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CITY OF VANCOUVER  
COMMUNITY SERVICES GROUP

DEVELOPMENT PERMIT STAFF COMMITTEE REPORT  
MARCH 14, 2007

FOR THE DEVELOPMENT PERMIT BOARD  
MARCH 26, 2007

2528 MAPLE STREET (COMPLETE APPLICATION)  
DE410957 - ZONE C-3A

MBR/BM/AH/LH

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present on February 28, 2007:**

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

**Also Present:**

M. Rondeau, Urban Design & Development Planning  
B. Mah, Development Services  
A. Higginson, Development Services

**Present on March 14, 2007:**

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

**Also Present:**

M. Rondeau, Urban Design & Development Planning  
B. Mah, Development Services  
A. Higginson, Development Services

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**APPLICANT:**

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

**PROPERTY OWNER:**

Bastion Development Corp.  
500-1681 Chestnut Street  
Vancouver, BC  
V6J 4M6

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop this site with a seven storey mixed-use retail/residential building, containing 74 dwelling units, over two levels of underground parking.

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:**

1. Treatment of the Maple Street Setback
2. Residential Amenity - Shared Open Space
3. Retail Height

- **Urban Design Panel: Support**

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

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THAT the Board APPROVE Development Application No. DE410957 as submitted, the plans and information forming a part thereof, thereby permitting the development of this site with a seven-storey mixed-use retail/residential building, containing 74 dwelling units, over two levels of underground parking, 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 the Maple Street setback promenade to provide a more public treatment, increased landscaping and an improved street interface;**

**Note to Applicant:** This can be achieved by:

- opening up the setback area to be a fully public promenade, south of the residential entrance, rather than hedged private open space for the residential units (two-storey townhouses or retail should be considered in this location - see discussion on page 8);
- providing in-ground landscaping and an inner row of trees along the setback;
- incorporating seating and lighting between the landscaped areas in the setback;
- extending the boulevard landscaping toward Broadway, where possible, in coordination with Engineering Services; and
- consideration to provide an art feature to enrich this open space.

**1.2 design development to increase the amount of residential shared outdoor amenity space;**

**Note to Applicant:** This can be achieved by relocating the amenity building so that it is incorporated into the building on the east side of the podium. The area of open space created should be programmed for use by residents and could contain active and/or passive areas. Consideration should be given to providing resident garden plots in a portion of this area and to providing edible landscaping. (See also, Standard Condition A.1.16) Relocation of the amenity building will also bring the second floor units currently facing the building into compliance with the Horizontal Angle of Daylight regulations. (See Standard Condition A.1.2)

**1.3 design development to the retail frontage to increase the expressed height of the retail space and minimize the arcade at the corner of Maple Street and Broadway.**

**Note to Applicant:** See the discussion under Retail Height and Interface, on page 8. Detailed elevations of the retail frontage are required.

**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	-	-	200 ft. x 125 ft. (nominal)
Site Area	-	-	25,042 sq. ft. (survey)
FSR <sup>1</sup>	Outright 1.00 Conditional 3.00	-	Commercial 0.37 Residential <u>2.64</u> Total 3.01
Floor Area <sup>1</sup>	Outright 25,042 sq. ft. Conditional 75,126 sq. ft.	-	Commercial 9,344 sq. ft. Residential <u>66,147</u> sq. ft. Total 75,491 sq. ft.
Balconies	Open 2,646 sq. ft. Enclosed <u>2,646</u> sq. ft. Total 5,292 sq. ft.  8% x 66,147 sq. ft.	-	Open 2,667 sq. ft. Enclosed <u>2,613</u> sq. ft. Total 5,280 sq. ft.
Height <sup>2</sup>	Outright 30.2 ft. Conditional discretionary	-	Top of Main Parapet Wall 73.6 ft. Top of Guardrail 75.3 ft.
Parking <sup>3</sup>	-  Small Car (25% max.) 30	Commercial 14 Residential <u>70</u> Total 84  Disability Spaces 3	Commercial 19 Residential 93 Visitor's (Residential) <u>8</u> Total 120  Small car spaces 12 Disability spaces 4
Bicycle Parking	-	Class A Class B Commercial 1 0 Residential <u>93</u> <u>6</u> Total 94 6	Class A Class B Commercial 1 6 Residential <u>93</u> <u>6</u> Total 94 12
Loading	-	Class A Class B Commercial 0 2 Residential <u>0</u> <u>0</u> Total 0 2	Class A Class B Commercial 0 2 Residential <u>0</u> <u>0</u> Total 0 2
Horizontal Angle of Daylight <sup>4</sup>	-	angle of 50° or 2 angles with a sum of 70° over a distance of 78.7 ft.	some habitable rooms on the 2 <sup>nd</sup> and 7 <sup>th</sup> floors do not comply
Clothing Lockers	-	Male 1 Female <u>1</u> Total 2	Male 1 Female <u>1</u> Total 2
Amenity	10,764 sq. ft. (max.)	-	776 sq. ft.
Unit Type	-	-	24 - one-bedroom <u>50</u> - two-bedroom 74 units total

<sup>1</sup>**Note on FSR and Floor Area:** Pursuant to Section 4.7.1 of the C-3A District Schedule, the Development Permit Board may permit an increase in the maximum floor space ratio from 1.00 up to and including 3.00. The applicant is proposing an FSR of 3.00, however staff's calculations indicate a slight overage due to the recessed (arcade) areas on the northwest corner in front of CRU 1. Staff support the proposed increase to 3.00, as discussed on page 7, but not the overage. Standard Condition A.1.1 seeks the required reduction in the floor area.

