

1133 HOMER STREET (PRELIMINARY APPLICATION)
DE409193 - ZONE DD

RRS/BM/DR/DK

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

B. Boons (Chair), Development Services
M. Thomson, Engineering Services
L. Gayman, Real Estate Services
R. Whitlock, Housing Centre
D. Jantzen, Vancouver Coastal Health Authority
T. Driessen, Vancouver Park Board
V. Morris, Social Planning/Office of Cultural Affairs

Also Present:

R. Segal, Urban Design & Development Planning
B. Mah, Development Services
D. Robinson, Development Services

APPLICANT:

Hancock Brückner Eng & Wright Architects
300-1445 West Georgia Street
Vancouver, BC
V6G 2T3

PROPERTY OWNER:

Chandler Homer St. Venture Ltd.
502 - 1168 Hamilton Street
Vancouver, BC
V6B 2S2

EXECUTIVE SUMMARY

- **Proposal:** To construct a 16-storey residential tower incorporating an 8-storey podium, with 193 dwelling units and three levels of underground parking accessed from the lane, including a heritage density transfer of approximately 10, 025 sq. ft. from 46 Water Street.

See Appendix A Standard Conditions

Appendix B Standard Notes

Appendix C Processing Centre - Building and Fire & Rescue Services comments

Appendix D Plans and Elevations

Appendix E Applicant's Design Rationale

Appendix F Applicant's Shadow Analysis

Appendix G Applicant's View Analysis from 488 Helmcken

Appendix H Heritage Density Transfer - Letter

Appendix I Urban Design Panel Minutes - April 27, 2005

● **Issues:**

1. Podium massing (8-storeys - approximately 74 ft. high)
2. Ability of site to accept heritage density
3. Below grade townhouse units (Helmcken Street)

● **Urban Design Panel: Support**

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE IN PRINCIPLE

THAT the Board APPROVE IN PRINCIPLE the concept of developing this site with a 16-storey residential tower incorporating an 8-storey podium, with 193 dwelling units and three levels of underground parking accessed from the lane, including a heritage density transfer, as submitted under Development Application No. DE409193, subject to the following conditions:

- 1.0 Prior to submission of a complete application and a final decision, the applicant is to carry out the following:
- 1.1 design development to the south party wall to reduce its height by a minimum of one storey and to architecturally treat the remaining south facing blank walls to improve the transition from the neighbouring existing podium;
- Note to Applicant:** This will necessitate reworking the southerly fifth floor unit, including a slight loss of floor area.
- 1.2 design development to the three Helmcken-fronting two-storey townhouse units to achieve a proper ground floor/sidewalk relationship (entry level minimum 2' - 6" above adjacent sidewalk) for privacy and livability;
- Note to Applicant:** This will necessitate adjustments to the layout of these units, with a possible loss of floor area.
- 1.3 design development to raise the ground floor of the Homer-fronting two-storey townhouse units to ensure that they are a minimum of 2' - 6" above sidewalk grade, for privacy and livability;
- 1.4 design development to diminish the scale of the podium's lane-facing uppermost parapet and rooftop exit stair to reduce the podium's overall sense of scale for neighbouring residences at 488 Helmcken; and
- Note to Applicant:** Further pulling back of the podium roof parapet and sculpting/lowering the exit stair enclosure is recommended.
- 1.5 design development at the landscaped lane edge of the common open space to provide an appropriate fence for security while preserving landscape quality and casual surveillance of the lane.
- 2.0 That the standard conditions set out in Appendix A be met prior to submission of a complete application.
- 3.0 That the complete application be dealt with by the Director of Planning on behalf of the Development Permit Board.

• **Technical Analysis:**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size	-	-	250 ft. x 120 ft. (nominal)
Site Area	-	-	30,032 sq.ft.
FSR ¹	Basic (Area L1) 5.00 Heritage Density (10%) 0.50 Total 5.50	-	Residential 5.33
Floor Area ¹	Basic (Area L1) 150,160 sq. ft. Heritage Density 15,016 sq. ft. Total 165,176 sq. ft.	-	160,185 sq. ft. (incl. 10,025 sq. ft. heritage density)
Balconies ²	Open 6,407 sq. ft. Enclosed 6,407 sq. ft. Total 12,814 sq. ft.	-	Open 6,600 sq. ft. Enclosed 5,607 sq. ft. Total 12,207 sq. ft.
Height	Area B 300 ft. View Cone 146 ft.	-	Top of Parapet Wall 146 ft.
Parking	265 Small Car (25%) 55	142 Disability 5	Standard 176 Visitor's 20 Small Car 22 Disability 5 Total 223
Bicycle Parking	-	Class A 241 Class B 6	Class A 280 Class B 6
Loading	-	Class B 1	Class B 1
Amenity	10,000 sq. ft.	-	1,050 sq. ft.
Unit Type	-	-	8 - studio 93 - one-bedroom 3 - one-bedroom + den 85 - two-bedroom 4 - two-bedroom + den 193 units total

NOTE: The applicant should note that staff do not carry out detailed technical checks on preliminary applications. Figures shown are as supplied by the applicant.

