
830 WEST HASTINGS STREET (COMPLETE
APPLICATION)
DE409808 - ZONE CD-1

MBR/TC/AH/DK

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

B. Boons (Chair), Development Services
M. Thomson, Engineering Services
L. Gayman, Real Estate Services
D. Naundorf, Housing Centre
D. Jantzen, Vancouver Coastal Health Authority
T. Driessen, Vancouver Park Board

Also Present:

M. B. Rondeau, Urban Design & Development Planning
T. Chen, Development Services
A. Higginson, Development Services
Y. McNeill, Heritage Planning

APPLICANT:

Walter Francl Architects
1684 West 2nd Avenue
Vancouver, BC
V6J 1H4

PROPERTY OWNER/DEVELOPER:

Jameson House Ventures Ltd.
2460 Trafalgar Street
Vancouver, BC
V6K 3T3

EXECUTIVE SUMMARY

- **Proposal:** To develop this site with a 37-storey mixed-use building containing retail, office and residential uses, with a total of 144 dwelling units, over nine levels of underground parking for 176 vehicles. The project includes the retention and rehabilitation of two municipally designated heritage buildings. Further, the project includes the transfer of heritage density from a donor site at 51 East Pender Street.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building/Fire Comments

Appendix D Plans and Elevations

Appendix E Public Hearing Minutes, June 16, 2005

Appendix F Summary of Sustainability Features

● **Issues:**

1. Compliance with the minimum floor area requirement for non-dwelling uses
2. Provision of parking in accordance with Parking By-law standards

● **Urban Design Panel: Support**

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE409808 as submitted, the plans and information forming a part thereof, subject to City Council's approval of the final form of development, thereby permitting the development of a 37-storey mixed-use project containing office, retail and residential uses, 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 eliminate the proposed live-work/residential use on Level 11, and to provide a minimum floor area of 8 045 m² of "non-dwelling uses", pursuant to Section 5.1 of the CD-1 By-law;
- Note to Applicant:** Level 11, shown as office use at the rezoning stage, was mis-labeled as live-work use on the development application plans, but was intended as residential use. This floor level should be restored to office use. (See discussion on page 7) (See also Standard Condition A.1.1)
- 1.2 provision of larger scale building details showing material resolution and submission of a glass sample, with complete specifications;
- 1.3 confirmation of sustainability measures which will be implemented in the project; and
- Note to Applicant:** The confirmation should take the form of a completed LEED checklist and a letter from the property owner committing to follow through on the sustainability measures. [See response to rezoning condition (viii) on page 9 and 10]
- 1.4 submission of a letter which includes confirmation from the owner of the "donor" site at 51 East Pender Street that the Heritage Transfer agreement has been finalized, and confirmation of the new "balance" of transferable density remaining on the donor site.
- Note to Applicant:** A sample of this letter, "Letter B" can be obtained from the Project Facilitator. (See discussion on page 6)
- 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			31.7 m x 36.6 m
Site Area			1 158.4 m ²
Floor Area ¹	Dwelling uses 18 628.4 m ² Total 26 673.4 m ² (equivalent to 23.03 FSR)	Non-dwelling uses 8 045 m ² (Commercial)	Non-dwelling uses 7 729.5 m ² (Commercial) Dwelling uses 18 757.3 m ² Total 26 486.8 m ² (equivalent to 22.86 FSR)
Height	118.5 m		Top of parapet: 116.0 m Top of stair/elevator core: 115.3 m
Parking ²	Non-dwelling (Commercial) 71 Co-op provision 2 Small car spaces (25%) 44	Residential 172 Non-dwelling (Commercial) 62 Total 234 Less co-op reduction -6 Total after reductions 228 Disability 5	Residential 156 (Disability bonus) 4 160 Non-dwelling (Commercial) 18 (Disability bonus) 1 19 Co-op provision 2 Total on site 176 Total calculated spaces 181 Disability 5 Small car spaces 67 (38%) Visitors' 0
Loading ³		Residential Class B 1 Retail Class B 2 Office Class A 1 Class B 2	Residential Class B 1 Retail Class B 1 Office Class A 3 Class B 0
Bicycles		Residential Class A 180 Class B 6 Retail Class A 3 Class B 6 Office Class A 7 Class B 6	Residential Class A 182 Class B 0 Retail Class A 3 Class B 0 Office Class A 7 Class B 0
Amenity	929 m ²		73.4 m ² (Meeting rooms on Level 11)
Balconies	Open 1 490 m ² Enclosed 745 m ² (50% of open)		Open 930 m ² Enclosed 400 m ²

¹ **Note on Floor Area:** The total proposed FSR, although not regulated in this CD-1 By-law, equates to 22.86. The proposed floor area for dwelling uses (including Level 11, mistakenly labeled as live-work) is beyond the maximum permitted. The non-dwelling uses, however, are below the required minimum area of 8 045 m² where dwelling uses are proposed. Condition 1.1 seeks to increase the non-dwelling (commercial) use floor area to meet the minimum area

requirement. Standard Condition A.1.1, requires a decrease in the residential use floor area proposed so as not to exceed the maximum permitted.