<sup>2</sup>**Note on Height:** Pursuant to Section 4.3.2 of the C-3A District Schedule, the Development Permit Board may permit an increase in the building height beyond 30 ft., to an unspecified maximum. The Central Broadway C-3A Guidelines suggest a maximum height of 70 ft. in this area. The 70 ft. height is met at the lane, but due to the sloping site, the height at Broadway is slightly higher. Staff support the proposed increase which reflects the intent of the Guidelines, as discussed on page 7.

<sup>3</sup>**Note on Parking:** It appears that the applicant has used an outdated standard to calculate the required residential parking. Engineering Services staff do not support the number of parking spaces proposed and recommend that it be reduced to be closer to the By-law minimum. (See discussion on page 11 and Standard Engineering Condition A.2.7)

<sup>4</sup>**Note on Horizontal Angle of Daylight:** Habitable rooms facing the amenity building on the 2<sup>nd</sup> floor level do not comply. Staff recommend that the amenity building be relocated to increase daylight access to these units. (See Condition 1.2) The 7<sup>th</sup> floor bedroom windows facing north are obstructed by an exterior enclosed spiral stair that does not allow any visual prospect from the windows. The bedroom for these six units can be switched with the kitchens to achieve compliance. (See Standard Condition A.1.2)

• **Guideline Analysis - Central Broadway C-3A Urban Design Guidelines:**

	PERMITTED (MAXIMUM)	PROPOSED
<b>Section 3.2</b> <i>Streetwall Height</i>	Suggested 70 ft. on Broadway over 75% of the width of the site with the remainder of the site at 30 ft. height.	<p>The height is 70 ft. at the lane which results in approximately 74 ft. at Broadway due to site slope. The lower portion of the building is 31 ft. in height. Staff support both of these minor variations to height as noted in discussion page 7.</p> <p>The width of the higher massing is 150 ft. at the Broadway frontage which meets the intent of the 75% upper massing width.</p>

### Legal Description

Lot A, Block 346, D.L. 526, Plan 19759  
Lot 4, Block 346, D.L. 526, Plan 590

### History of Application

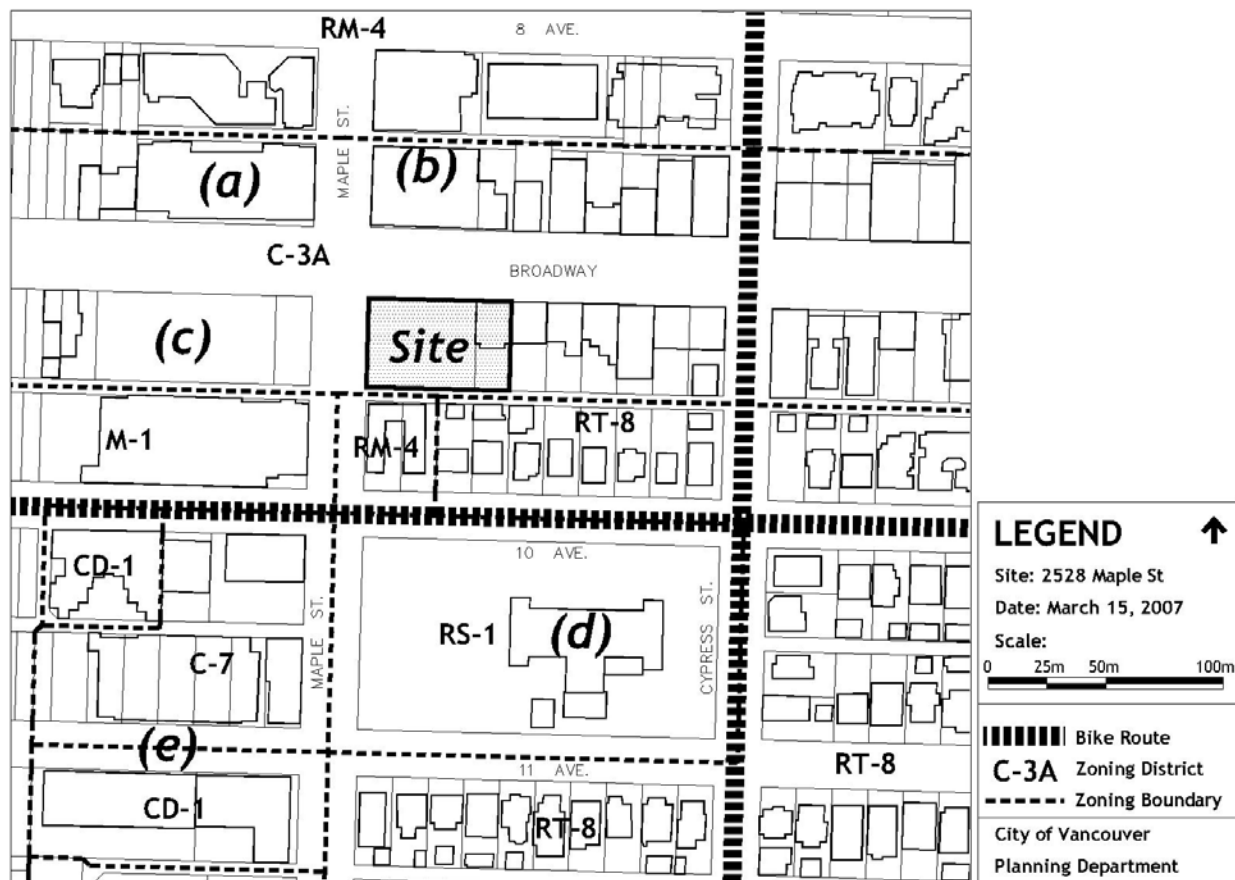
06 12 18 Development Application Submitted  
07 02 14 Urban Design Panel  
07 02 28 Development Permit Staff Committee  
07 03 14 Development Permit Staff Committee

• **Site:** The site is comprised of two legal lots at the southeast corner of Broadway and Maple Street. Lot A was formerly developed with a gasoline service station, which was demolished several years ago. Lot 4, to the east, contains a 1-½ storey building (formerly occupied by Finlandia Pharmacy), which will be demolished to make way for this development.