¹Note on FSR/Floor Area: The Development Permit Board may permit a maximum residential floor space ratio of 5.00 for a corner site with a minimum frontage of 175 ft. and a minimum site area of 21,000 sq. ft., and may also permit a transfer of heritage density (up to 10%) under subsection 12 of Section 3 (Density) of the Downtown Official Development Plan. The proposal is seeking an approximately 6.7% (10,025 sq. ft.) Heritage Density Transfer with the donor site being identified as 46 Water Street. Purchase of the heritage density must be finalized in order to achieve the proposed FSR/Floor Area. Standard Condition A.1.12 seeks confirmation that an agreement has been finalized between the donor site and subject site for the transfer of the heritage density.

²Note on Balconies: Most enclosed balconies do not indicate any glazing on the plans. Enclosed balconies must comply with the Balcony Enclosure Guidelines. See Standard Condition A.1.3.

• Guideline Technical Analysis - Downtown South Guidelines (excluding Granville Street):

	PERMITTED (MAXIMUM)	RECOMMENDED	PROPOSED
Low-rise Street Enclosure <i>[Sec. 4.1.1(a)(i)]</i>	-	low-rise street enclosure buildings to be min. 30 ft. high	74 ft.
Tower Height <i>[Section 4.1.2]</i>	maximum discretionary height at 300 ft.	-	146 ft.
Tower Width or Depth for floors above 70 ft. ¹ <i>[Section 4.3.1(a)]</i>	90 ft.	range of 75 ft. - 85 ft.	97 ft. in width 76 ft. in depth
Tower Floor Plate for floors above 70 ft. ² <i>[Section 4.1.3(b)]</i>	maximum floor plate to be limited to 5,000 sq. ft for 200 ft. height and 4,000 sq. ft. for 250 ft. height (intermediate height may be interpolated)		6,397 sq. ft. (9th - 14th floors) 4,414 sq. ft. (15th & 16th floors)
Floor-to-Floor Heights <i>[Section 4.1.4]</i>	maximum average floor-to-floor heights of 10.0 ft.	typical floor-to-floor heights generally between 8.5 ft. and 9.0 ft.	9.08 ft. typical 8.63 ft. for townhouse and 16th floor
Front Yard & Setbacks <i>[Section 4.2.1]</i>	20 ft. (\leq 70 ft. height) no maximum over 70 ft.	12 ft. for all heights	12 ft./14 ft.
Side Yard & Setbacks Exterior Side Interior Side ³ <i>[Section 4.2.2]</i>	20 ft. (\leq 70 ft. height) no maximum for all heights	12 ft. for all heights 40 ft. (\geq 70 ft. height)	12 ft. ~9.21 ft./17.21 ft.
Rear Yard & Setbacks <i>[Section 4.2.3(a)]</i>	-	10 ft. (\leq 35 ft. height) 30 ft. ($>$ 35 ft. height)	- 30 ft.
Street Definition for corner sites ⁴ <i>[Section 4.2.3(c)]</i>	70 ft. height 110 ft. distance along lane	30 ft. height 40 ft. distance along lane	47.5 ft. 38.87 ft.
Horizontal Angle of Daylight ⁵ <i>[Section 4.4]</i>	-	habitable rooms to have at least one window with unobstructed view of 50° or sum of 70° over a distance of 80 ft.	complies, minimum 81 ft. to adjacent building
Lower Floor of Building ⁶ <i>[Section 5.5.1(d)]</i>	-	main floor of residential units should be located approximately 3.0 ft. above grade	approx. 1.5 ft.
Awnings, Canopies, Recesses and Arcades <i>[Section 5.6]</i>	-	weather protection to be provided over entrances to residential uses and encouraged where appropriate on non-retail streets	canopy over building entrance and cantilevered floors above townhouse entries
Semi-Private Open Space ⁷ <i>[Section 7.2]</i>	-	residential units to provide an aggregate area of 50 sq. ft. per unit (193 units x 50 sq. ft. = 9,650 sq. ft.)	8,369 sq. ft.
Private Open Space ⁸	-	residential units to have	5 - 7 ft.

	PERMITTED (MAXIMUM)	RECOMMENDED	PROPOSED
[Section 7.3]		access to a private outdoor space with a minimum width of 6 ft.	

^{1,2} **Note on Tower Width or Depth and Floor Plate:** Given the view corridor which limits tower height to 146 ft., staff support the proposed tower width and floor plate. Floor plates include elevator cores, storage, stairs, enclosed balconies, etc. but exclude open balconies.

³ **Note on Side Yard & Setbacks:** Staff support the overall massing, including the tower position.

⁴ **Note on Street Definition:** Staff support the proposed streetscape massing and definition.

⁵ **Note on Horizontal Angle of Daylight:** Several habitable rooms on levels 3 to 8 do not have windows, and habitable rooms on levels 9 to 16 have no window. All habitable rooms must have at least one window on an exterior wall. Most enclosed balconies located in front of or adjacent to habitable rooms show no glazing. See Standard Conditions A.1.7.

⁶ **Note on Lower Floor of Building:** Staff seek an improved lower floor relationship to the sidewalk. (Conditions 1.2 & 1.3).

⁷ **Note on Semi-Private Open Space:** The amount of common open space at or close to grade and on podium roofs has been maximized. Staff support the open spaces as proposed.

⁸ **Note on Private Open Space:** While the proposed private balconies are small, they are well configured within the unit layouts. Staff support the proposed private open space provision.