- ² **Note on Parking:** Parking is deficient for both the dwelling and non-dwelling (commercial) uses. Standard Condition A.1.3 and Standard Engineering Conditions A.2.5 through A.2.9 seek specific revisions to the plans as submitted to achieve compliance. (See also Engineering Services commentary on pages 11 and 12).
- ³ **Note on Loading:** Loading is deficient for non-dwelling (commercial) uses. Staff recommend relaxation of the loading requirements. (See Engineering Services commentary on page 12)
- ⁴ **Note on Bicycles:** Class B bicycle parking spaces are deficient for all uses. Standard Condition A.1.4 seeks compliance with the number of spaces required. When the full requirement for non-dwelling uses are provided, as per Condition 1.1, office uses will increase by approximately 316 m², thereby further increasing the Office Class A Bicycle spaces to eight. Staff recommend that the location of the Class B spaces be relaxed, where achievable on the boulevard fronting the site. (See Engineering Services commentary on page 12)

• **Legal Description**

Lot A, Block 21, D.L. 541, Plan BCP19413

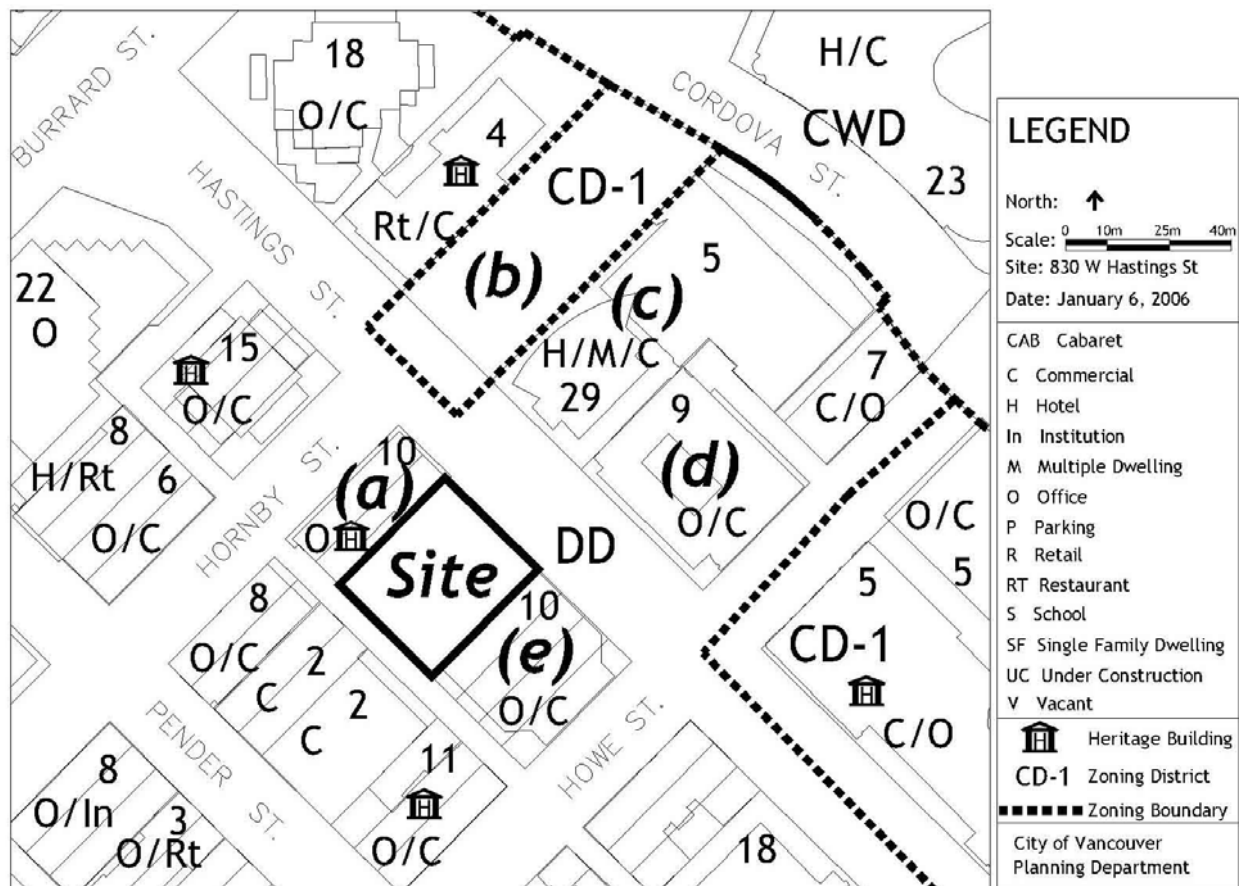
• **History of Application:**

- 05 10 14 Complete DE submitted
- 05 10 26 Urban Design Panel
- 06 01 18 Development Permit Staff Committee

• **Site:** The site is located on the south side of West Hastings Street, mid-block between Hornby and Howe Streets. The site is occupied by the Ceperley Rounsfell Building (Heritage A), the former BC and Yukon Chamber of Mines Building (Heritage B) and a building containing the Jolly Taxpayer Pub with hotel use above (exempted from SRA By-law, City Council November 2, 2004).

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

- (a) Credit Foncier Building, Heritage "A (M)", 10 storeys, office use;
- (b) Hornby Plaza, public open space with City parking garage below;
- (c) Terminal City Club, 29 storeys, private club, residential, hotel and commercial uses;
- (d) London Life Building, 9 storeys, office/commercial uses; and
- (e) 808 West Hastings, 10 storeys, office use.



● **Background:**

Following a Public Hearing on June 16, 2005, Council approved an application to rezone this site from DD (Downtown District) to a CD-1, Comprehensive Development District. The purpose of the rezoning application is summarized as follows:

- to restore and designate the "A" listed Ceperley Rounsfell Building (former Mineral Museum) existing on the site, including the internal mezzanines and skylight;
- to restore and designate the façade of the "B" listed Chamber of Mines Building existing on the site;
- to develop a 37-storey mixed-use tower on the remainder of the site containing: 11 storeys of commercial use, including retail at grade, one interstitial floor of mechanical equipment, and 2625 floors of adult-oriented residential use above;
- to achieve a maximum FSR of 23.03, including the transfer of heritage density from a donor site at 51 East Pender Street (Wing Sang Building);
- to achieve a building height of 118.5 m (376 ft.), respecting the view cone maximum; and
- to achieve a high level of sustainable design, aiming for a LEED Gold standard.

The approval was granted subject to a number of conditions. (Appendix E, Public Hearing Minutes) On November 10, 2005, the CD-1 by-law was enacted.

Density Provisions and Transfer of Heritage Density:

The maximum floor area permissible in the CD-1 By-law reflects a potential transfer of heritage density to this site from a donor site in Chinatown, which is owned by the same developer. While the Development Permit Board is not required to approve the density transfer to this site, as it is already imbedded in the CD-1 By-law, the development as submitted cannot be achieved without the transfer occurring.