The site slopes down approximately 4 ft. from the lane to Broadway and approximately 3 ft. (down) from the Maple Street corner to the east property line. There are currently two driveway crossings existing on the vacant site. Two trees exist at the lane.

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

- (a) 2025 West Broadway, Office Building,
- (b) 1985 West Broadway, "Wawenesa" Office Building
- (c) 2002 - 2020 West Broadway, IGA/Liquor Store Site,
- (d) 1936 West 10<sup>th</sup> Avenue, Tennyson Elementary School,
- (e) 11<sup>th</sup> Avenue Greenway



● **Background:**

In 2004, policy work was undertaken in the Broadway-Arbutus area to the west of this site, in response to a development enquiry for a large-format retail development on the IGA site across Maple Street. The resultant "Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue (North Side) Guidelines" outlined massing, uses and smaller sized retail units for that area. Maple Street is the boundary between those guidelines and the Central Broadway C-3A Guidelines which apply to the subject site.

In 2005, the former property owner and their design team submitted a development application for the subject site which included a liquor store, grocery store and residential use. The Urban Design Panel did not support the original proposal, nor a revised proposal. In addition to urban design issues, there was strong neighbourhood opposition to the proposed liquor store. The development application was subsequently withdrawn and the site was sold to the current owner/developer who has abandoned a liquor store and grocery store in favour of small-format retail units.

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

1. C-3A District Schedule

Retail is an outright use and residential is a conditional use in the C-3A district. The permitted outright density is 1.00 FSR; however, the Development Permit Board may permit an increase up to and including 3.00 FSR. With respect to height, the maximum height specified in the C-3A District Schedule is 30 ft. The Development Permit Board may permit an increase in height to an unspecified maximum.

The density and height may be increased, subject to the Board having first considered:

- *the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;*
- *the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets and existing views;*
- *the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;*
- *the provision for pedestrian needs;*
- *the preservation of the character and general amenity desired for the area;*
- *the effect of the development on traffic in the area; and*
- *the design and livability of any dwelling uses.*

2. Central Broadway C-3A Urban Design Guidelines

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

- to encourage residential uses above active street-level retail/commercial/service uses;
- to provide lower massing portions of the building to allow sunlight access to the north sidewalk of Broadway at the winter solstice;
- to ensure that parking, loading and services are accessed from the lane system to preserve the street pedestrian realm;
- to encourage a high degree of residential livability; and
- to provide for pedestrian amenity including street trees and continuous weather protection on West Broadway.

Building height may be increased to a suggested maximum of 70 ft., with this higher massing being a maximum of 75% of the width of the site as shown in the diagram below.

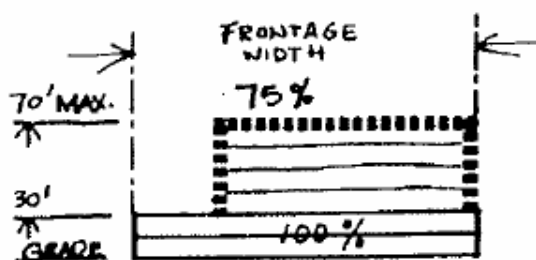


Figure 1: Massing from Central Broadway C-3A Urban Design Guidelines

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

Use: The proposed mix of retail and residential uses is supportable in this location.

Density, Height and Massing: Achieving the maximum density of 3.00 FSR is relatively common for C-3A applications. Similarly, increases in height are generally supported to achieve the desired urban form. In either case, the proposed development must demonstrate that the requested increases have been “earned” according to the By-Law and Guidelines.

The proposed building height is 70 ft. at the rear lane and approximately 74 ft. at Broadway, due to the slope of the site. This minor increase beyond 70 ft. still meets the intent of the Guidelines, given that it does not significantly impact private views from the south nor does it increase shadowing on the street because of the setback of the upper floors along the Broadway frontage.

The proposed massing meets the applicable Guidelines, but has a “blocky” form and a solid presence on Broadway. Staff consider that the challenges presented by this form have been overcome by the elegant resolution of the massing and architectural treatments. Staff also note that the proposed building steps in slightly (3-4 ft.) on the 6<sup>th</sup> and 7<sup>th</sup> floors. The Urban Design Panel strongly supported this form, rather than a terracing form presented by the adjacent office buildings. This form also allows shallow (rather than deep) residential units stretching the width along Broadway and provides a significant (54 ft.) setback from residences to the south across the lane for the majority of the building, well beyond the minimum 15 ft. required by the By-Law.

As noted in the Background section of the report, Maple Street forms the boundary between the “Central Broadway C-3A Guidelines” area and the “Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue Guidelines” area including the IGA site across Maple Street. As a result of neighbourhood consultation during the Broadway-Arbutus study in 2004, a “softer”, stepped massing was introduced west of Maple Street, as illustrated below. Staff consider that a similar massing could be appropriate on this site to respond to a future context, to increase sunlight access and reduce massing on Broadway. However, on balance, staff consider that this well resolved architectural form provides benefits to livability and neighbourliness which offset the challenges of the form.