• **Legal Description**

Lots: 29 - 38
 Block: 95
 Plan: 210
 District Lot: 541

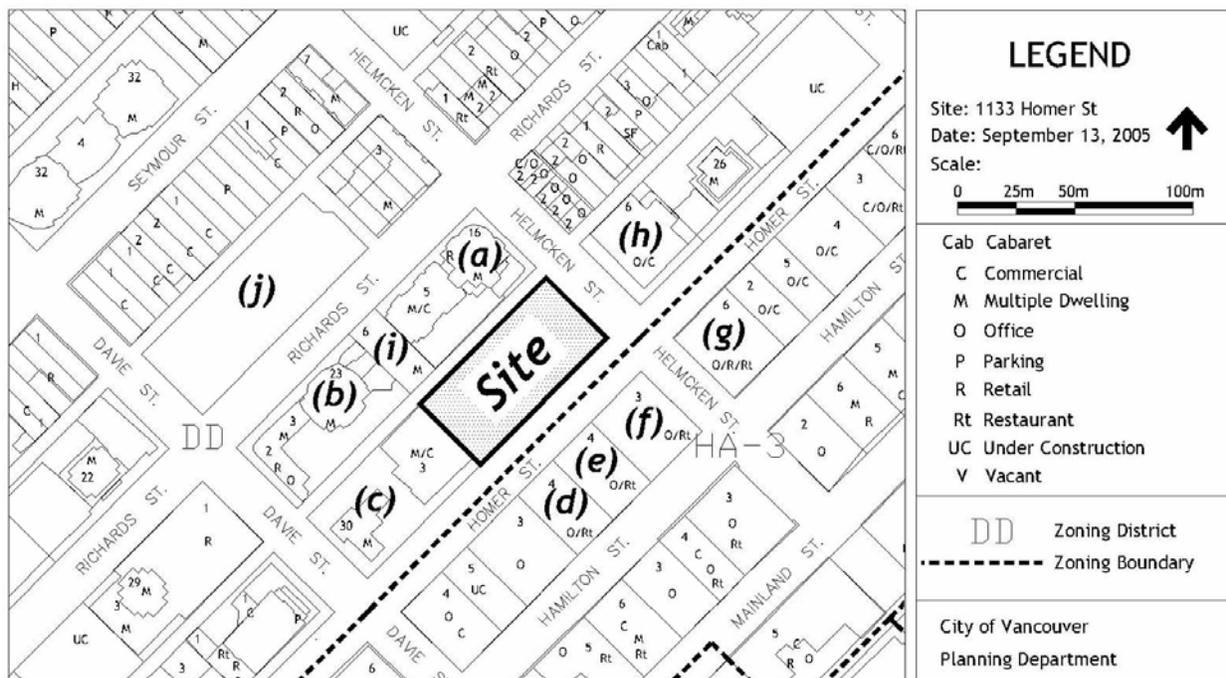
• **History of Application:**

05 02 14 Preliminary DE submitted
 05 04 27 Urban Design Panel - Non Support
 05 06 29 Revised DE submitted
 05 07 06 Urban Design Panel - Support
 05 08 31 Development Permit Staff Committee

• **Site:** The site is located on the southwest corner of Homer and Helmcken Streets across the lane from the "Robinson Tower" at 488 Helmcken Street and adjacent to "City Crest Tower" at 1155 Homer Street and at 1188 Richards Street.

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

- (a) 488 Helmcken Street - 17-storey residential tower with townhouse podium (Robinson Tower)
- (b) 1188 Richards Street - 24-storey residential tower with townhouse podium
- (c) 1155 Homer Street - 29-storey residential tower with townhouse podium
- (d) 1140 Homer Street - 4-storey, restaurant/retail/office (City Crest tower)
- (e) 1128 Homer Street - 4-storey, restaurant/retail/office
- (f) 1118 Homer Street - 4-storey, restaurant/retail/office
- (g) 1090 Homer Street - 6-storey, restaurant/retail/office
- (h) 1085 Homer Street - 6-storey, office/retail
- (i) 1168 Richards Street - 6-storey, residential (Under construction)
- (j) Emery Barnes Park - (Phase 1 completed)



● **Background:** In pre-application meetings, staff generally supported the conceptual approach of a substantial podium and a tower height respecting the view cone height. However, strong reservations were raised regarding the podium's initially proposed 9-storey height (exceeding the 70 ft. guideline) and the site's ability to accept the full (maximum) 10% additional heritage density transfer. The initial development application submission which was based on a 9-storey podium was not supported by the Urban Design Panel. A revised submission, based on an 8-storey podium, was reviewed and supported by the Panel on July 6, 2005, and is the subject of this report.

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

1. Downtown Official Development Plan (DODP)

The DODP sets out the uses, density (up to 5.0 FSR) and height (up to 300 ft.) for this site. The ODP also allows for an additional 10 percent density increase for the transfer of heritage density, and indicates applicable view corridors to be respected.

2. Downtown South Design Guidelines

The Guidelines provide qualitative parameters for built form, public realm and open space, livability, architectural treatment, etc.

3. View Protection Guidelines

The site lies within the Council-approved Heather Bay to The Lions view corridor, limiting the absolute height of development to 146 ft.

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

1. DODP

The uses and height conform to the zoning. The proposed tower height also accommodates the Heather Bay to The Lions view corridor affecting this site. In terms of density, Staff support development to the permitted maximum of 5.0 FSR and potentially, a portion of the permitted ten percent additional heritage transfer being incorporated so long as neighbouring building interface and streetscape objectives are met. However, a minor reduction in overall floor area and density may be needed. (See **Built Form and Massing**, below).

