
1205 HOWE STREET (COMPLETE APPLICATION)
DE410934 - ZONE DD

MBR/TC/AH/LH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

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

Also Present:

M. Rondeau, Urban Design & Development Planning
T. Chen, Development Services
A. Higginson, Development Services

APPLICANT:

Howard Bingham Hill Architect
201-1444 Alberni Street
Vancouver, BC
V6G 2Z4

PROPERTY OWNER:

Anthem Howe and Davie Ltd.
300 Bentall 5, 550 Burrard Street
Vancouver, BC
V6C 2B5

EXECUTIVE SUMMARY

- **Proposal:** To develop this site with a 15-storey mixed-use retail/residential project, containing 109 dwelling units, over four levels of underground parking. The project includes a proposed transfer of heritage density from a donor site at 163 West Hastings Street.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building comments

Appendix D Plans and Elevations

Appendix E Applicant's Design Rationale

- **Issues:** There are no significant issues with this proposal.

- **Urban Design Panel:** Support
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE410934 as submitted, the plans and information forming a part thereof, thereby permitting the development of a 15-storey mixed-use retail/residential project containing 109 dwelling units, over four levels of underground parking, subject to the following conditions:

1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:

- 1.1 design development to the ground-level corner treatment at Davie and Howe Streets, to provide a more urban response and emphasize the retail frontage;

Note to Applicant: The landscaping (as indicated on the architectural plan) should be reduced in favour of extending the hardscaping as shown on the submitted landscape drawings. The ground floor plan in the architectural set and the landscape plan do not match. See Standard Condition A.1.11. (Also, please note that a separate permit is necessary for outdoor seating as noted in Standard Condition A.1.3.)

- 1.2 design development to further refine the top (northeast) corner treatment of the tower as a feature or focus;

- 1.3 design development to provide an interim treatment on the south wall abutting the property line, until the adjacent site is developed;

- 1.4 design development to reduce the overall height of the building to be within the view cone height elevation of EL249.3; and

Note to Applicant: No part of the building, including roof parapets, may protrude above the view cone elevation. A reduction of the floor to floor heights is one possible solution to achieve compliance.

- 1.5 design development to reduce the floor plate area for the tower (Levels 8-12) to a maximum of 6,500 sq. ft., exclusive of open balconies.

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: Area 'N' of the DD Zone**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size			149.9 ft. x 120 ft.
Site Area			17,994 sq. ft.
Floor Area ¹	Area 'N' of DD zone 89,970 sq.ft. Heritage Density Transfer (10%) <u>8,997 sq.ft.</u> Total 98,967 sq.ft. Retail on Davie St. 10,000 sq.ft.		Residential 93,078 sq.ft. Commercial (retail) <u>5,889 sq.ft.</u> Total 98,967 sq.ft. Retail on Davie St. 5,889 sq.ft.
FSR ¹	Area 'N' of DD zone 5.00 Heritage Density Transfer (10%) <u>.50</u> Total 5.50 Retail on Davie St. .56		Residential 5.17 Commercial (retail) <u>.33</u> Total 5.50 Retail on Davie St. .33
Height ²	DD zone (bldg. height) 300 ft. View cone limit elev. EL249.3 ft. (Equivalent bldg. height 161.4 ft.)		Top of parapet elev. EL252.23 ft. (Equivalent bldg. height 164.30 ft.)
Parking ³	Residential 152 Commercial (retail) <u>6</u> Total 158 Small car (25%) 40	Residential 70 Commercial (retail) <u>5</u> Total 75 Disability 4	Residential 153 Commercial (retail) <u>6</u> Total 159 Disability 4 Small car (22%) 35 Visitors' 9
Loading		Residential 1 Commercial (retail) <u>2</u> Total 3	Residential 1 Commercial (retail) <u>2</u> Total 3
Bicycles		Class A Class B Residential 136 6 Commercial (retail) 1 0	Class A Class B Residential 136 6 Commercial (retail) 2 0
Amenities	10,000 sq.ft.		1,872 sq.ft. (Level 2 meeting room, Levels 3 and 7 amenity rooms)
Balconies	Total (8%) 7,442 sq.ft. Enclosed (50% of total) 3,721 sq.ft.		Total 3,721 sq.ft. Enclosed <u>3,721 sq.ft.</u> Total 7,442 sq.ft.