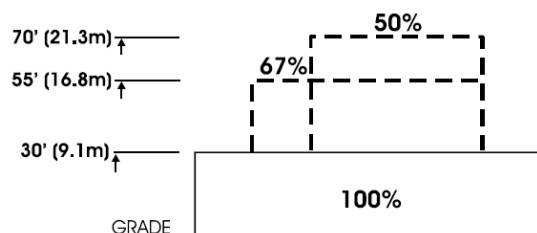


Figure 2 Massing from Broadway-Arbutus C-3A and 2000 Block West 10th Avenue Guidelines

**Resident Amenity:** The standard for shared open space is generally 50 sq. ft. per residential unit. This project proposes a very small shared open space (approximately 1500 sq. ft. or 20 sq. ft. per unit) includes a children's play area. A separate amenity building is proposed adjacent to the open space. Staff acknowledge the benefits of this arrangement, but suggest that additional benefits can be provided by relocating the amenity building to the east side of the podium, which would allow a significant increase in the shared open space, while maintaining the children's play area, as well as allowing greater daylight access to the adjacent residential units. (See Condition 1.2 and Standard Condition A.1.2)

**Open Space and Residential Street Interface:** Providing publicly accessible open space is an important means of earning the increases to density and height in the C-3A district. Although not appropriate in every case, this site has a good opportunity for a widened, fully-public walkway on Maple Street, which can be animated at the corner with retail use wrapping along Maple Street as proposed.

At the south end of the setback area, between the residential entry and the lane, this space could be improved by residential townhouse front doors to keep "eyes on the street" especially given the street activity associated with the existing liquor store across the street. Two, one-level residential flats are proposed here, with bedrooms on the ground level which requires a more private patio condition on the street, thereby reducing the publicness of the setback. Entrance to these units is through stairs that are offset from a patio door rather than a more formal front door. Staff suggest that providing a townhouse form with 2<sup>nd</sup> floor refuge for the bedrooms for these units would provide more residential livability and an improved interface with the street and a greater sense of public openness. (See Condition 1.1) Three townhouses in that location would provide a stronger residential rhythm to the street which would carry through to the residential zones across the lane to the south. Retail use could also be considered as an alternative.

Further, the treatment of the 10 ft. setback along Maple Street could be adjusted in two ways. Firstly, as suggested by the Urban Design Panel, the corner plaza should have more soft landscaping added with consideration to reduce the setback of the retail unit such that the deep-set arcade is not created. A continuous second inner row of trees should be introduced, set in at the property line, and staff recommends that consideration be given to provision of an art feature to enrich the open space. (See Condition 1.1)

**Retail Height and Interface:** The site slopes approximately 3 ft. along Broadway with the higher corner at Maple Street. The first storey (retail) floor-to-floor height at the east end of the site is 16 ft., but is reduced to the minimum 13 ft. at the important Maple Street corner. Staff accept this minimal retail height but suggest that the building be designed to maximize the retail glass height at this corner. This can be achieved by raising the sign band at the corner retail unit to be incorporated into the base of the residential units at this corner. The retail is set back under the building at the corner of Broadway and Maple. Staff recommend that this arcade be minimized by bringing the retail up to the building line above. (See Condition 1.3)

**Architectural Materials and Treatments:** High quality clear-finish architectural concrete, metal and glass materials are proposed. The specialty treatments of the spiral stairs, rhythm of the window bays and colours add a level of refinement to the architecture that offsets the strong massing. For that reason, it is important that these features be retained through the permitting process. The clear-finished concrete which provides a rich finish, similar to masonry, requires a clearance for envelope certification and staff request clarification of the material and envelope certification issues. (See Standard Condition A.1.8) Passive solar screening is proposed on the south and west elevations. Clarification of the materials, details and extent of these screens is requested. Staff also request that operable Venetian blinds be investigated and considered on the west façade as suggested by the Urban Design Panel. (See Standard Condition A.1.9)



• **Conclusion:** The proposal is considered to be very well resolved with an elegant architectural treatment which, in many ways, offsets the solid massing form. Earning of the increases to density and height is achieved primarily through:

- meeting the Guidelines including pedestrian amenity, weather protection, street trees and deleting driveway crossings on the streets;
- high quality architectural materials and treatments (no stucco);
- response to solar orientation on south and west facades;
- provision of landscaped public realm; and
- provision of open space through a setback on Maple Street.

On that basis, staff recommend approval of this application subject to the improvements suggested in the conditions of this report.

#### URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on February 14, 2007, and provided the following comments:

#### EVALUATION: SUPPORT (8-0)

- **Introduction:** Mary Beth Rondeau, Development Planner, introduced the application for a seven storey mixed-use building with residential and retail on the ground floor with parking and loading from the lane. The massing meets the intent of the Central Broadway Urban Design Guidelines for the site. The retail height is about 13 feet minimum floor to floor at the corner of Maple Street and Broadway and the floor to floor height of the residential is on average 9 feet 8 inches. There is a ten foot setback on Maple Street with the southern area taken up with residential patios. In terms of residential liveability, every unit has plenty of frontage and no inboard bedrooms. There is a proposed amenity room on the podium and private roof decks. Ms. Rondeau noted that staff were considering moving the amenity room to add more shared open space and were also considering if there needed to be some masonry on the project.