2. Downtown South Design Guidelines

3. View Protection Guidelines

Built Form and Massing: The overall built form of this project has been constrained by the view corridor that passes over the site. The height of the tower is restricted to 16 floors to respect the view corridor. A strong 8-storey podium, incorporating two-storey, street-oriented townhouses extends north of the tower along Homer Street, stepping down to a 5-storey podium along Helmcken Street to the lane. The Guidelines seek a robust streetwall (minimum 30 ft. height up to a maximum of 70 ft.). The majority of the proposed podium is approximately 74 ft. high which staff consider generally acceptable in terms of shadow and view impact on neighbours, noting that the development sites immediately across the lane and north along Richards Street were also subject to the same view corridor. Staff do recommend that the podium's lane-facing parapet be fine-tuned along with the roof-top exit stair to diminish its sense of scale on the lane. (Condition 1.4) In addition, an adjustment to the south edge of the podium to effect a more neighbourly transition to City Crest's 3-storey podium to the south. (Condition 1.1) With respect to tower position, Staff

support the proposed location which is offset from the Robinson Tower (488 Helmcken St) and achieves maximum separation (>100 ft.) from both City Crest (1155 Homer) and 1188 Richards towers.

Public Realm/Open Space: Although the proposal does not provide public open space (i.e. plazas), it contributes to the public realm on its two fronting streets through the prescribed Downtown South streetscape treatment of setbacks, double row of trees and landscape. The combination of townhouse front doors along both streets will contribute to both street animation and casual surveillance. A row of trees and a landscaped edge will contribute to the "greening" of the lane.

Livability: The general livability of the proposal is high with respect to the various unit layouts which include private open space (open and/or enclosed balconies), amenity space and on-site common open space at lane level, level 7 roof and level 9 roof. Strengthening the landscape edge at the lane and provision of an attractively designed fence for security is recommended (Condition 1.5). Staff are concerned that the townhouse lower levels are not sufficiently above sidewalk level (Homer Street) and are below street level on Helmcken Street. Raising these floor levels to be a minimum of 2 ft. 6 in. above the sidewalk is recommended (Conditions 1.2 and 1.3).

Architectural Treatment: The proposal achieves a high level of architectural quality, fitting well with the character of Yaletown across Homer Street.

- **Conclusion:** This preliminary proposal has dealt effectively and sensitively with a number of challenging site and contextual constraints. Subject to several detailed items which could result in a slight, further reduction in total FSR, Staff recommend Approval in Principle.

URBAN DESIGN PANEL

The Urban Design Panel reviewed the initial application on April 27, 2005 and did not support it. (See Minutes, Appendix I) The Panel reviewed the revised application on July 6, 2005, and provided the following comments:

EVALUATION: SUPPORT (8-0)

- **Introduction:** Ralph Segal, Development Planner, introduced this preliminary development application in the Downtown South. The Panel did not support the proposal when it was reviewed on April 27, 2005, having concerns about the overall massing and the relationship of the tower and the podium. As well, Planning had concerns about the scale of the development on the south side and its impact on adjacent development across the lane.

Staff generally support the fine-tuning of the overall development and the attempts to diminish the sense of scale and bulk of the massing as presented at the south property line. Staff also support the attempt to emphasize the verticality of the tower and the strong street wall expression. The density has been slightly reduced since the previously requested 5.5 FSR to 5.34 FSR, which includes an allowable heritage density transfer. The maximum permitted density is 5.0 FSR plus 10 percent heritage density. The height of the podium has been reduced from the previous 95 ft. to 74 ft. A view cone affecting the site limits the tower height to 146 ft.

The Panel's advice is sought on the applicant's response to its previous concerns. As well, comments are requested on the expression and comparative strength of the uppermost parapet, the proximity to grade of the northwest townhouse at the lane intersection with Helmcken Street, and the need for refinement of the surface treatment of the south-facing shoulder party wall.

- **Applicant's Opening Comments:** Jim Hancock, Architect, briefly reviewed the revisions made to the scheme since the last review. Martin Brückner noted the improvements made to improve daylight access to the open space, and Jennifer Stamp described the landscape plan. The applicant team responded to the Panel's questions.
- **Panel's Consensus on Key Aspects Needing Improvement:**
 - consider doing whatever is possible to raise the entry to the westernmost townhouses at the lane and to maximize the private outdoor space of these units;
 - recommend refining the south-facing shoulder party wall by either reducing it and/or reconsidering its surface material treatment.

- **Related Commentary:**

The Panel unanimously supported this submission and commended the applicant for the well considered response to the Panel's previous comments. The Panel found the refinements to the massing result in a much cleaner building expression. The apparent bulk of the tower has been nicely reduced and its verticality has been emphasized. The expression of the entry is also vastly improved.

The Panel found the greatest improvement to the scheme was with respect to its relationship to the neighbour across the lane to the south and the efforts made to address shadowing on the adjacent courtyard.

Most Panel members had no concerns about the parapet as proposed and only one Panel member thought it seemed somewhat heavy. One Panel member commented that the connection between the upper parapet is a little awkward in how it meets the tower.