As a condition of zoning enactment, a restrictive covenant was registered against the title of the site, which provides that "no development" occur on the 830 West Hastings site until the following obligation is met:

- completion of the purchase and transfer of a Heritage Bonus Density Amount from a donor site approved by City Council, subject to terms and conditions outlined in the agreement.

In addition, the covenant requires that if the transfer of heritage density is not concluded within one year of enactment of the CD-1 By-law, or the day of issuance of a development permit, the scope of the development at 830 West Hastings must be reduced by 48,500 sq. ft.

The donor site identified by the developer is 51 East Pender Street. Following a Public Hearing on February 28, 2006, City Council approved a Heritage Revitalization Agreement for that site, which established an amount of heritage density which will be available for transfer once the Wing Sang Building is restored, or following receipt of a Letter of Credit from the property owner for the cost of the work to be undertaken. The developer is required to provide confirmation that the density transfer has been completed, prior to issuance of this development permit. (See Condition 1.4) As the heritage restoration work on the Wing Sang Building will not be completed within the timeframe of this permit process, the developer has indicated that they will submit a letter of credit and other documentation, as required, to secure the Wing Sang restoration.

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

Overall, the proposed form of development reflects that which Council approved "in principle" in June, 2005, with the exception noted below.

CD-1 By-law No. 9184

Use: The plans submitted with the development application indicate Level 11 as “live-work” use instead of office use, as was shown in the rezoning submission. The applicant has advised that this was an inadvertent error and Level 11 should have been labeled as residential use. This creates three issues:

- if live-work had been intended, it is not permitted in the CD-1 By-law and would require a text amendment to achieve (staff would not support such an initiative based on current policy);
- the replacement of office floor area with residential floor area has reduced the non-dwelling floor area proposed below the minimum required in the CD-1 By-law; and
- the separation of residential uses from the office levels where dwelling use has been slotted in on an office level which is separated from the residential floors by a mechanical floor level, office elevators continue to stop at this level, the building design appears the same as the office vocabulary, glazing, and finishing.

Staff recommend that the Level 11 be returned to office use. (See Condition 1.1) The applicant has indicated their intent to comply.

Response to Rezoning Conditions:

Following conclusion of the Public Hearing on June 16, 2005, Council passed the following:

(b) That, prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall consider the following conditions:

(i) design development to the tower height to meet the Council approved view cone height limitation of 114.6 m (376 ft.); [amended at Public Hearing to 118.5 m (388.9 ft.)]

Applicant's Response: The view cone height limit was approved as greater than 114.6 m at the re-zoning public hearing and these heights were submitted as an addendum. The revised height limits have not been exceeded (please refer to drawings a0200, a0201 and a0300).

Staff Assessment: Staff concur that the view cone height limit has not been exceeded.

(ii) design development to the dwelling units adjacent to the easterly site (808 West Hastings Street) to ensure their long term livability and privacy, while presenting a visually interesting easterly façade to the skyline above this neighbouring building;

Note to Applicant: Dwelling units along the easterly property line should be oriented to and have views toward Hastings Street or the lane and not rely on the adjacent site for views and livability purposes. Major living spaces and balconies should be located nearer to Hastings Street or the lane, rather than near mid-point of the eastern property line.

Applicant's Response: The plans for the building have been adjusted in three ways in order to ameliorate potential view problems that may be caused by the construction of a high-rise building on the neighbouring site to the east (please refer to drawing numbers a0103 and a0104).

1. On levels 13-19 the number of apartments that do not have views to the north or south has been reduced from two to one.
2. The balcony location in apartment type 8 has been relocated adjacent to the bedroom so that oblique views from the living room to the north are improved looking over the open balcony and beyond. This has the effect of increasing the view angle by 8 to 10 degrees.
3. The balcony location in apartment type 12 has been relocated adjacent to the bedroom so that oblique views from the living room to the north are improved looking over the open balcony and beyond. This has the effect of increasing the view by 8 to 10 degrees.

Staff Assessment: With the adjustments noted in the applicant's response, staff consider this condition to be met.

(iii) design development to provide amenity area for the residents;

Note to Applicant: The provision of an off-site residential amenity may be considered, subject to adequate proximity and confirmation that it will provide equal or better facilities and services than typical on-site residential amenities.

Applicant Response: Although the building itself will not contain extensive on-site amenities a permanent Strata Meeting Room and Strata Lobby is provided. Purchasers will also be offered membership to the Terminal City Club directly across the street. The Terminal City Club amenities will extend to the full use of the fitness centre. This includes the gym, pool steam rooms, Jacuzzis and potentially a room service facility. In addition to this local amenity, purchasers will be in a convenient location for access to many other facilities in the neighbourhood such as the YWCA on Hornby & Dunsmuir, the YMCA on Burrard and the Vancouver Club diagonally across West Hastings Street.

Staff Assessment: A residential (strata) meeting room and "strata lobby" room have been provided (73.4 m²) on Level 11. This meets the minimum needs for an on-site amenity, given the constraints of this site. Staff accept this response to the rezoning condition, but request that the room labeled as "strata lobby" be provided as a multi-purpose children's amenity room with an accessible washroom. (See comments from Housing Centre/Social Planning/Cultural Affairs on page 14 and Standard Condition A.1.18) Any private club membership offered to future purchasers of residential units will be at the discretion of those purchasers and the City would not secure any such arrangement.

(iv) design development to the proposed exterior building materials and detailing to confirm the overall building character;

Note to Applicant: Include, among other things, glass specifications and a comprehensive exterior building sample board.

Applicant Response: Drawing numbers a0200 and a0201 have been annotated to identify the particular materials proposed. A sample board will also be submitted to the City of Vancouver on October 19th 2005.