The Panel's advice was sought on the following:

1. Massing: Should the massing be softened to respond to context by setting back on the upper floors?
2. Public open space: Could the setback on Maple Street be improved with more public realm treatment? Noting that commercial rather than residential could be considered.

Ms. Rondeau took questions from the Panel.

- **Applicant's Introductory Comments:** Nigel Baldwin, of Nigel Baldwin Architects Ltd., noted that the massing is consistent with what happened on the Molson lands using mostly simple urban forms. He described in detail the architecture for the building noting the spiral staircases to the roof decks. The south side of the building has been greened to give a neighbourly response. Mr. Baldwin noted the public open space will provide a corner CRUs which will probably be a café or coffee shop. He stated that retail on Maple Street was not a good response and are negotiating to make the units wheelchair accessible.

Chris Sterry of PWL Partnership Landscape Architects Inc., described in detail the landscape plans. He noted the generous patios, the amenity room which will have a green roof and a trellis over the parking ramp.

Kim Maust, of Bastion Development, stated that they will be meeting a strong LEED™ Silver. Regarding energy efficiency, they are using geothermal heating for the units with heat recovery from the commercial units. Some building lights will run on solar panels and some of the roof top patios may be reduced slightly to accommodate the panels.

The applicant team took questions from the Panel.

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

The Panel had no substantial concerns with this proposal. There was a general consensus that the design of the corner plaza should be enhanced.

- **Related Commentary:** The Panel unanimously supported this application and commended the architect on a well executed project.

The Panel agreed that the massing was appropriate with the project earning its density and height and they also agreed that the building didn't need to be set back on the upper floors. The Panel liked the amenity space as a separate building noting that it was unique. One member of the Panel suggested greening the blank wall of the amenity space to soften the concrete. Several members of the Panel also suggested adding a green roof to the south east corner roof.

The Panel agreed the corner plaza needed design development through the use of landscaping, an inner row of trees and specialty paving. It was generally agreed that retail wasn't an appropriate response along Maple Street and would be a difficult retail opportunity. The also agreed that the landscape element was the right way to go at the residential units. Several members of the Panel thought it would be appropriate to take the pavers out to the corner at West Broadway and Maple Street. One member of the Panel felt the residential entry needed more design development as it seemed lost.

One Panel member suggested making the pathways on the roof clearer to show the boundaries between the units. The Panel liked the spiral staircases stating that they were the fun part of the project and it was important for the technical aspects to be resolved for these to be retained.

The Panel liked the daylighting of the units and the use of natural ventilation. They congratulated the developer for putting sustainability up front on the project. One member of the Panel suggested operable Venetian blinds on the west façade.

Several Panel members suggested that if the clear concrete proposed would give the desirable depth of material similar to masonry and adding more colour to the concrete should be considered. The green accent colour was also important to the building. Several members of the Panel thought the canopy could be raised a bit to take advantage of the concrete band and to make the retail appear taller.

- **Applicant's Response:** Mr. Baldwin thanked the Panel. He noted that he would like to be able to incorporate a special paving to the edge on the corner of Maple Street and West Broadway but that would need to be negotiated with the City.

## ENGINEERING SERVICES

As noted in the Notification section of this report (page 13), this project has raised concerns about traffic issues, primarily related to the potential conflict between vehicle traffic and children traveling to and from Tennyson School (1900 Block West 10<sup>th</sup> Avenue). The area was previously provided with "traffic calming" measures (diverters and street closures). Maple Street is the one north-south local street that is available between Burrard and Arbutus Streets for vehicles to move readily to/from either of the east-west arterials - Broadway or 12<sup>th</sup> Avenue. 10<sup>th</sup> Avenue is a designated Bikeway and 11<sup>th</sup> Avenue forms part of the Mid-town Greenway.

During the review of the previous (2005) development application, an analysis of the local traffic was carried out by a transportation consultant. In that instance, no changes were recommended in terms of an upgrade to the pedestrian signal or left-turn bay addition at Broadway and Maple Street. Neither is required as a result of the current (much smaller) proposal; however measures such as these could be triggered by future development initiatives in the area - possibly the site immediately to the west across Maple Street.

The neighbours' primary concerns relate to the lane intersection at Maple Street. Staff recommend, given that site access for vehicles is best taken from the lane (as is standard), that the applicant undertake mitigation measures where the lane meets the street, to the satisfaction of the General Manager of Engineering Services, in consultation with the Director of Planning. These measures could include any or a combination of: improving sight lines; adding signage; and using pavement treatment and would be concluded upon after consultation with representatives from the Tennyson Parent Advisory Committee and installed prior to occupancy. (See Standard Engineering Condition A.2.8)

With regard to the provision of residential parking, it appears that the applicant has used an outdated standard in their calculations. The current Parking By-law standard would require 70 residential parking spaces, including visitor spaces, instead of the 84 for residents and 7 for visitors which the applicant has indicated are required. A total of 101 residential spaces are proposed. Staff believe this constitutes an excessive parking provision, which would encourage vehicle ownership and use beyond the norm. To develop a more sustainable project, it is recommended that several parking spaces be deleted, in order to approach the minimum requirement. This could result in a reduction of at least 16 spaces. (See Standard Engineering Condition A.2.7)

Loading appears generally well conceived, except that to avoid moving goods up and down stairs it is recommended that a lift or leveller be provided. (See Standard Engineering Condition A.2.1) With 74 dwelling units proposed, there is no explicit loading requirement for the residential use. The applicant is encouraged, however, to consider making arrangements for the residents to be able to share the use of a Class B loading space, or at least to designate one of the (excess) residential parking spaces as a Class A loading space. (See Standard Engineering Condition A.2.9)

The applicant should note that the development site will be required to have its own independent public utility services (Hydro, Telus; Shaw Cable). All services must be underground and located on private property, in particular the electrical transformers to accommodate a primary service. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by Engineering Services. Early contact with Bill Moloney (604.873.7373) of the Utilities Management Branch is encouraged.