With respect to the westernmost townhouses at the lane, the Panel thought everything possible should be done to raise them, while paying close attention to issues of safety and security. Noting the front patio is likely to be little used given its proximity to the lane, several Panel members suggested it would be a good gesture to introduce additional outdoor open space at the rear for these townhouses.

The Panel strongly recommended some refinement to the blank wall on the south elevation to soften its impact on the podium of the adjacent building. It was suggested that it could be lowered, not necessarily by as much as two storeys, and that any exposed area at the base should be in brick rather than concrete.

The Panel strongly endorsed the applicant's proposal to relocate the indoor amenity to relate to the outdoor amenity on the 9th floor.

There were a few detail suggestions for further design development, including:

- giving a lighter treatment to the corner exit stair;
- consider some articulation at the junction of the vertical and horizontal elements as a means of further breaking down the scale of the building's long frontage;
- consider a better quality ground level treatment for the arrival driveway off the lane;
- consider providing a small amount of private open space at the podium roof for adjacent units.

Finally, the Panel recommended that staff consider processing the submission as a complete application given its high level of resolution. The Panel would not need to see the application again.

ENGINEERING SERVICES

This project will require independent public utility services (Hydro, Telus; Shaw Cable), with all services to be underground. All services, and in particular electrical transformers to accommodate a primary service, must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network in the lane. Any alterations to the existing underground and/or overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Branch is encouraged. Resolution of these matters prior-to application for a full building permit is recommended.

Covenant C19096 restricting the use of the lands for 25 years expired on March 18, 2000. The applicant is advised to seek release of this Covenant as soon as possible as it is no longer in force and only serves to complicate the current title and may cause concern for future owners of strata lots.

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

SOCIAL PLANNING

The proposed building design includes fifty-five (49%) units with two or more bedrooms that are suitable for families with children, based on the City's "High Density Housing for Families with Children Guidelines". The area of this proposed development is known to be attractive to young families, but the proposed development does not incorporate a children's play area. The site is constrained by a view cone limiting the height of the tower which has resulted in a large roof-top outdoor amenity space on the podium roof. This offers an ideal opportunity to provide for children's play.

Further, the design calls for a studio apartment adjacent to the outdoor roof deck that could be re-dedicated as resident indoor amenity space to serve both residents and families with children. Staff recommend further design development to include an amenity space adjacent to a children's play area. (Standard Condition A.1.16)

Staff recommend that a secure, equipped play area with seating for adults to supervise children be provided. (Standard Condition A.1.15).

ENVIRONMENTAL PROTECTION BRANCH

A site profile for 1101, 1107 & 1111 Homer Street has been received and forwarded to the Ministry of Water, Land and Air Protection for their review. A clearance from the Ministry of Water, Land and Air Protection is required. Should it be determined that any off-site contamination from the subject site onto City property, an off-site soils agreement will be required.

PROCESSING CENTRE - BUILDING

This Preliminary Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early

stage of development should be considered by the applicant in consultation with Processing Centre-Building staff.

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

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

VANCOUVER COASTAL HEALTH AUTHORITY

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

- (i) The garbage storage area is to be designed to minimize nuisances;
- (ii) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases;
- (iii) 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; and
- (iv) Detailed drawings of amenity spaces 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.

FIRE & RESCUE SERVICES

The comments of Fire and Rescue Services are contained in Appendix C attached to this report.

NOTIFICATION

Notification for Initial Proposal

Two (2) signs were erected on the site on March 8, 2005. On March 9, 2005, 1,821 letters were sent to neighbouring property owners advising them of the application.

The City received fifteen (15) letters of response to the initial notification including one (1) petition (46 signatures) from the owners at 488 Helmcken Street who are immediately adjacent to the proposal. Two (2) letters are in support and thirteen (13) letters are opposed to the proposal.

Issues for those in support include:

- The architectural expression of the proposal will be a welcome addition to the neighbourhood
- The shorter tower and larger podium is a welcome relief from the repetitive point tower and 3 to 4 storey podium

Issues for those opposed include:

- The proposed buildings massing (15 storey tower and 10 storey 'podium') will shadow adjacent buildings at 488 Helmcken St. (Robinson Tower) thereby reducing the amount of light that is available to residents of 488 Helmcken St. (Robinson Tower)
- The buildings form of development (building massing and height) is inconsistent with the existing building form of slender point tower and 3-5 storey podium in the Downtown South neighbourhood
- The podium is too massive dominating neighbouring lower level buildings on the lane and adjacent historic Yaletown buildings
- The architectural expression should reflect or be similar to Yaletown
- The proposed tower location should be moved towards Helmcken St and further away from 1155 Homer (City Crest)
- The proposed elevation on the property line with 1155 Homer (City Crest) is too high and blank and will negatively impact the townhouses at 1155 Homer (City Crest)
- The landscaping of the roof should be "green" and be attractive to those who look down on the podium level
- The amount of mechanical equipment on the roof should be kept to a minimum with controls on noise levels
- Parking should be sufficient for residents and visitors to minimize impact on street parking and associated noise

May 4, 2005, 1,821 letters were sent notifying the neighbourhood that the proposal as submitted on Feb 14, 2005 was not supported by the Urban Design Panel and that the proposal was unscheduled pending the submission of a redesign.

The applicant held information meetings with the strata council for City Crest (1155 Homer) on June 28, 2005 and with residents of the Robinson Tower (488 Helmcken) on July 7, 2005.