Staff Assessment: Materials of glass, spandrel glass and metal panel have been proposed. The glass, metal and balustrades are curved where shown on the elevations which will provide a distinctive character for this building. Staff consider this to be well met but request that additional details be provided, including a material sample and specifications for the building glass. (See Condition 1.2)

(v) consideration of design development to the interior of the heritage building at 848 West Hastings St. to provide universal accessibility to the mezzanine floor area:

Applicant Response: Universal accessibility to the mezzanine floors of the Ceperley Building is difficult to achieve without compromising the heritage integrity of the building. We have investigated a number of options and propose that, as in the original design, the mezzanines will only be accessed by staff and not by customers.

Staff Assessment: Staff accept this rationale. However note that access is also not provided directly from the street to the ground floor of the Ceperley Rounsfell Building. Access is provided through the Chambers of Mines Building and the entire ground floor is shown as a single retail space. This may limit the opportunity to convert that space to individual units in the future.

(vi) design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:

- *Theft in the underground parking areas,*
- *Providing full secure separation for residential uses and parking.*
- *Residential break and enter,*
- *Mischief such as graffiti and alcove areas, and*
- *Increasing the defensibility of the ground level pathway.*

Applicant Response: Two parkade overhead gates will be installed. One at the entrance from the laneway and one at the entrance to the P3 level. This will serve to separate delivery access and residential/commercial access to the parkade lower levels. The outer gate will also be linked to an intercom and camera connected back to the 24-hour concierge. Where possible alcoves have been reduced to the recommended dimension of 1 ft. in order to relive potential graffiti problems. All doors and sidelights serving the public areas below grade will be equipped with glass to the maximum allowable under the Vancouver Building By-law.

Staff Assessment: Standard methods for securing separation for residential users from other users are difficult to achieve, given the constraints of the site based on the retention of the heritage resources. Staff request that a comprehensive security report be provided describing specific electronic and physical measures that will be provided to compensate for the mixing of uses. These measures should include camera surveillance of shared mail rooms, control of the residential elevator (to meet the requirements of a fire fighters elevator) access at retail and office levels, shared parking areas, etc. (Standard Condition A.1.14)

(vii) design development to provide bicycle parking spaces meeting Parking By-law requirements;

Note to Applicant: Opportunity for a "bike station" or "bikade" as part of this development should be explored, although staff acknowledge that this small site and the constraints of heritage conservation limit the opportunities at grade and below grade for such an undertaking.

Applicant Response: "By working closely with the city we have managed to achieve a full bike parking provision (please refer to drawing numbers a0100 &a0101)."

Staff Assessment: Contrary to the applicant's comments, bicycle parking standards have not been achieved. An opportunity for a bike parkade could not be provided given the constraints of the site. Staff support a relaxation with regard to the location of both the Class A and Class B spaces, but require that the required number of Class B spaces be provided. (See Engineering Services commentary on page 12 and Standard Condition A.1.4)

(viii) applicant to work with staff through best efforts, to pursue the most current version of the City of Vancouver green building strategy and/or meet a minimum LEED Canada Certified standard (with full LEED registration and documentation).

Applicant Response: Our environmental engineers and architects have also worked closely with City staff to pursue the most current version of the Vancouver Green Building Strategy. This means that a greater emphasis has been placed upon the reduction of CO₂ emissions and energy consumption associated with building construction and occupation.

Staff Assessment: A summary of environmentally sustainable features has been provided in Appendix F. Staff have reviewed this summary and find that a significant contribution to reducing energy consumption and combustion emissions will be achieved through the provision of a co-generation plant on site. This uses an energy source to generate its own power and uses heat, as a bi-product of the generation process, for heating and cooling the two primary uses, office and residential. The mechanical system will also adjust to utilize the heating and cooling loads of the different uses at different times of the day.

Beyond that, other notable features include:

- rainwater harvesting for irrigation;
- landscaped roofs have been provided where possible;
- water efficient systems and fixtures;
- energy efficient appliances;
- building form and treatments to maximize daylight penetration while reducing solar overheating;
- use of concrete structure mass to temper heating and cooling loads;
- enhanced heat recovery systems; and
- durable building materials and finishes.

The applicant has indicated that although they intend to pursue a high level of sustainability, they do not intend to register with the LEED program. For ease of documentation, however, staff recommend that a completed LEED checklist be summated, along with a letter from the property owner, committing to undertake the sustainability measures proposed. (See Condition 1.3)

Other:

Viability of second floor (Level 3) floor retail use: Retail use is proposed on the second floor (Level 3) above the street level. Staff are uncertain about the viability of this use and consider that it will most likely change to a different commercial or service use in future. Staff request a rationale for this retail space or consideration of changing the use for the development permit so that proper servicing can be provided at this stage. (See Standard Condition A.1.7)

Detailed Resolution of Building and Retail Interface : The Urban Design Panel noted that the proof of this large scale building will be in the high quality building materials and detailing provided. Staff request larger scale details and elevations to illustrate these material treatments. (See Condition 1.2) In addition, continuous weather protection should be provided at the street level, with the exception of on the heritage building façades. (See Standard Condition A.1.8)

● **Conclusion:** This is an ambitious proposal which generally reflects the form of development adopted by Council for this CD-1 zone. Staff consider that with the design development as noted in the conditions of this report, that this building will achieve the high level of notability and public benefits which were envisaged through the rezoning.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on October 26, 2005, and provided the following comments:

EVALUATION: SUPPORT (7-1)

● **Introduction:** Ralph Segal, Development Planner, introduced this proposal on behalf of Mary Beth Rondeau, the Development Planner for this application. Mr. Segal stated that this is a very challenging project attempting to incorporate a 376 ft. high tower on a small site. The additional density on this site was earned through a rezoning and by virtue of heritage retention initiatives.

With respect to sustainability, Mr. Segal said the applicant intends to achieve LEED gold. There are no significant issues from a staff perspective, although scale-wise this is an aggressive building.

Specific advice from the Panel is sought on the following:

- the east elevation in terms of livability and spatial separation;
- whether the application maintains the standard that was set at the rezoning stage.