¹ **Note on Floor Area and FSR:** The development proposes to utilize the Heritage Density Transfer provisions as prescribed in the DD zone to permit an increase in the allowable density by up to 10% of the maximum permitted floor area. The "donor" site for the density transfer has been identified as 163 West Hastings Street (The Flack Building). Letter "B" is required to confirm the transfer, as requested in Standard Condition A.1.1.

² **Note on Height:** Although the building is within the maximum height limit for this sub-area of the DD zone, it extends beyond the established view cone elevation affecting this site. Condition 1.4 seeks a reduction in the overall height of the building to comply. (EL249.3 equates to a building height of 161.4 ft.)

³ **Note on Parking:** The residential parking provided is marginally beyond the maximum permitted. Standard Condition A.1.2 seeks a reduction of the residential parking in order to comply.

• Technical Analysis: Downtown South Guidelines (Excluding Granville Street)

	RECOMMENDED	PROPOSED
Section 2.4.1 - Public Views	Council-approved public view cones pass through Downtown South and limit height on some development sites.	This site is affected by a view cone limit of EL249.3 ft. Condition 1.4 seeks compliance with that elevation.
Section 2.6.2 Shadow Criteria Specific to ... Davie Street	(a) The low and mid-rise portions of the new developments along the south side of Davie Street should not cast shadows beyond the curb line of the north side of Davie Street...	This criterion tends to create a terraced massing form rather than the desired tower form and staff recommend varying from this criteria. A previous approval on this site showed a similar tower form rather than terraced form.
Section 2.7 Weather Protection	(a) New developments along Davie Street... should provide continuous weather protection in the form of awnings or canopies.	Continuous weather protection has been provided.
Section 2.9 - Privacy	Privacy is a crucial aspect of livability. Minimum distances between buildings through required setbacks provide some visual privacy.	A minimum 80 ft. separation to surrounding buildings has been provided.
Section 4.1.1 - Low Rise Street Encl.	New Developments should provide low-rise street enclosure buildings a minimum 30 ft. in height.	A strong streetwall enclosure is provided. The low - rise portion (up to the 6 th floor) is measured at 66.2 ft.
Section 4.1.3 - Tower Width and Floor Plate Size	(a) The maximum horizontal tower width or depth for floor plates above 70 ft. should be 90 ft. Generally, optimum tower widths... should be in the range of 75 - 80 ft. (b) The maximum floor plate of any tower will be limited to 6,500 sq. ft.	(a) The floor plates above 70 ft., the tower width is 89.7 ft. which meets the criteria. (b) The floor plate of the typical tower floor levels (8-12) is 6,632 sq. ft. Staff recommend a minor revision to reduce the floor plate to meet the maximums given the shadow sensitivity noted in Section 2.6.2. See Condition 1.5
Section 4.1.4 - Floor-to Floor Height	The floor-to-floor dimension (should be) 8.5 ft. to 9.0 ft. The overall building height should be limited by a calculation of 10'0" multiplied by the number of floors proposed in the development.	A floor-to-floor height of 10 ft. is proposed. This is higher than the maximum suggested by the guideline to provide high ceiling, loft-style units. Staff consider that the higher ceilings improve livability and that the mass of the building has not been compromised, and therefore, support this variation from the guideline. Staff note, however, that the floor-to-floor height may be decreased slightly in order to meet the view cone elevation limit, as noted in Condition 1.4.
Section 4.2.1 - Front Yard and Setbacks	The front setback should be a minimum of 6 ft.	The more standard 12 ft. setback has been proposed and is supported by staff to provide an enhanced public realm similar to other areas of Downtown South.
Section 4.2.2 - Side Yard and Setbacks	Interior side yard setback should be a minimum of 40 ft. above a height of 70 ft.	A 40 ft. side yard above the 6 th floor has been provided.