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

## LANDSCAPE

The proposed landscape treatment and design are very well resolved. The applicant should be commended for the exemplary upper-level landscaped patios and green roofs. The upper level building setback creates a landscaped amenity space (which would be further enhanced by relocation of the amenity building) which also softens the elevation for neighbours to the south. The southerly aspect will benefit plant health and is an ideal sunny location for urban agriculture, as discussed below. The proposed ground-oriented planting indicated along the lane would greatly enhance the lane environment.

The two existing trees on the site (along the lane) have low retention value and staff support removal of these trees; noting that a large number of trees are proposed for the roof decks and streets.

Conditions related to landscaping issues are contained in Standard Conditions A.1.10 through A.1.14.

## HOUSING CENTRE/SOCIAL PLANNING/OFFICE OF CULTURAL AFFAIRS

### Families Living with Children

Of the 74 units proposed, 50 (67%) include two or more bedrooms, and as a result, may be attractive to families living with children.

While the proposed amenity building is a well-equipped space, including a fully accessible washroom, kitchenette, storage and closet area, it should be relocated to be incorporated into the building to provide additional open space. (See Condition 1.2) The outdoor common amenity patio includes a children's play element on resilient safety surfacing and seating areas within close proximity for adult supervision and meets the requirements for children's play space, as outlined in the City's "High Density Housing for Families Living with Children Guidelines". A separate adult-oriented outdoor space would be desirable to provide a diversity of spaces and could be accommodated in the enlarged open space.

### Urban Agriculture

"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, thereby serving "double duty". The applicant is encouraged to consider incorporating edible landscaping into the edges of raised planters bordering the amenity patio and other common walkways which are accessible to residents. Exploring opportunities for garden plots is also recommended. (See Standard Condition A.1.16)

## SUSTAINABILITY

Although the C-3A zoning does not as yet pursue Sustainability as a requirement, the developer has indicated their intention to provide a number of initiatives related to energy efficient building design including passive solar features and sustainable landscape design, as noted in the Urban Design Panel minutes on page 10. This is to be commended and encouraged.

## ENVIRONMENTAL PROTECTION BRANCH

A Site Profile was submitted with this development application. It indicated that Lot A was previously developed with a gasoline service station. Although the site has been remediated to commercial levels, as residential use is now proposed, a revised Certificate of Compliance will be required. (Standard Condition A.4.1)

## 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

An acoustical report must be submitted and notations regarding construction and Noise By-law standards must be added to the plans. (Standard Conditions A.3.1 through A.3.3) VCHA staff further advise 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.

## PUBLIC INVOLVEMENT

On March 6<sup>th</sup> the applicant team held an Open House to discuss the form of development with local residents. Approximately 18 people attended.

On March 8<sup>th</sup> Engineering Services and Planning Department staff met with a small group of residents (7) to discuss traffic concerns in the neighbourhood as a whole, and relating to the application in particular, as expressed in many of the responses to notification that have been received.

## NOTIFICATION

Confirmation that two signs describing the project had been installed on site was received on February 2, 2007. On February 5, 2007, letters were sent to 714 neighbouring property owners advising them of the application. To date, 39 responses have been received. Three respondents support the proposal. Thirty-six respondents oppose the proposal and have concerns about the following specific aspects:

- the requested building height and density - one level of retail with three levels of residential above would be more appropriate;
- the "boxy" design - it is out of character with the Kitsilano neighbourhood; and
- traffic:
  - safety in the lane and at the lane intersection with Maple Street, specifically related to school children going to and from Tennyson Elementary on the south side of 10<sup>th</sup> Avenue, between Maple and Cypress Streets;

- volume in the neighbourhood as a whole, as Maple Street is the only north-south connection between Broadway and 12<sup>th</sup> Avenue in this area; and
- loading vehicles in the lane serving the proposed ground floor commercial uses.

**Staff response:**

**Height, Density and Massing:** The proposal meets the intent of the Guidelines for these criteria. The strong massing has been well articulated and treated architecturally, which mitigates overall scale impacts. Beyond that, the increases to height and density has been earned by the provision of pedestrian amenity, residential livability, high quality landscaping and building materials and provision of a setback on Maple Street, which will be further enhanced through additional design development as recommended in various conditions of this report.

**Traffic Safety:** The street and lane system is designed to support the type of vehicle, loading and pedestrian traffic in the area and associated with the proposed development. The driveway access to the underground parking and loading areas are well set back from the lane intersection. Given the concerns regarding potential conflicts between vehicles and the children travelling to and from the local elementary school, staff recommend that measures be taken at the lane intersection with Maple Street. (See Standard Engineering Condition A.2.8)

**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.

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 public realm treatment proposed and recommends approval of the application subject to the conditions contained in the report. The Committee supports the conditions of the report particularly the recommendation to relocate the amenity building to provide an adequate area of shared open space on the second floor podium.