Notification for Revised Proposal

On July 17, 2005, two (2) revised site signs were installed on the site and on July 20, 2005, 1,821 letters were sent notifying the neighbourhood of a revised proposal. Nine (9) responses to the second notification were received. All were opposed or expressed concern with the revised proposal. Most of the respondents were from 488 Helmcken (Robinson Tower) or 1155 Homer (City Crest).

On Sept 2, 2005, the City received a second petition in response to the revised proposal from the residents of 488 Helmcken (Robinson Tower) with 40 signatures who are all opposed.

Issues for those opposed include:

- The overall massing and height of the podium is still too high and long (220 feet) making it an imposing, continuous, and overpowering presence particularly to the residents of the Robinson Tower (488 Helmcken)
- The site cannot absorb the heritage density being transferred to the site without negatively impacting on the neighbours.
- The proposal will still cast shadowing on the Robinson Tower project at the townhouse and exterior deck levels reducing the amount of sunlight
- The terracing of the project is welcomed and there should be more
- The exterior materials of the proposed building facing onto Homer Street should be non-reflective to avoid impacts on facing buildings on Homer Street
- The low rise brownstone or factory/warehouse type buildings on Homer Street that are the essential character of Yaletown should be preserved
- Traffic congestion in the lane and conflict between parkade entrances for the proposal and 488 Helmcken

Staff Response to Notification Results:

Podium Height: Staff acknowledge that the revised 8-storey (74 ft. height) podium/6-storeys on Helmcken Street is higher than typical in Downtown South, although there are a number of developments with comparable podiums [1280 Richards Street (under construction), 1238 Seymour Street (Space), 955 Seymour Street (Spot), 1221 Homer Street (The Beresford)]. The podium's lane side has also been terraced back at upper floors to admit more sun into neighbouring units and open space across the lane, Staff are also recommending further refinements to the podium's lane side parapet and roof exit stair to diminish their scale (Condition 1.4).

Heritage Density Transfer: This revised proposal requests a heritage density transfer of 10,025 sq. ft. (6.7% of permitted density). Recommended Conditions 1.1 and 1.2, if approved, are likely to reduce the overall density slightly. With these refinements, Staff consider the proposal to have sensitively incorporated heritage density so as to minimize its impact.

Lane Congestion: It is not standard practice to relocate all utility poles in the lane for a development permit application. However, Condition A.2.12 requires relocation of the hydro in the lane that blocks access from the porte-cochere for this proposal

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

Staff Committee agree that this revised preliminary application has been carefully and thoughtfully designed and the form of development is well resolved, taking into account the various constraints at play on this site.

The Committee felt that the revised design had gone to considerable length in addressing neighbouring concerns noting that a full staff technical review of this preliminary proposal has not been undertaken, however, Staff Committee believes that an "Approval in Principle" is appropriate, but the complete application that follows could be dealt with by the Director of Planning.

B. Boons
Chair, Development Permit Staff Committee

R. Segal, MAIBC
Senior Development Planner

B. Mah
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 submission of a complete application.

A.1 Standard Conditions

- A.1.1 verify and confirm proposed FSR/Floor Area and provide detailed, accurate and fully dimensioned floor plans;

Note to Applicant: Submit FSR tracing overlays with dimensions and tabulations completed by either the detailed calculation or survey method. If completed by the survey method, seals and signatures of the Architect, Land Surveyor and Building Envelope Professional are required. Dimensions used to calculate floor areas, including exclusions such as storage rooms, enclosed balconies, amenity spaces, exterior wall exclusions, etc., must be on **both** the FSR overlays and floor plans (except exterior wall exclusions). A separate set of overlays for exterior wall exclusions is recommended. A total and detailed summary (table) of all floor areas and exclusions, including open balcony areas, is required. Refer to Planning By-law Administration Bulletin for Area Calculation and Tracing Overlay Requirements, Bulk Storage - Residential Developments, and Floor Space Exclusion for Additional Wall Thickness to Control Building Envelope Leaks. A letter from a Building Envelope Professional, as defined in the Building By-law, sealed and signed, recommending the proposed wall types (attachment), as shown on the overlays, is required.

Note to Applicant: Dimensions must match those on the FSR overlays, including all exclusions. Delete “±” from dimensions on context plan. Dimension setbacks from property lines on parking, podium and tower levels. Indicate direction of travel on all stairs.

- A.1.2 provide details of height calculations to comply with maximum view cone height of 146 ft.;

Note to Applicant: Detailed calculations must include interpolations of all critical (highest) points on the development based on City building grades at the four corners of the site. Locations and distances to critical points should be indicated on a roof/site plan. A separate drawing with all calculations shown is recommended.

- A.1.3 clarify all open and enclosed balcony areas, and roof decks, including access;

Note to Applicant: Roof decks are not included in the maximum 8% balcony area. A summary of all balcony areas is required. Glazing should be shown on all enclosed balconies. For additional requirements, refer to Planning By-law Administration Bulletin for Balcony Enclosure Guidelines.

- A.1.4 clarify and provide a summary of the number, type and size of all dwelling units;

Note to Applicant: Minimum floor area of all units must be 37 sq. m (400 sq. ft.) Unit floor area does not include any storage room and/or enclosed balcony. Floor area of studio units needs to be clarified. Unit floor area is measured and calculated to the inside of the walls of the unit. Studio unit 02 on level 10 does not meet the minimum required floor area. Clarify number of units that are less than 65 sq. m (700 sq. ft.) and number of units that are greater than or equal to 65 sq. m (700 sq. ft.). This data is required to determine the parking requirements for the proposal.