	RECOMMENDED	PROPOSED
Section 5.5.1 Exterior Walls and Finishing	(d) Residential units located on the ground floor should locate the main floor level approximately 3'0" above grade to promote privacy for the units yet still maintain "eyes on the street"...	The Howe Street townhouses are proposed at 5'0" above grade due to clearances required for the parking ramp below. Staff support this higher relationship given that connection to the street is still provided while ensuring additional privacy to these units. This was also well supported by the Urban Design Panel on the original DE submission.
Section 7.2 Semi-Private Open Space	Residential developments should provide semi-private open space of 50 sq. ft. per unit or more.	1,500 sq. ft. of semi-private open space is proposed for this development in two roof decks, each with indoor amenity rooms adjacent which improves the usability of both spaces. Staff support these spaces.
Section 7.3 Private Open Space	(a) Residential units should have access to a private outdoor space with a minimum single horizontal dimension of 6 ft. to allow for adequate useable space.	Staff are satisfied with the proposed private outdoor spaces provided given that the majority of private patios meet this criterion.

• **Legal Description**

Lot: H
Block: 101
Plan: LMP10969
District Lot: 541

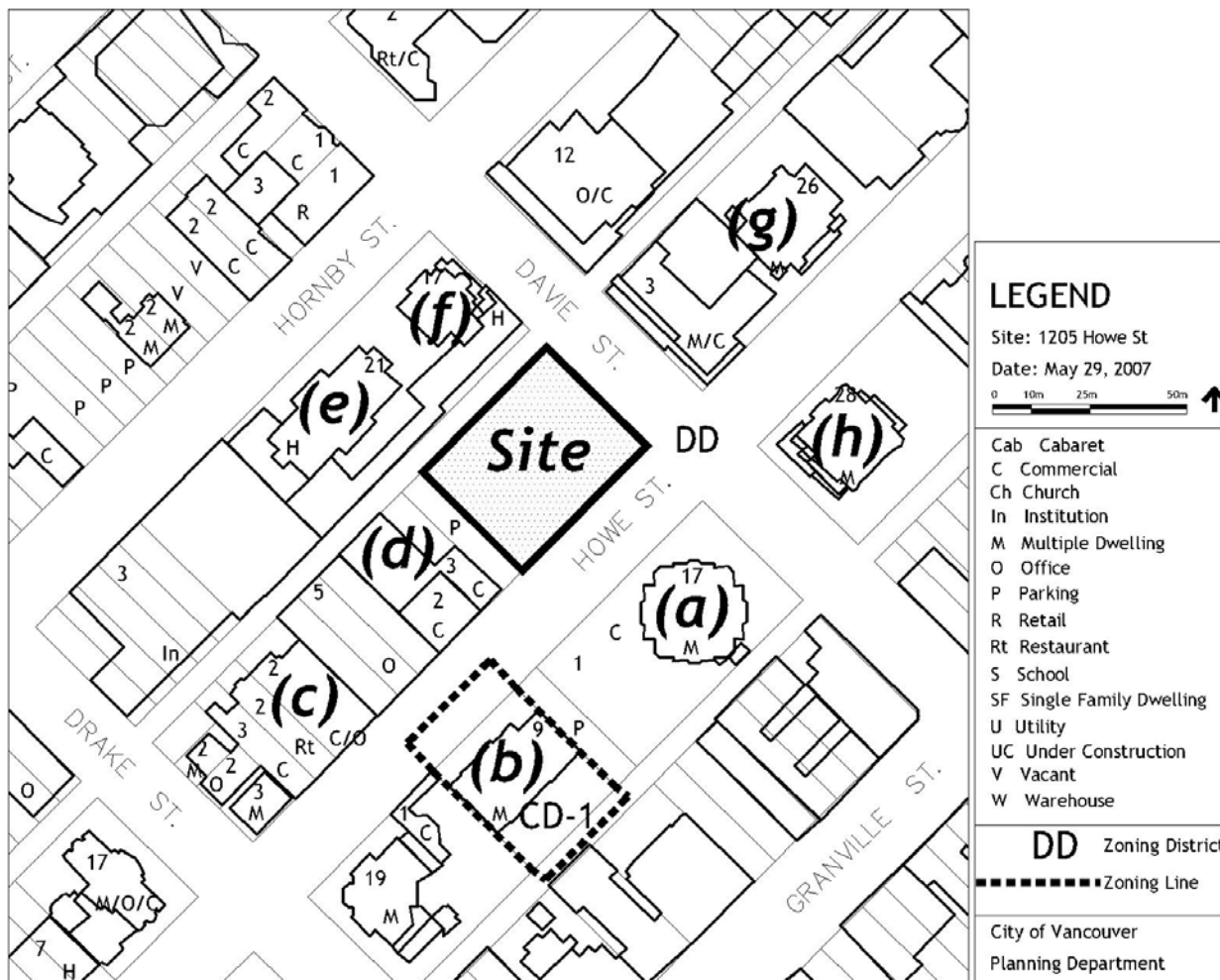
• **History of Application:**

06 12 06 Complete DE submitted
07 01 17 Urban Design Panel - Non-Support
07 04 05 Revised submission received
07 05 09 Urban Design Panel - Support
07 06 06 Development Permit Staff Committee

• **Site:** The site is located at the corner of Davie and Howe Streets. The site was previously developed with a gasoline service station, which was demolished in 1990. Since then, soil remediation has been undertaken, but the site has remained vacant.

• **Context:** Adjacent development includes:

- (a) 1212 Howe Street - Retail/Residential, 17 storeys
- (b) 1260 Howe Street - B'nai Brith Manor, 7 Storeys
- (c) 1265-81 Howe Street - under development enquiry
- (d) 1233-37 Howe Street - City-owned site, future non-market housing
- (e) 1234 Hornby Street - The Marriott Residences, 21 Storeys
- (f) 1200 Hornby Street - The Landis Hotel, 17 storeys
- (g) 1189 Howe Street - Retail/Residential, 26 storeys
- (h) 1168 Howe Street - Retail/Residential, 28 storeys