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B. Boons  
Chair, Development Permit Staff Committee

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M. Rondeau, MAIBC  
Development Planner

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B. Mah  
Project Coordinator

Project Facilitator: A. Higginson

## 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 compliance with Section 4.7 (Floor Space Ratio) of the C-3A District Schedule;

**Note to Applicant:** A reduction in floor area of 365 sq. ft. is required. This minor overage is due to the recessed (arcade) area in front of CRU 1. To qualify for exclusion from FSR, storage rooms must be located close to the unit entrance, not in a bedroom and have no window. The technical review has excluded the storage rooms for the purposes of calculating FSR, subject to the storage rooms being relocated to meet these requirements.

#### A.1.2 compliance with Section 4.10 (Horizontal Angle of Daylight) of the C-3A District Schedule;

**Note to Applicant:** The north facing bedroom windows on the 7<sup>th</sup> floor level, which are obstructed by an exterior enclosed spiral stair, and the habitable rooms in the second floor units facing the amenity building, do not comply. In terms of the 7<sup>th</sup> floor units, the bedroom in these six units should be switched with the kitchens to comply. Additional details of the spiral stair and enclosure are also required. Relocation of the second floor amenity building (See Condition 1.2) will result in compliance for the 2<sup>nd</sup> floor units.

#### A.1.3 provision of fully dimensioned floor plans;

**Note to Applicant:** Dimensions used to calculate floor areas must be reflected on the floor plans. These include all voids and exclusions. Dimensions should be placed where it is easily readable (not in shaded or textured areas). Clarify the operation of the retail elevator and access into "CRU 1". Updated project statistics should be included.

#### A.1.4 provision of details of balcony enclosures;

**Note to Applicant:** To qualify for an exclusion from floor space ratio calculations, an enclosed balcony must have large, openable windows for ventilation. All other aspects of the Balcony Enclosure Guidelines have been met.

#### A.1.5 provision of dimensions indicating the aisle width between the bicycle spaces;

#### A.1.6 identification of the clothing lockers to serve the cyclists;

#### A.1.7 clarification of the planters and/or any privacy screens for the roof decks on top of the building and provision of details;

**Note to Applicant:** Clarify the parapet elevation of the podium along Broadway.

#### A.1.8 clarification and provision of details of the concrete material referenced as clear, sealed architectural concrete;

**Note to Applicant:** Details about envelope certification are also requested.

#### A.1.9 clarification of materials and extent of solar screens and provide details with consideration to provide an operable Venetian blind solar screens on the west elevation;



### Standard Landscape Conditions

- A.1.10 provision of a fully detailed landscape plan and planting plan;

**Note to Applicant:** Provide detailed notations for all hard- and softscape elements, including materials, colours and heights.

- A.1.11 provision of fixed bench seating at the building entrances;

- A.1.12 provision of efficient irrigation for all planted areas and hose bibs on all patios that are larger than 100 sq. ft. in area;

**Note to Applicant:** The hose bib locations must be noted on the landscape plans.

- A.1.13 provision of large-scale detailed sections (1/4") through the planters and elevations of the exterior landscape structures, including the residential interface, planters, walls, patios, fences, gates, pergola structures and trellises;

**Note to Applicant:** Clarify railing location adjacent to the patios along the Maple Street frontage.

- A.1.14 provision of new street trees adjacent to the development site;

**Note to Applicant:** New street trees should be noted: "Final species, quantity and spacing to the approval of the General Manager of Engineering Services and Park Board." Street tree installation must include a root barrier. Contact Eileen Curran of Engineering Services - Streets Division at 604.871.6131 regarding street tree spacing and quantity. Contact Bill Stephen of Park Board at 604.257.8587 regarding tree species.

### Crime Prevention through Environmental Design (CPTED)

- A.1.15 design development to reduce opportunities for theft in the underground parking through separation of exit stairs and elevators and deletion of the alcove at the parking entrance; and

### Social Planning/Housing Centre/ Office of Cultural Affairs Conditions

- A.1.16 explore opportunities to incorporate garden plots and edible landscaping into the Landscape Plan.

**Note to Applicant:** Particular attention should be paid to the use of edible shrub plants that provide all-season interest in the planters bordering the amenity patio and other common walkways which are accessible to residents.

### A.2 Standard Engineering Conditions

- A.2.1 provision of an improved access between the loading spaces and commercial units;

**Note to Applicant:** An elevator, leveller or ramping system is required to provide direct and convenient access.

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- A.2.2 clarification whether the translucent screens around the exterior stairs between the 6<sup>th</sup> and 7<sup>th</sup> floor levels encroach over the north property line;

**Note to Applicant:** Drawings A401 and A403 indicate a marginal encroachment. If that is the case, it must be eliminated.

- A.2.3 provision of a minimum 12.5 ft. vertical clearance for access to the loading spaces at the building entry point;

**Note to Applicant:** Section C indicates only an 11 ft. 9 in. vertical clearance.

- A.2.4 clarification of the garbage pick-up operations;

**Note to Applicant:** Confirmation that the residential garbage can be picked up from the location indicated must be provided by a waste disposal operator.

- A.2.5 provision of an adequate inside radius for the right-angle turn of the parking entry ramp, to facilitate two-way traffic flow;

**Note to Applicant:** With the ramp widths as proposed, the corner-cut needs to be increased to 6 ft. x 6 ft.

- A.2.6 relocation of two disability parking spaces from the visitor parking area to the secured residential parking area;

- A.2.7 provision of a reduced residential parking provision, to be closer to the minimum requirements of the Parking By-law for the C-3A District;

**Note to Applicant:** Consistent with an efficient redesign, Engineering Services recommends a reduction of 16 spaces.

- A.2.8 provision of measures to improve safety for pedestrians at the intersection of the lane and Maple Street;

**Note to Applicant:** This could include any combination of sight-line improvements, signage and pavement treatment, to the satisfaction of the General Manager of Engineering Services in consultation with the Director of Planning, following discussion with representatives of the Tennyson Elementary School Parent Advisory Committee. The measures would be installed prior to first occupancy of the project.

