of toxic plants is available as an appendix to the City's Childcare Design Guidelines and is available online at <http://vancouver.ca/commsvcs/Guidelines/C017.pdf>.

A.1.13 design development to include community garden plots on the Level 2 terrace near the children's play area to the satisfaction of the Director of Social Planning;

**Note to Applicant:** Garden plots require a minimum soil depth of twenty-four inches, access to water and facilities for tool storage.

A.1.14 design development to utilize edible landscaping in place of ornamental plants, with particular attention being paid to the use of edible shrub plantings that provide all season interest for use as physical privacy barriers on the amenity patios;

**Note to Applicant:** A bulletin of edible plants and their landscape applications is available at the Enquiry Centre or online at [http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/tools/pdf/EL\\_brochure.pdf](http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/tools/pdf/EL_brochure.pdf)

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## Environmental Protection

A.1.15 provision of a Certificate of Compliance or an Approval in Principle from the Ministry of Environment prior to the issuance of the development permit.

### A.2 Standard Engineering Conditions

A.2.1 provision of a portion of the east side of the site to be dedicated for road widening purposes, from a depth measured 3.1 metres along the north property line to a depth of 3.7 metres measured along the south property line;

**Note to Applicant:** The site plan and landscape plan show a future curb alignment not the existing curb location. The plans should reflect the existing conditions as the timing of the curb realignment is unknown at this time.

A.2.2 arrangements to the satisfaction of the General Manager of Engineering Services for the release of Easement and Indemnity Agreement 349473M (commercial crossing) prior-to issuance of any occupancy permit for the new development;

A.2.3 provision of slab elevations at entrances off Burrard Street;

A.2.4 provision of design elevations on both sides of the parking ramp at all break points to ensure correct calculation of slope;

A.2.5 elimination of the vehicle interlock and ensure two way vehicle flow at the bottom of the main and P2 level parking ramp;

**Note to Applicant:** This can be accomplished by relocating the adjacent stairwell door and providing a corner cut. Also the columns adjacent stalls 14 & 17 and 47 & 56 should be set back to a maximum 4' from the end of the stall to enable improved turning onto this ramp.

A.2.6 provision of a service connection between the residential lobby and the loading spaces to facilitate residential moves;

**Note to Applicant:** Stopping is not permitted on Burrard Street and metered parking will be extended in front of this building.

A.2.7 clarification of residential garbage pick-up operations. Written confirmation from a disposal company that they can service proposed storage location is required;

A.2.8 provision of street trees on city property;

**Note to Applicant:** A separate application is required for the planting of trees on city property. Forward a copy of the landscape plan directly to Engineering Services for review.

A.2.9 arrangements to the satisfaction of the General Manager of Engineering Services for all canopy encroachments over City property;

**Note to Applicant:** A canopy application is required.

### 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 and recommends noise mitigation measures in order to achieve noise criteria;

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- A.3.2 a letter from an acoustic consultant shall be submitted confirming that the development application drawings show a minimum STC 55 construction between the commercial and residential components of the building, or a minimum 6 ft. 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 requirements of the City of Vancouver Noise Control By-law No. 6555.

**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.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **March 26, 2007**, 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 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.2.4 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 All approved street trees 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 of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
  - 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.
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- B.2.7 Amenity areas excluded from the computation of floor space ratio shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants, commercial tenants, or otherwise of the building. 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/users/tenants/or otherwise of this building complex.
- B.2.8 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 & Fire comments

The following comments are based on the preliminary drawings prepared by Nigel Baldwin Architects dated June 20, 2006 for the proposed development permit. This is a preliminary review in order to identify issues which do not comply with the VBBL #8057.

1. Building construction is required to be noncombustible.
2. \* The building is required to provide access to persons with disabilities to all common areas, storage lockers, amenity, meeting rooms, etc.
3. \* The building is required to meet Enhanced Accessibility provisions.
4. \* Access from the stall for persons with disabilities in the parking area at grade to an accessible building entrance which serves the parking area is required.
5. Additional exits may be required from commercial retail units on level 1.
6. Distance between exits in the parkade P-2 shall not be less than half the diagonal dimension of the floor areas.
7. Means of egress shall be provided from every roof which is intended for occupancy.

\*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.

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