● **Background:** The site has been vacant since 1990, when the former gasoline service station was demolished and soil remediation was undertaken. Development Permit No. DE214398 was issued in 1995, permitting a 17-storey mixed-use commercial/residential project on this site. The project did not proceed and the permit expired. The site was sold to the current owner/developer in 2006.

The development application as submitted in December 2006 was not supported by the Urban Design Panel (January 17, 2007). The applicant team has undertaken a redesign to address the Panel's and staff's concerns. The revised scheme, which is the subject of this report, was presented to the Panel and received their unanimous support on May 9, 2007.

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

1. DD Downtown District
2. Downtown South Guidelines (excluding Granville Street)
3. View Protection Guidelines

1. **DD Downtown District:** The site is located in Area "N" - Hornby Slopes - of the DD District. Retail and Residential uses are both conditional approval uses in this sub-area. The maximum prescribed FSR is 5.0. In addition, The Downtown Official Development Plan, under Section 3.14 contains in part, the following:

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

Sites on Davie Street are required to provide continuous ground floor retail, retail-commercial and service uses. Retail use must not exceed 10,000 sq. ft. The remainder of the FSR may be made up of residential floor area. The maximum permitted height in Area N is 300 ft., however this site is affected by two view cones, as described below.

2. **Downtown South Guidelines (excluding Granville Street):** In summary, the intent of the Guidelines as they apply to this site in the Hornby Slopes sub-area is to: consolidate retail uses on Davie Street; provide residential livability; and improve street and lane interfaces with enhanced public realm treatments. The policy supports high density development without limiting towers and with no minimum site size tied to the density maximum of 5.0 FSR.

3. **View Protection Guidelines:** The site is affected by the "Charleson Seawall to the Lions" and the "Laurel Landbridge to the Lions" view cones. The effect limits the height of a building on this site to an elevation of EL249.3 ft., which equates to an actual building height of 161.4 ft.