- A.1.5 provide detailed labeling of all exterior materials and finishes;

Note to Applicant: Elevation drawings, particularly the front elevation, must be clearly labeled indicating all proposed exterior materials and finishes. This would include such items as cladding, window and door materials, all trim details, stone or brick facings, chimney and roofing materials. Proposed colour choices should also be noted where applicable.

- A.1.6 clarify use of amenity and service rooms on level 1 and service rooms in underground parking levels;

Note to Applicant: A letter of undertaking, signed by the owners, is to be submitted regarding the furnishing and availability for use of the amenity area by all occupants of the building.

- A.1.7 provide natural lighting and ventilation to all habitable rooms;

Note to Applicant: Provide at least one window on an exterior wall for all habitable rooms. Show horizontal angle of daylight and distance from window of habitable rooms that do not comply with the requirements.

- A.1.8 provide details of all parking spaces to comply with the applicable provisions of the Parking By-law, having particular to space sizes, maneuvering, height clearances, etc., including identification of all small car spaces;

Note to Applicant: Spaces located next to walls and structure require extra width, and small car ratio shall not exceed those specified under Section 4.1.7 of the Parking By-law. Column sizes, spacing and encroachment into parking spaces may be permitted, subject to compliance with the "Engineering Parking and Loading Design Supplement". Number all parking spaces consecutively and provide a summary of the number and types of parking spaces at each parking level.

- A.1.9 design development to locate, integrate and fully screen any emergency generator, exhaust ventilation, electrical substation and gas meter in a manner that minimizes their impact on the building's open space and the public realm;

Note to Applicant: In order to prevent contaminated air from being drawn into the building, all fresh-air intake portals must be located away from driveways, and parking and loading areas.

- A.1.10 provide details of all bicycle spaces in compliance with Section 6 of the Parking By-law;

Note to Applicant: Indicate 6 Class B bicycle spaces adjacent to front entrance on level 1 floor plan.

- A.1.11 provide detailed, complete and relevant statistics for Project Data, including by-law requirements and calculations;

- A.1.12 submit a letter completed by the owner of the "donor" site, confirming that an agreement has been finalized to sell 10,025 sq. ft. of heritage density to the developer of the "receiver" site, and also confirming the balance of transferable heritage density remaining on the donor site;

Standard Landscape Conditions

- A.1.13 provide sections (min. scale ¼" = 1'- 0") through street level underground parking garage to ensure slab at property line has been notched to allow a minimum of 48 inches in soil depth for root ball of inside row of trees;

Note to Applicant: Confirm on P1 plan that a continuous trench is provided between street trees.

Crime Prevention Through Environmental Design (CPTED)

A.1.14 design development to take into consideration the principles of CPTED having particular regard for:

- reducing opportunities for theft in the underground;
- providing direct internal access to townhouses;
- raising the floor of the townhouses to be at least 1.5 ft. above the streets;
- improving the grade relationship to the lower townhouses on the lane;
- locating the mail boxes to be fully visible to the elevators;
- creating better identity to the exit/entrance from the ground level corridor on Helmcken Street, and
- improving surveillance of the lane and Helmcken Street by providing side windows in the townhouses.

Social Planning

A.1.15 provide a secure, equipped children's play area with resilient play surface and seating on the podium roof deck.

Note to Applicant: Play equipment must be located on resilient surface suitable for children's play. Particular care should be given to avoid the use of toxic plants and landscaping materials in and around the play area. A planting list of should be provided for planters around the play area to ensure toxic plants are avoided. A list of toxic plants is available as an appendix to the City's Childcare Design Guidelines and is available on line at <http://vancouver.ca/commsvcs/Guidelines/C017.pdf>.

A.1.16 provide a resident indoor amenity room adjacent to the rooftop outdoor space.

A.2 Standard Engineering Conditions

A.2.1 provide a corner-cut at the bottom of the parking entry ramp;

Note to Applicant: Where 200 or more vehicles are being served, a corner-cut is required to provide an adequate radius for two-way traffic flow. With the proposed 22 ft. ramp and aisle, the corner-cut requirement is 5 ft. x 5 ft.

A.2.2 provide an adequate transition for change in alignment of parking entry ramp;

Note to Applicant: Vehicles on the main parking ramp must make a sudden adjustment to the path of travel for their car. Provision of a more gradual transition is required.

A.2.3 clarify the column placement and setbacks, to comply with the requirements of Engineering Services' Parking and Loading Design Supplement;

Note to Applicant: Columns that encroach into parking spaces must be set back from the end of the space.

- A.2.4 modify the design of the drop-off area to ensure adequate ingress and egress for trucks;

Note to Applicant: It may be necessary to modify the landscaped area to ensure adequate width for both entry and exit is provided. Provision of this area in a 1/8" scale is preferred.

- A.2.5 provide security gate separation of residential visitor parking and notation of the gate on plans is required;

Note to Applicant: Consideration of the means of gate operation for visitors is also recommended.

- A.2.6 provide design elevations on both sides of parking entry ramp at all breakpoints;

Note to Applicant: The ramp is not to exceed 10% for the first 20 ft. A 13 ft. transition ramp is required at the bottom of the proposed 13.5% ramp.