- **Applicant's Introductory Comments:** The applicant described the concept for the design of the building and went into detail regarding some of the sustainable initiatives they are trying to achieve. He noted that the landscaping was a challenge with a modern building being proposed onto of an existing older building while also taking into account roof treatments that would respect the view cone limitations.

The applicant stated that the proposal received unanimous support from the Vancouver Heritage Commission. The applicant team responded to questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - The Panel stressed the importance of details to earn the extra density on this site;
 - Further consideration of the proposed shared entrance lobby for commercial and residential uses. Consider not only the shared use aspects but also in terms of identification and prominence;
 - The Panel expressed some discomfort with the amount of density on this site;
 - Concern about the limited indoor amenity provided and difficulty with the fact that no outdoor amenity is provided;
 - Consideration should be given to how the architectural expression of the building might better be achieved. The building reads as striated, strongly articulated and separated vertically. Give consideration to how it is visually sympathetic to the heritage context and work to tie it together from top to bottom.

- **Related Commentary:**

The Panel commended the applicant for a thorough presentation and rational design response. The Panel also commended the owner for achieving a high degree of quality in materials and design in order to earn the extra density being requested for the site.

One Panel member suggested reconsidering the bamboo screening on the roof, stating that he would prefer to see landscape screening shared rather than all against the other building.

Another Panel member expressed concern about the straight out views from the mid-residential units. A Panel member noted their concern with the architectural expression of the retail base.

Applicant's Response: The applicant thanked the Panel for their comments.

ENGINEERING SERVICES

Parking:

It was acknowledged at the rezoning application stage that this site would be challenged to provide the parking and loading facilities required to meet the needs of the project. Engineering Services recommended a reduced parking standard for the CD-1 By-law and also acknowledged that further relaxation opportunities could be explored at the development application stage.

In the scheme under review, the applicant has proposed a combination of measures, including acceptance of the historical shortfall of parking for the heritage buildings, provision of co-op car spaces and consideration for payment-in-lieu for commercial parking not provided. Standard

Engineering Conditions A.2.5 through A.2.9 respond to the plans as submitted with this development application.

Staff are advised, however, that the applicant intends to submit an entirely new parking scheme, based on an automated system, as part of their formal response to prior-to conditions, should the Board grant approval to this application. Staff have seen a revised plan and parking rationale document (received January 4, 2006), but it has not been fully reviewed and is not considered part of the development application at this time.

Staff note that while they are generally supportive of the automated parkade concept, given the significance of the change from what is currently submitted, results of the complete review may require additional input from the Development Permit Staff Committee and/or Development Permit Board and therefore, the applicant should anticipate this in their project timeline.

Loading:

The applicant seeks a relaxation of the total number of Class B loading spaces, from five to two, proposing to implement the Loading Management Plan (LMP) submitted by Ward Consulting Group (See Standard Engineering Condition A.2.4) for optimizing the use of loading provided while providing three Class A (courier/service vehicle) loading spaces instead of the single one that is required. The applicant is restricted by constraints of the heritage structures on the westerly portion of the site, leaving only the easterly lane frontage available to host loading bays. Two Class B spaces are provided directly off the lane, and the Class A spaces are provided one level below grade. Staff support the relaxation/substitution of loading based on the following. The office floor area, even with the additionally required space resulting from Condition 1.1 included, falls in the lower end of the range for two Class B spaces. With an additional Class A space and careful management of deliveries, as called for in the LMP, loading should be satisfied equivalent to normal by-law provision. The transportation consultant, in preparation of the LMP, assessed that retail deliveries will be slight, given the high-end nature of the merchants and absence of restaurants or grocery/drug stores planned. Only about one delivery per day is expected for the retail component; thus, shared and co-ordinated use of the commercial Class B space among office and retail tenants, which the LMP states will be managed by the 24-hour concierge, would allow for the loading provisions to prove adequate. The Class A spaces will have to be protected against being used by cars parking or for storage of materials; this is the responsibility of the concierge per the LMP. While staff believe the loading provisions proposed, with the LMP followed, will be adequate under most circumstances, there will be occasions when the lane will be relied upon for deliveries. However, given the heritage status of much of the ground floor, it is appropriate to grandfather some shortfall in loading provision in order to protect these buildings, given that adverse consequences are expected to be neither great nor frequent.

Bicycles:

The applicant proposes to provide the Class A bicycle spaces for two of the tower residential floors on the floors themselves, in order to satisfy the total By-law requirement. This is supportable, as long as a route to the outside is achieved that does not obligate the cyclist to traverse the main lobby (typically prohibited by strata councils). Provision of required Class B spaces is more problematic, since there is no setback along the Hastings frontage within which to place the racks. In recognition of the zero-setback streetwall objective, staff can support non-provision on-site, but require that the applicant make appropriate arrangements with Engineering Services to provide the Class B spaces where achievable on the boulevard fronting the site. (See Standard Condition A.1.4)

In addition, confirmation is required from the applicant that the development site will have its own independent public utility services (Hydro, Telus, Shaw Cable), with all services to be underground. The applicant should take note that 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/overhead utility network to accommodate the development will require review

and approval by the Utilities Management Branch of Engineering Services. Early contact with the Utilities Management Branch is encouraged. Resolution of these matters prior to the application for a full Building Permit is recommended.

The recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report. Staff note that a Construction Management Plan, which includes a methodology for retention/support of the heritage buildings during construction, will be required as noted in Standard Engineering Condition A.2.1.

HERITAGE PLANNING

As conditions of approval of the rezoning for this site, the Ceperley Rounsfell Building ("A" listed) and the Chambers of Mines Building ("B" listed) were both designated by Council as protected heritage property. This development permit would also constitute a Heritage Alteration Permit. Prior to enactment of the CD-1 By-law, a Heritage Revitalization Agreement and associated agreements ensuring the timely restoration of both buildings were registered at the Land Title Office.

The Ceperley Rounsfell and Chamber of Mines Buildings are both excellent examples of early 20th century commercial buildings. On balance, the preservation of both building façades, in addition to the complete interior of the Ceperley Rounsfell Building, will preserve a significant historic streetscape on West Hastings Street.