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

Use: The proposed mix of uses is optimal in this location, providing a strong retail frontage on Davie Street and residential use in the remainder of the project. Staff note that an outdoor seating area is shown on the Howe Street frontage adjacent to the corner retail unit. The applicant is advised that a separate development permit for the outdoor seating area will be required at the time of tenant fit-out, as such approvals are generally time-limited and are related to a specific tenant/use. Reference to the seating area must be deleted from these plans. (See Standard Condition A.1.3)

Density, Height and Massing: The proposed form and massing are generally well resolved, even with consideration of the view cone constraints and the proposed transfer of additional heritage density. The tower form with the six-storey podium has been well crafted to emphasize the vertical proportions

and the tower meets the Guidelines for width, depth and separation from surrounding sites, and will meet the Guideline for floor plate size after minor adjustments. (See Condition 1.5)

Two minor design refinements are suggested by staff on advice from the Urban Design Panel. The ground-level corner at Davie and Howe Streets should provide clear visibility to reinforce the retail frontage rather than a landscape response. (See Condition 1.1) Similarly, on the top (northeast) corner of the building, the proposed design can be enhanced as a feature or focus. (See Condition 1.2)

The low-rise portion of the building provides a strong sense of street enclosure and also sets up for future development of the adjacent site to the south (City-owned, future development site for non-market housing). In the interim, the exposed end wall should be treated with material variations or textures. (See Condition 1.3)

Public Realm: Public realm open space has been provided to meet and exceed the Downtown South Guidelines with setbacks, a double row of trees, sidewalk treatments, furnishings and landscape.

Livability: The residential units have a high degree of livability with daylight access, ventilation and private outdoor space. The proposed shared outdoor spaces, although well below the desired area per unit as specified in the Guidelines, have been well located with an indoor amenity room adjacent to each. The outdoor space on the roof of the podium provides sun access and urban agriculture plots. Staff support the provisions for shared open space as proposed.

Heritage Density Transfer: The applicant has provided confirmation that an agreement for purchase and sale of approximately 9,000 sq. ft. of heritage density has been made with Salient Developments Ltd., the owner of the heritage site at 163 West Hastings Street (The Flack Building). Confirmation that the purchase has been completed will be required prior to permit issuance. (See Standard Condition A.1.1)

- **Conclusion:** The proposal is well resolved and incorporates the requested density, including heritage density transfer, as well as meeting view cone objectives. Staff recommend approval of this development application, subject to the conditions in this report.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on May 9, 2007, and provided the following comments:

EVALUATION: SUPPORT (10-0)

- **Introduction:** Mary Beth Rondeau, Development Planner, described the proposed mixed use development with residential tower situated over commercial retail along Davie Street with the main residential entry on Howe Street and underground parking and loading accessed from the lane. A strong six-storey street-wall is proposed on the south to allow for development of the adjacent site as social housing. The primary changes from the first visit to the panel addressed the livability of the residential units and the townhouse architectural treatment.
- **Applicant's Introductory Comments:** John Bingham, Architect, further described the project noting that the suite layouts have been reworked with the elimination of the majority of inboard bedrooms. Also the care has been taken to eliminate or minimize privacy issues between suites.

Peter Kreuk, Landscape Architect, described the landscaping for the project. Mr. Kreuk noted that the seventh floor amenity area is connected to an "outdoor room" containing large planters, a lawn and urban agricultural plots.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - Concern regarding the way the building meets the ground with an isolated planter at the retail corner at Howe and Davie Streets; and
 - design development to the top corner treatment of the tower.
- **Related Commentary:** The Panel unanimously supported the project and thought the project was much improved from the previous review and that the concerns had been addressed.

Several Panel members commended the applicant for going to ten foot ceilings in suites. The Panel noted that the interior bedroom issue had been resolved with a diversity of unit types resulting in the improvement to the livability of the units. They also thought the townhouse architecture had been greatly improved.

Regarding sustainability, the Panel thought the environmental response was well done and liked the passive features being incorporated into the glazing and the careful consideration for the three facades of the building.

