
1238 SEYMOUR STREET (COMPLETE APPLICATION)
DE410914 - ZONE DD

RRS/BAB/LH

APPLICANT:

Larry A. Bengé
3250 West 7TH Avenue
Vancouver, BC
V6K 2A2

PROPERTY OWNER:

Kelly Koch
1513 Nanaimo Street
New Westminster, BC
V3M 2G3

EXECUTIVE SUMMARY

- **Proposal:** Interior alterations to construct a 180.5 sq. ft. addition to expand the second floor of Suite #712 in the existing Multiple Dwelling/Residential Unit with Artist Studio - Class A building on this site, using a Heritage Density Transfer.

See Appendix A - Standard Conditions

Appendix B - Standard Notes and Conditions of Development Permit

Appendix C - Plans and Elevations

Appendix D - Letter "A" from the receiver and donor regarding the purchase of heritage density

- **Issues:** None

STAFF RECOMMENDATION: APPROVE

THAT the Board APPROVE the Heritage Density Transfer request contained in Development Application No. DE410914 as submitted, the plans and information forming a part thereof, thereby permitting interior alterations to construct a 180.5 sq. ft. addition to expand the second floor of Suite #712 in the existing Multiple Dwelling/Residential Unit with Artist Studio - Class A building on this site, using a Heritage Density Transfer, subject to the following conditions:

- 1.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.
 - 2.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.
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• **Technical Analysis:**

	PERMITTED (MAXIMUM)	EXISTING	PROPOSED
Site Size		250.0 ft. x 120.0 ft.	
Site Area		30,000.0 sq. ft.	
Floor Area ¹	150,000.0 sq. ft. (total)	161,483.5 sq. ft. (total)	161,664.0 sq. ft. (total)
FSR ²	5.0 (total)	5.38 (total)	5.39 (total)
Parking	160 (minimum) 283 (maximum)	178	178

¹ **Floor Area:** Under Section 3.14 of the DODP, an additional 10 percent heritage density transfer (maximum 5.5 FSR or 165,000.0 sq. ft.) may be considered by the DP Board.

² **FSR:** The existing building has previously obtained additional FSR through heritage density transfers. See further discussion under **Background**, page 4.

• **Legal Description**

Strata Lot: 95
Strata Plan: LMS2446
District Lot: 541

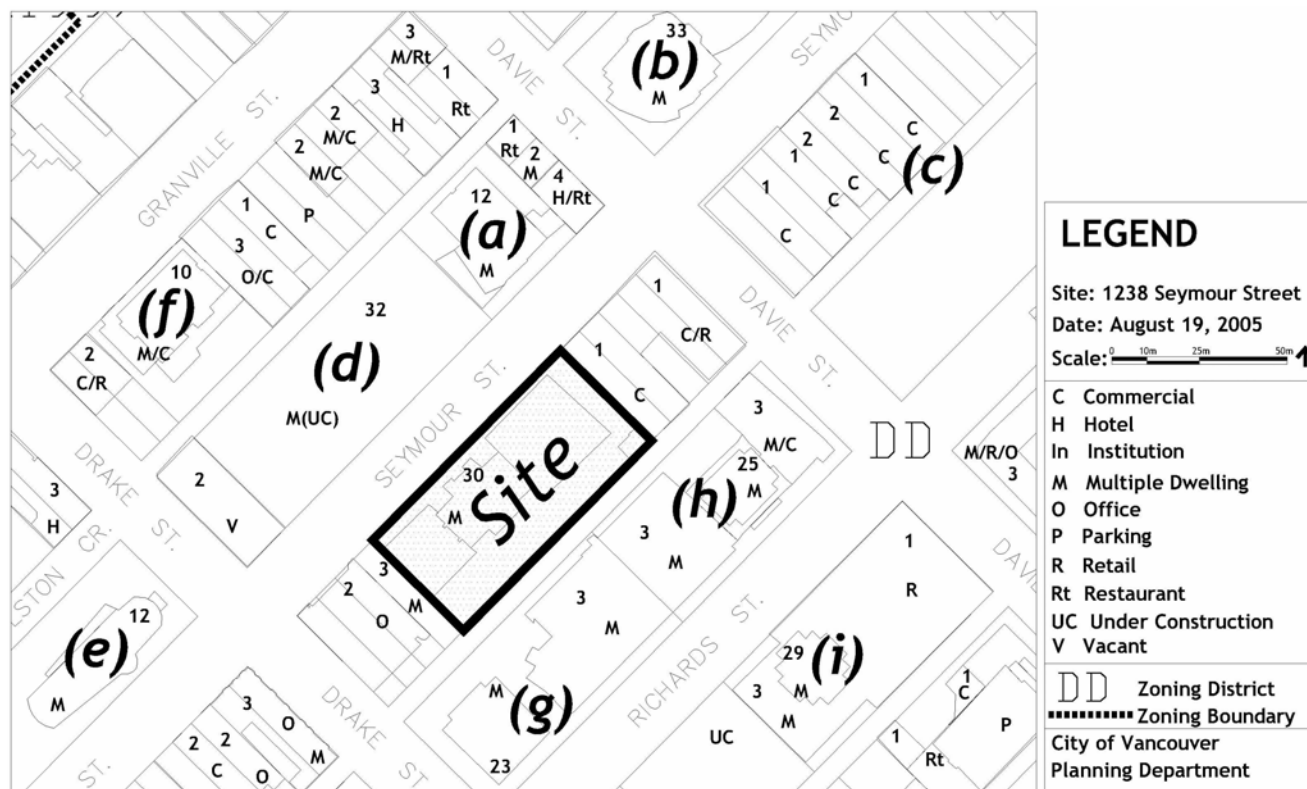
• **History of Application:**

06 12 01 Complete DE submitted (DE410914)
07 03 26 Development Permit Board Meeting

- **Site:** The site is located mid-block, on the east side of Seymour Street, between Davie and Drake Streets.