- A.2.7 provide design elevations on both sides of all entrances at the property line, clearly indicating the entries meet City building grades;

- A.2.8 clarify garbage/recycling pick-up operations;

Note to Applicant: Confirmation is required from a disposal company that they can service the proposed storage room.

- A.2.9 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services, for the planting of trees and specialty sidewalk treatments on City property;

- A.2.10 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for site consolidation;

- A.2.11 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for the release of Easement and Indemnity Agreements 116443M (a commercial crossing agreement), 181163M (a commercial crossing agreement), 65097H (an old crossing agreement) prior-to occupancy of proposed development;

Note to Applicant: A letter from the property owner confirming their commitment to release of the agreements noted above is required prior-to issuance of the development permit.

- A.2.12 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services, for relocation of the hydro pole in the lane that blocks access from the porte-cochere.

A.3 Standard Vancouver Coastal Health Authority Conditions

- A.3.1 submit an acoustical consultant's report which assesses noise impacts on the site and recommends noise mitigation measures in order to achieve noise criteria;

- A.3.2 annotate 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)."; and

- A.3.3 annotate on plans stating: "Mechanical equipment (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize noise impact and reduce adverse air quality in the neighbourhood, and comply with Noise Control By-law #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 contained in the Staff Committee Report dated August 31, 2005. 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 If a complete application is not submitted on or before **March 25, 2006**, 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 By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the by-law or regulations can be issued.
- B.1.4 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.

Note: The above will form a condition at the Complete Development Application stage.

- B.1.5 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.

On September 26, 2004, City Council approved a rate increase in the Downtown South Development Cost Levy district and to provide a grace period for implementation of one year. Projects that do not have required Building Permits issued prior to September 15, 2005 will be subject to increased rates. Standard exemptions apply to projects with less than four residential units, alterations (where no new floor area is created), social housing projects, and places of worship. This increase does not affect rates in other DCL districts. For more information, please refer to Bulletin #1 - Development Cost Levies, available at the Planning Department Reception Counter.

Processing Centre - Building Comments

The following comments have been provided by Processing Centre - Building and are based on the architectural drawings received on February 14, 2005 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law.

1. * This building appears to exceed 18m in building height, measured from grade to the floor level of the top storey and if so, the highrise requirements from Subsection 3.2.6 are applicable. In particular, note that above and below grade exits are required to be separate. It appears that the second parkade exit stair also serves the above grade levels.
2. Spatial separation and exposure protection requirements for the project should be analyzed, to ensure compliance with Subsection 3.2.3.
3. Within the parkade, a vestibule is required for the exit stair adjacent to the elevator core, per Sentence 3.3.5.4.(1).
4. On any parkade level where disabled parking is provided, areas of refuge are necessary for all required exit stairs, per Article 3.8.3.19.
5. Ensure that the travel distance to an exit within the parkade is a maximum of 45m, per Sentence 3.4.2.5.(1).
6. At Level 1, one of the tower exit stairs appears to discharge through the adjacent lobby. Review the requirements of Article 3.4.4.2 and ensure that the proposed arrangement complies.
7. On residential Levels 3 through 8, ensure that dead end corridors meet the 6m length limit of Sentence 3.3.1.9.(7).
8. On residential Levels 3 through 15, check the enhanced accessibility requirements of Sentence 3.8.2.27.(4).
9. If the roof deck at Level 8 is occupied, it will require two means of egress if the occupant load exceeds 60 persons. Please review and ensure the proposed design complies.

*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.

The Applicant is to note Vancouver Building By-law requirements that are applicable for building applications received on or after August 15, 2003, regarding the provision of accessible access to all storeys. For further information, see Bulletins 2002-06-BU (July 22, 2002), and 2002-08-BU (August 28, 2002). The Applicant is to note that Vancouver Building By-law requirements that are applicable to building applications received on or after June 1, 2003, regarding new elevator devices and alterations to existing ones, which will need to conform to the new elevator code. For further information, see www.city.vancouver.bc.ca/commsvcs/CBOFFICIAL/pdf/BCI2003-003.PDF.

Fire and Rescue Services Comments

The following comments have been provided by Fire and Rescue Services and are based on the architectural drawings received on February 14, 2005 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with fire provisions of the Vancouver Building By-law.

1. DE for 15 storey residential building with 3 levels of U/G parking. Note: Building is residential ONLY. Proposed building is at SW corner of Helmcken & Homer Streets. Main building is high building with low-rise and Townhouses at base.
2. Clarify distance to principal entrance/address (fire dept response to residential lobby) which are approximately 35' from Homer St curb.

Clarify distance to access stair (right side of centre core) for above grade levels which are approximately 53' from main entry doors.

Clarify distance to access stair (left side of centre core) for below grade levels which are approximately 47' from main entry doors.

*Provide Graphic Floor Plan @ CACF panel + signage. Note: Centre core stairs are scissor stairs.
3. *Stair access required to roof.
4. *Review sprinkler zoning, fire alarm annunciation and standpipe coverage for 3 Townhouses facing Helmcken St.
5. *Review standpipe coverage for Levels 1-7. Note: Some Townhouse Units do not have internal standpipe coverage.

* Items marked with an asterisk have been identified as Fire Department concerns. 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.

Failure to address these issues may jeopardize the ability to obtain Fire Department clearance or delay the issuance of a Building Permit for the project.