The concern with the corner at grade was the proposed planter which seemed to block the natural opportunities for corner retail and some of the Panel expressing a preference for the previous version. There was also some concern regarding the top corner of the tower treatment and detailing and this would benefit from further refinement.

- **Applicant's Response:** Mr. Bingham appreciated the support of the Panel. It has been a challenge at the base and is an area that will be continued to work on. It's an important part of the streetscape.

ENGINEERING SERVICES

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

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

HOUSING CENTRE/SOCIAL PLANNING/CULTURAL AFFAIRS

Families Living with Children:

The proposed development contains 109 units, 30 of which include two or more bedrooms which may make them attractive to families living with children (28% of total units).

The applicant has presented a well considered amenity space plan for the residents' use. There is a small meeting room located on the 2nd floor and a multi-purpose room adjacent to a common terrace on the 3rd floor. The 3rd floor room includes an accessible washroom, kitchenette and storage space and the common terrace includes children's play structures on a resilient surface. Due to the extensive shading of the 3rd floor terrace, however, staff recommend the children's play area be

relocated to the 7th floor common terrace which will receive significantly more sunlight. (See Standard Condition A.1.13)

There is a third multi-purpose amenity room, with an accessible washroom, kitchenette and storage located on the 7th floor, which is also adjacent to a large common terrace. The applicant has considered a range of activities and synergistic uses in programming the 7th floor common terrace, which includes a trellised table and seating areas, BBQ, fireplace and sodded lawn.

Urban Agriculture - Shared Garden Plots:

In addition, the common terrace on the 7th floor includes an area designated for 'potential urban agriculture'. This garden plot area is located to receive sufficient solar access, and seating areas and composting have been provided. In addition, some edible landscaping is indicated along the edges of the urban agriculture area. Design development will be required to provide a small outdoor tool storage area. (See Standard Condition A.1.14)

In addition to the shared garden plots, the applicant has considered urban agriculture activities in the private roof deck patios, with the inclusion of 'garden rooms' and extensive open space for planter gardening.

SUSTAINABILITY

Although the City does not yet pursue Sustainability as a requirement, the developer has indicated their intention to provide a number of initiatives related to energy efficient building design, as detailed in Appendix E, page 6 of 6. This is to be commended and encouraged.

ENVIRONMENTAL PROTECTION BRANCH

A Site Profile was submitted with this development application, as well as a letter from Keystone Environmental Ltd., indicating that this former gasoline service station site has been remediated to commercial standards. A Certificate of Confirmation (CoC) was issued on that basis. As the proposed development contains residential use, further remediation may be required in order that a revised CoC for residential standards can be issued. (See Standard Condition A.4.1) A sediment and erosion control plan will be required prior to issuance of a Building Permit for this project.

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, firefighting 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) 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
- (iv) All fresh-air intake portals are to be located away from driveways and parking/loading areas in order to prevent vehicle exhaust from being drawn into the building.

NOTIFICATION

Signs describing the revised application were installed on site in early April. On April 13, 2007, letters were sent to 922 neighbouring property owners advising them of the application. Only one response, in support of the project, has been received to date.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law and Official Development Plan it requires a decision by the Development Permit Board. With regard to that decision, the application requires the Board to exercise discretionary authority as delegated to the Board by Council with respect to the requested transfer of heritage density to the site.

The Staff Committee supports the application, subject to the conditions recommended in this report.

B. Boons
Chair, Development Permit Staff Committee

M. Rondeau, MAIBC
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 submission of a letter which includes confirmation from the owner of the "donor" site at 163 West Hastings 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 (604.871.6478).

- A.1.2 reduction of the number of residential parking spaces provided, to be within the minimum and maximum requirements;

- A.1.3 deletion of the reference to outdoor seating adjacent to the corner retail unit on the Howe Street frontage;

Note to Applicant: Separate permits will be required for outdoor seating areas as these areas are generally limited in time and related to a specific use/tenant.