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

- 1221/1225 Seymour – ‘Seymour Place’ – 12 storey social housing tower and Coast Mental Health Resource Centre – social service centre
- 1133 Seymour – ‘Brava’ – two residential towers (32 storeys and 24 storeys) with cultural amenity facility (VIFF) – under construction
- Downtown South Park – ‘Emery Barnes Park’ (Phase 1 – open)
- 1299 Seymour - ‘Elan’ – 32 storey residential tower under construction
- 600 Drake Street – 12 storey residential tower
- 1278 Granville – 10 storey residential tower
- 1295 Richards – ‘Oscar’ – 23 storey residential tower
- 1225 Richards – ‘Eden’ – 25 storey residential tower
- 1238 Richards – ‘Metropolis’ – 29 storey residential tower



- **Background:** DE215997, issued September 7, 1994, approved the construction of a 20-storey Multiple Dwelling building containing 219 dwelling units and 128 parking spaces. DE217485, issued March 16, 1995, pursuant to incorporation into the development site of an additional small lot, approved additions of 15,306.0 sq. ft., increase of the number of dwelling units from 219 to 223, and increase of the number of parking spaces from 128 to 178, thereby maximizing permitted FSR. In 2005, BU431048 permitted to combine Suites #1504 and #1505, thereby reducing the number of units in the building to 222.

According to our Building Inspection Branch, a total of 22 units in the building are being pursued for infractions due to construction of additional floor area without permits. Between 1996 and 2007, a series of Development Permits issued approved the addition of a total of 11,585.5 sq. ft. to provide 56 loft mezzanines, and expand 13 out of the 22 dwelling units with infractions through heritage density transfers, as permitted by Section 3.14 of the Downtown Official Development Plan.

The current Development Application seeks a total of an additional 180.5 sq. ft. out of the 3,414.5 sq. ft. still remaining in the total of 15,000.0 sq. ft. of heritage density eligible for this site. Staff believe that a sufficient amount of heritage density would still be available for the 8 remaining units with infractions.

The applicant has indicated the purchase of heritage density will be 181.0 sq. ft. from 55 East Cordova Street. See Appendix D. Standard Condition A.1.1 requires that the documentation necessary to confirm the purchase of qualifying density be submitted.

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

1. Downtown Official Development Plan (DODP)

The site is within area L1 of the Downtown District. Section 3.1 of the DODP states, in part:

In the areas denoted by the letter 'L1', 'L2', the maximum density for all uses shall be floor space ratio 3.00, except that:

- *The maximum density for all uses on an interior site with a minimum frontage of 200 feet and a minimum site area of 24,000 square feet shall be floor space ratio 5.00.*

Section 3.14 of the DODP states, in part, the following:

Notwithstanding subsections 1, 3 and 4, the Development Permit Board may permit an increase in floor space ratio for any use where the increase results from a transfer of heritage floor space to a maximum of 10 percent over the total permitted floor space ratio, except that this increase shall not apply to hotels where the floor space has already been increased pursuant to subsection 2.

2. Downtown South Guidelines (excluding Granville Street)

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

1. Downtown Official Development Plan

FSR: The By-law allows up to a maximum of 5.00 FSR for all permitted uses, plus up to 10 percent additional heritage density transfer allowed under Section 3.14.

The proposed floor space addition under this application is 180.5 sq. ft. thereby increasing density transfers for this site from 11,585.5 sq. ft. to 11,766.0 sq. ft. or 0.39 FSR, which equates to 7.8

percent of the maximum 10 percent heritage density transfer eligible for this site. The proposal meets the density and FSR provisions of the DODP.

2. Downtown South Guidelines (excluding Granville Street)

No exterior alterations to this existing development are proposed. The livability of the unit affected will be improved. The intent of the Guidelines is maintained.

- **Conclusion:** Staff support this proposal for a small heritage density transfer with the conditions attached.

B. Boons
Chair, Development Permit Staff Committee

R. Segal, MAIBC
Senior Development Planner

B. Balantzyan
Project Coordinator

A.1 Standard Conditions

- A.1.1 Provision of Letter "B" (sample copy attached) which includes confirmation from the owner of the "donor" site that the agreement has been finalized, and confirming the new "balance" of transferable density remaining on the donor site.
 - A.1.2 Clarification of the uses of all rooms/spaces are required, to be noted on the plans.
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B.1 Standard Notes to Applicant

- B.1.1 It should be noted that if condition 1.0 has 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.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development By-law 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.1.3 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Condition of Development Permit:

- B.2.1 This site is affected by the Development Cost Levy By-law No. 6924. Levies will be required to be paid prior to issuance of Building Permits.
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