The conservation approach for the Chambers of Mines Building will include retention and repair of the historic façade and recollection of the interior double-height volume to a depth of 86 feet. The conservation approach for the Ceperley Rounsfell Building will include retention and repair of the historic façade, and the retention of all historic interior elements, including restoration of the double-height volume and the skylight.

To both retain the heritage resources on site and develop the proposed building under and above the existing heritage building/façade, they must be temporarily supported in place while the parking is constructed below. Clarification of the methodology that will be used to ensure that the buildings are safely retained during this time is sought under the Construction Management Plan. (See Standard Engineering Condition A.2.1)

The project was reviewed by the Vancouver Heritage Commission during the rezoning application stage, and again as this development application. At a meeting on October 24, 2005, the Vancouver Heritage Commission resolved as follows:

"THAT the Vancouver Heritage Commission supports the project at 826-848 West Hastings Street as presented at the October 24, 2005 meeting."

This development application substantially reflects the agreements reached through the rezoning stage, with further refinements described in Standard Conditions A.1.15 through A.1.17.

LANDSCAPE

This proposal, with site size and heritage retention constraints has very limited outdoor amenity space. The Level 4 terrace is only available to the adjacent offices and is limited in size by a large skylight on the roof of one of the heritage buildings. The residential units do not have any common outdoor amenity space.

The original rezoning submission proposed significant green roof spaces that would function as 'green lungs' for the city as well as providing a natural insulation layer for the roof. The rezoning submission

compares the proposed roof treatment of this building to the Willis Faber Building in Ipswich, England. That 1975 building by the same architects featured an extensive and entirely grassed green roof.

The current proposal has been scaled back to a penthouse garden terrace with large areas of paving and an edge-treatment of low hedges. Staff recommend that the applicant maximize the green roof coverage to be more in accordance with the rezoning submission. (Standard Condition A.1.12)

HOUSING CENTRE/SOCIAL PLANNING/CULTURAL AFFAIRS

Central Business District Policies state that "residential rezoning should be primarily targeted for adult-oriented housing." The site at 830 West Hastings Street was rezoned to include residential use, and this policy was considered. Nevertheless, families continue to be attracted to the downtown area, due to the wide variety of cultural and physical amenities, and personal preference for an urban lifestyle. As noted by the Urban Design Panel in November of 2004, the proximity of the waterfront and associated amenities make this an attractive place to live.

Social Planning and Housing Centre Staff note that 89 (62%) units in this proposed development have two or more bedrooms, which may be attractive to families with children. Because of this, Housing Centre and Social Planning staff have reviewed the development application considering the City's "Guidelines for High Density Housing for Families with Children". These Guidelines are to be applied to developments designed to house families with children, with the intent of addressing issues which relate to residential livability for those families.

The Guidelines call for the inclusion of easily accessible, appropriately designed indoor and outdoor amenity spaces for children of varying ages as well as adults. There is an opportunity to include outdoor amenity areas on the podium level (Level 4). However, this opportunity is constrained by the present configuration and program of the principle use of that level (office use) and the heritage skylight, as noted above. Providing secure residential access to outdoor areas on that level would require design development to allow residential access from the elevator lobby at this level, possibly compromising the attractiveness of the office space to lease-holders requiring a large secure/dedicated floor plate.

In consideration of all of the factors affecting this development, Social Planning and Housing Centre staff recommend design development to include indoor amenity areas for children and for adults, instead of an outdoor amenity area. A multi-purpose children's amenity area of approximately 37 m², equipped with an accessible washroom should be provided. The design of the children's amenity space should permit a range of activities and gatherings for a range of ages from young children through teens. (See Standard Condition A.1.18)

ENVIRONMENTAL PROTECTION BRANCH

There are no requirements with respect to this development application. An erosion and sediment control plan must be submitted and approved at the Building Permit stage. (Standard Notes to Applicant, B.1.6)

PROCESSING CENTRE - BUILDING

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

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

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

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

VANCOUVER COASTAL HEALTH AUTHORITY

The VCHA reports that the acoustical report submitted with this development application has been reviewed and accepted. In addition, the applicant is advised 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;
- (ii) the garbage storage area is to be designed to minimize nuisances;
- (iii) the underground parking is to be adequately ventilated to prevent the build-up of noxious gases; and
- (v) 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 in to the building.

See also Standard Conditions A.3.1 through A.3.3.

NOTIFICATION

A sign describing the project was installed on the site on November 2, 2005. On November 3, 2005, letters were sent to 335 neighbouring property owners advising them of the application. There has been only one written response to the notification. The respondent expressed concern about the height of the building proposed, given that the next highest building on the block is only 12 storeys. In addition, the writer did not think that the form of development is in keeping with the historic city block.

Staff Response: These questions of height and character were concluded at the rezoning stage and the form of development has not fundamentally changed from the rezoning where considerable public process was undertaken and where the form was adopted by Council.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee has considered the approval sought by this application and concluded that with respect to the CD-1 By-law and the Downtown Official Development Plan (DODP), the Board is being requested to exercise the discretionary authority as delegated to the Board by Council. With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it seeks a relaxation of Sections 5 and 6 of the Parking By-law with respect to loading

and bicycle parking provisions on this site. The Staff Committee supports the relaxations proposed, with the conditions outlined in this report.

The Staff Committee supports the staff recommendation to change the use of the 11th floor from residential to office use. Given the plethora of construction anticipated in this neighbourhood in the next few years, the Committee strongly supports the recommendation that a construction methodology plan and construction management plan be submitted prior to development permit issuance, in order for staff to adequately assess the impacts on the public realm. (Standard Condition A.2.1)

Further, the Staff Committee noted the unusual aspect of this application with regard to the possibility of significant redesign, possibly requiring further consideration by the Development Permit Board, with respect to both the complete redesign of the on-site parking garage to an automated system as well as the potential for a significant redesign if the heritage density transfer cannot be completed for any reason.