- A.2.9 consideration should be given to providing on-site loading for the residential use;

**Note to Applicant:** This can be achieved by making arrangements for sharing the Class B loading and/or providing a Class A loading space for the residential use on the P1 level in the visitor parking area or within the ground level parking area.

- A.2.10 correction of the building grade at the northeast corner of the site to read 130.61;

- A.2.11 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Planning, for site consolidation;

- A.2.12 suitable arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for the discharging of crossing agreement (228731M) prior to occupancy of building; and

**Note to Applicant:** Written confirmation that this will be attended to prior to occupancy will be required prior to issuance of the permit.

- A.2.13 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services, for a canopy application.

**Note to Applicant:** Canopies must be fully demountable and drained into the building's internal drainage systems.

### 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;
- A.3.2 A letter from an acoustical 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 in. solid concrete slab shall be specified on the drawings; and

**Note to Applicant:** Where music, recorded or live, may be a major activity in the commercial premises, a report from an acoustical consultant recommending a 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 #6555, shall be submitted.

- A.3.3 Add notation on plans stating: "The acoustical measures will be incorporated into the final design and construction based on the consultant's recommendations, as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer)".

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

- A.4.1 Submission of Certificate of Compliance from the Ministry of Water, Land and Air Protection, confirming that the site has been remediated to residential standards.
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**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 March 14, 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 **September 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 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 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.2.5 Amenity space (multi-purpose room) of 776 ft.<sup>2</sup>, 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 and occupants of the building;

AND

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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 and users of this building.

- 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 All services, including telephone, television cables and electricity, shall be completely underground.
  - B.2.8 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.2.9 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 made by the Processing Centre- Building and are based on the architectural drawings submitted for the proposed Development Permit. This is a preliminary review in order to identify issues which do not comply with the Vancouver Building By-Law # 8057.

- \*1. If the building permit application for this project is made on or after the effective date of the Vancouver Building By-law 2007, May 1, 2007, the project must comply with the requirements of this new By-law.
  2. The building must be sprinklered throughout in conformance with NFPA 13 and the Vancouver Building Bylaw. A standpipe system must be provided in conformance with NFPA 14 and Sentence 3.2.5.11.(1) of the Vancouver Building Bylaw.
  3. Areas of refuge are required on the below grade parking levels in conformance with Clause 3.8.3.19.(1).(f), unless a generic equivalency has been prepared and accepted as outlined in the City of Vancouver Bulletin 2006-001-BU.
  4. The building must be of noncombustible construction.
  5. This building must comply with the accessibility requirements of Section 3.8 of the Vancouver Building Bylaw. Residential portions of this building must comply with the enhanced accessibility requirements of Sentence 3.8.2.27.(4) of the Vancouver Building Bylaw.
  - \*6. Exiting from the Parking level 2 does not meet the requirements of Clause 3.4.2.3.(1)(b) for separation of exits.
  - \*7. The parking stair that discharges through the residential lobby is required to be separated from the parking garage by a vestibule on parking level 1 in conformance with Sentence 3.3.5.4.(1) and this stair is required to terminate at the ground floor level in conformance with the requirements of Sentence 3.3.6.7.(3).
  8. This building must comply with the high rise measures in Subsection 3.2.6. of the Vancouver Building Bylaw including provisions of fire fighter's elevators, top venting of below grade stairs, bottom venting of above grade stairs, and provision of a central alarm and control facility.
  9. For doors equipped with closures in areas that are required to be accessible, clearances around the door must be provided in conformance with Sentence 3.3.1.12.(10). Specific attention should be directed to the elevator lobby on the level with parking spots for people with disabilities.
  - \*10. There appear to be some unprotected openings within 1.2 m of the property line from the north east and south east corners of the east most residential unit on level 2.
  11. Spatial separation at the south and east elevations must be reviewed.
  12. If residential lobby is intended to be used as an exit lobby, it must be designed in conformance with Article 3.4.4.2. of the Vancouver Building Bylaw.
  13. It appears that there may be an exit exposure issue to occupants exiting across the roof deck from level 2 from openings in the exit stair serving the levels above.
  14. It appears that there may be an exit exposure condition between the two town home units on the ground floor.
  15. If the ramped corridor leading from the retail parking to W. Broadway is intended to be a required exit, all doors swinging into the corridor must open in the direction of exit travel, but the door in its swing must not reduce the exit width to less than 750 mm. There appear to be multiple instances in the building of doors in exits reducing the required width to less than 750 mm.
  16. Access to exit in conformance with Sections 3.3 and 3.4 must be provided from all portions of the loading bay.
  17. Fire fighter access to all main roof areas must be provided in conformance with Sentence 3.2.5.3.(1) of the Vancouver Building Bylaw.
  18. The building must be provided with a Siamese connection to be located within 5 m of the building principle entrance and within 90 m of a hydrant.
  19. 64mm standpipe hose connections are to be provided with sufficient clearance to permit use of a standard Fire Department hose key.
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20. 38mm hose stations are required to be provided in floor areas not covered by 39.6 m of hose and spray from the 64 mm service.
21. Fire fighter facilities and access to above and below grade levels must be coordinated with the fire fighters entrance in conformance with Sentence 3.2.5.20.(1) of the Vancouver Building Bylaw.

\* 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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