B. Boons
Chair, Development Permit Staff Committee

M.B. Rondeau
Development Planner

T. Chen
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 reduction of the proposed residential floor areas to a maximum of 18 628.4 m², in accordance with the CD-1 By-law;

Note to Applicant: See also Condition 1.1, which requires that the minimum requirement for non-dwelling use floor area be met.

A.1.2 clarification is required between the FSR overlays and the floor plans;

Note to Applicant: The amount and type of exclusions do not match. Examples include open and enclosed balconies and storage rooms.

A.1.3 provision of parking spaces in accordance with Section 4 of the Parking By-law and revisions to the parking plans to show:

- i) additional residential parking spaces in accordance with Section 6 of the CD-1 By-law;
- ii) additional non-dwelling (commercial) parking spaces in accordance with Section 4.3.1 of the Parking By-law;
- iii) deletion of the reference to tandem parking stalls on Parking Levels P3 to P9;

Note to Applicant: Tandem spaces may be proposed; however, they will not be counted in the overall parking requirements.

- iv) relocation of the disability parking stalls to show four of the five spaces located in the residential parking levels;
- v) denotation of the co-operative vehicle spaces and shown in the first level of the underground parking;

Note to Applicant: A maximum of two (2) co-operative vehicles may be permitted for this development.

- vi) revision of parking space #1, as it is shown extending into the drive aisle;
- vii) clarification of the "grandfathering" of nine spaces for the "existing on-site heritage non-conformance."
- viii) reduction in the small car spaces to be within 25% of the overall spaces; and,

Note to Applicant: A rationale may be considered if submitted for small car spaces in excess of 25% (but not beyond 40%).

- ix) clarification of any visitors' parking on site.

Note to Applicant: It is acknowledged that the applicant intends to submit a revised parking scheme utilizing an automated parking system, however, the recommended

conditions regarding parking are based on the application as submitted. See Also Standard Engineering Conditions A.2.5 through A.2.9.

- A.1.4 provision of Class B bicycle parking spaces in accordance with the Parking By-law;

Note to Applicant: For Class B spaces, suitable arrangements to the satisfaction of the General Manager of Engineering Services, which place bicycle racks on the boulevard, may be in order given the lack of setback along Hastings Street. Further, an increase in non-dwelling use floor areas, as required in Condition 1.1 will increase the Office bicycle space requirement to eight spaces from seven.

- A.1.5 design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impact on the building's open space and the Public Realm;

- A.1.6 provision of material specifications for interior sidewall and indication of the adjacent building on the south elevation to ensure that the walls match;

- A.1.7 submission of a rationale for the proposed second floor (Level 3) retail use;

Note to Applicant: If retail use is not sustainable on the second floor, as has been the conclusion in other situations, then it is advisable to indicate an alternate use which can be properly assessed as part of this development application, rather than dealt with as a change of use in the future.

- A.1.8 provision of continuous weather protection along the retail frontage, with the exception of the heritage façades;

Standard Landscape Conditions

- A.1.9 provision of one additional street tree adjacent to the development site;

Note to Applicant: New street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (871-6131), Engineering Services, regarding street tree spacing and quantity. Contact Bill Stephen (257-8587), Park Board regarding tree species.

- A.1.10 provision of a new sidewalk adjacent to the site, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: The sidewalk should have a 4-ft. wide strip of exposed aggregate at the curb edge with broom finished concrete behind. A note indicating the new sidewalk should be added to the Landscape Plan. Contact Eileen Curran (871-6131), Engineering Services, regarding sidewalk and paving details.

- A.1.11 clarification of and details for the proposed rainwater harvesting and/or gray water reuse scheme for the building;

Note to Applicant: Any proposal to use rainwater for irrigation should be indicated on the Landscape Plan and detailed in section.

- A.1.12 design development to maximize the green roof coverage;
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Crime Prevention Through Environmental Design (CPTED)

A.1.13 design development to reduce opportunities for mail theft;

Note to Applicant: The office mail room should not be accessed from the loading bay. The residential mail room may be accessed through the office mail room from the lobby, provided that monitored security surveillance is provided.

A.1.14 submission of a comprehensive Security Report by a licensed security professional;

Note to Applicant: The report should have particular regard for a continuous concierge presence in the shared office and residential lobby, shared parking areas, and exiting. The report should also indicate the proposed hours of security personnel, electronic and physical security features.

Standard Heritage Conditions

A.1.15 provision of a colour board of proposed paint colours for both the Ceperley Rounsfell Building and the Chamber of Mines Building;

A.1.16 design development to the interior of the Chamber of Mines Building, to more closely reflect the patterning of the historic interior;

Note to Applicant: The interior must be replicated to a depth of 26.2 m (86 ft.) as discussed in the report to City Council at the rezoning stage.

A.1.17 clarification of the distance between the roof balustrade and the seating area for the roof over the Ceperley Rounsfell Building;

Note to Applicant: The plans are not consistent and must be coordinated with the section details.

Social Planning/Housing Centre/ Cultural Affairs

A.1.18 provision of a multi-purpose children's amenity area with accessible washrooms, and a separate general-use amenity room, to the satisfaction of the Director of Social Planning.

Note to Applicant: Refer to section 3.7 of the City's "High Density Housing for Families with Children Guidelines". The children's amenity area should not be less than 28 m² in order to allow for the maximum range of uses. Further information can be found at:
<http://internal.vancouver.ca/commsvcs/Guidelines/H004.pdf>

A.2 Standard Engineering Conditions

A.2.1 submission of a preliminary construction methodology plan and a Construction Management Plan, to be to the satisfaction of the General Manager of Engineering Services and the Chief Building Official;

Note to Applicant: In order for staff to assess the impact of this project on the streets, it is necessary to understand how the heritage buildings will be supported while the site is excavated, and further, how traffic will be impacted during the entire construction period. The final plan must be approved prior to issuance of a Building Permit.

A.2.2 clarification of all existing and proposed encroachments onto City property;

Note to Applicant: New agreements will be required to be made to the satisfaction of the General Manager of Engineering Services for all encroachments. The developer should be aware that building encroachments may cause problems with future strata titling. The developer should contact the Land Title Office and City Surveyor for further information in this regard.

- A.2.3 clarification of the areaway under West Hastings Street in front of the Ceperley Rounsfell Building, as shown on Section drawings on page A0321;

Note to Applicant: Should an areaway exist, arrangements must be made to the satisfaction of the General Manager of Engineering Services.

- A.2.4 submission of a letter from the property owner, committing to implement the Loading Management Plan as submitted by Ward Consulting Group, dated September 22, 2005, to the satisfaction of the General Manager of Engineering Services;

- A.2.5 arrangements shall be made to the satisfaction of the General Manager of Engineering Services, the Director of Planning and the Director of Legal Services for the provision of off-site parking and/or provision of parking through payment-in-lieu;

Note to Applicant: Payment-in-lieu of parking (for commercial spaces only) is supported by Engineering Services. Arrangements for payment of \$500.00 application fee shall be made with the Project Facilitator.

- A.2.6 deletion of reference to 'medium car' and correctly label as small car stalls;

- A.2.7 provision of adequate vertical clearance for parking spaces 25 and 26;

Note to Applicant: The maximum 4 ft. x 4 ft. encroachment into a stall is exceeded and these must be considered small car stalls. Refer to the Engineering Parking and Loading Design Supplement.

- A.2.8 provision of an improved section drawing which clearly demonstrates provision of an unobstructed 2.3 m (7.5 ft.) overhead clearance to the underside of the raised overhead security gate and the structure above;

- A.2.9 provision of additional width for parking spaces served by reduced-width manoeuvring aisles;

Note to Applicant: Parking space 10 on levels P2 to P9 requires a 2.7m stall width. Adjustment to the air supply duct located at the southeast corner of the site will be required.

- A.2.10 provision of design elevations on both sides of the parking ramp at all break points and confirmation that the parking ramp slope does not exceed 10% for the first 20 ft. of parking ramp is required;

- A.2.11 denotation of City building grades on property lines and verification of location and scaling of building grades along the lane;

- A.2.12 provision of additional design grades for all proposed entries that clearly meet City building grades and provision of additional design grades of proposed floor slabs to retail entries;

- A.2.13 clarification of garbage storage provisions;
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Note to Applicant: Provide separate storage for residential and retail/office uses. If standard three-yard bins are used, five bins should be provided for residential uses and two additional bins for retail/office uses. Additional space for recycling is also required. (A compactor may be a more efficient system for this site.)

- A.2.14 arrangements shall be made to the satisfaction of the General Manager of Engineering Services for all canopies over City property;

Note to Applicant: A canopy application is required. All canopies must be fully demountable and drain to the internal drainage system of the building.

A.3 Standard Vancouver Coastal Health Authority Conditions

- A.3.1 confirmation shall be submitted by the applicant that the acoustical measures will be incorporated into the final design, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer);

- A.3.2 confirmation shall be submitted in the form of a letter from an acoustical consultant, that the development permit drawings show a minimum STC 55 construction between the commercial (including mechanical floor) 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 minimum STC 60 construction between the commercial and residential components and advising the required control of music levels to satisfy the requirements of the City of Vancouver Noise Control By-law No. 6555, must also be submitted.

- A.3.3 confirmation shall be submitted by the applicant that mechanical equipment (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact on the neighbourhood and to comply with Noise By-law #6555.
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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 January 18, 2006. 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 13, 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 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.1.6 An erosion and sediment control plan must be submitted, reviewed and approved by the Environmental Protection Branch, prior to issuance of a Building Permit.

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 trees in accordance with Tree By-law No. 7347 are to be installed prior to issuance of any required occupancy permit or use of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.4 All approved street trees shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.5 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.
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- B.2.6 The enclosed balconies are to be maintained at all times in accordance with the balcony enclosure details on the approved plans and are not to be used as an integral part of the interior space of the building.
- B.2.7 Amenity areas of approximately 73.4 m², located on the Level 11 and excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or commercial tenants of the building;

AND

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

- B.2.8 This site is affected by the Development Cost Levy By-law No. 8149. Levies will be required to be paid prior to issuance of Building Permits.**
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Processing Centre - Building/Fire Comments

The following comments are based on the architectural drawings prepared by Foster and Partners / Walter Francl Architects Inc., dated Oct.14/05 which have been submitted for the Development Application, DE409808. This is a cursory review in order to identify issues which do not comply with Vancouver Building by-law #8057.

- *1/ P7, P3, P2, & P1: two exits are required to be remote from each other per VBBL 3.4.2.3.
- 2/ P2 & P1: Need a landing between the stairs and the door in the elevator lobby.
- *3/ P7, P6 & P5 appear to not have the min. clear height of 2 m (i.e., below the sprinkler heads, etc.).
- 4/ Level 01:
 - *a) Core stairs do not comply with VBBL 3.3.6.7.(3) and 3.2.6.2.(4).
 - b) Storage in retail area to be handicap accessible.
 - c) Storage is not permitted to open directly into an exit corridor.
 - d) Grand stairs in retail to comply with the stair max. rise and runs.
 - e) Residential garbage area to be handicap accessible.
 - f) Stair from bicycle rooms into exit corridor will need to be enclosed.
- *5/ Levels 02 & 03: access to 2 exits is required (without going through a retail suite).
- 6/ Level 02: The retail mezzanines may be required to be handicap accessible.
- *7/ Level 04: A standpipe is a scissor stair needs to be in a shaft.
- 8/ Level 04 & up: Doors in series are required to be separated by 1.22 m + the width of any door swinging into the space.
- 9/ Level 12: Mechanical room is not permitted to open directly into an exit.
- 10/ Roof: Access to two means of egress is required from the roof gardens.
- 11/ Spatial separation calculations will be needed to confirm window openings.

*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.