- A.1.4 design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impact on the building's open space and the Public Realm;

Standard Landscape Conditions

- A.1.5 design development to maximize public realm landscaping on Howe Street;

Note to Applicant: The inside boulevard in front of the townhouse should be planted with lawn. The six bicycle spaces should be relocated to the north side of the residential entrance. The green-wall should terminate in a ground level planter rather than water feature. Provide details of green-wall system.

- A.1.6 provision of elevations at the top and bottom of the stairs for the three townhouse entries;

- A.1.7 provision of large scale (1/4" = 1') section and details for the proposed grade-level green wall;

- A.1.8 provision of large scale (1/4" = 1') sections through the 3rd and 7th floor terraces illustrating the planting depths for the trees and shrubs;

Note to Applicant: The BCNLA Landscape Standard recommends a planting depth of 3 ft. for small trees and large shrubs.

- A.1.9 provision of hose bibs for the private roof terraces;

- A.1.10 provision of an additional 6 in. of width for the lane-edge planter, in order to ensure plant health and longevity;

Note to Applicant: An in-ground planter (max. 12 in.-high curb edge) should be provided at the lane-edge (on private property) to prevent vehicles from parking on the plants.

- A.1.11 design development to coordinate the architectural and landscape plans regarding public realm details;

Note to Applicant: The architectural plans show a green wall next to the water feature and a corner planter (which is not supported - see Condition 1.1). The landscape plans do not show these features.

Crime Prevention Through Environmental Design (CPTED)

A.1.12 design development to reduce opportunities for theft in the underground parking garage;

Note to Applicant: Doors between secured areas should be in-wall rather than in the grilled separation. Clarify the exiting requirements through the visitor parking area and provide an intermediate door in exit stairs between commercial and residential levels.

Social Planning/Housing Centre/ Office of Cultural Affairs

A.1.13 design development to incorporate opportunities for children's play activities on the 7th floor common terrace; and

Note to Applicant: Staff recommend utilizing a flexible design and eliminating large play structures which may limit other uses for the space. Staff support a more passive design for the 3rd floor common terrace where the children's play area is currently shown.

A.1.14 design development to provide an area for tool storage on the 7th floor common terrace.

A.2 Standard Engineering Conditions

A.2.1 arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the release of Easement & Indemnity Agreement H101235 and its extension BG213568 (four commercial crossings) prior to occupancy of the new development;

Note to Applicant: A letter of commitment to this effect shall be submitted to Engineering Services prior to issuance of the development permit.

A.2.2 arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the release of Easement and Indemnity Agreement BG284953 (pipes for the collection of contaminants) prior to occupancy of the new development;

Note to Applicant: A letter of commitment to this effect shall be submitted to Engineering Services prior to issuance of the development permit. Contact Engineering Services Utilities Management (Bill Moloney, 604.873.7373) for details of decommissioning of pipes should they still exist.

A.2.3 provision of the correct legal description on Page A1.01;

Note to Applicant: The plan number should read Plan LMP10969.

A.2.4 provision of correct building grades on the site plan and provision of additional design grades on each side of the loading bay and adjacent several entrances;

Note to Applicant: Contact Engineering Services (604.873.7773) for details.

A.2.5 provision of adequate parking stall widths for stall C-5 on parking level P-1 and stall R-13 on parking level P-4;

A.2.6 provision of an access door from the loading corridor to the residential lobby, in close proximity to the elevators, for direct and convenient loading access;

- A.2.7 provision of a topographic survey of the site, including the location of all of the utility poles in the lane;

Note to Applicant: The plan is required to determine if access to and from the parking and loading facilities is compromised by the pole locations. Turning swaths for the parkade and loading access operations are also required. Pole relocation or elimination may be required. Consultation with BCHydro and the Engineering Services Utilities Management Branch is encouraged.

- A.2.8 clarification of the residential garbage pick-up operation is required;

Note to Applicant: Written confirmation that the compactor location can be accessed by pick-up vehicles must be received from a waste management company, on their business letterhead.

- A.2.9 provision of Downtown South sidewalk treatments adjacent the site; and

Note to Applicant: A copy of the landscape plan shall be submitted directly to Engineering Services for review clearly indicating:

- clarification of the proposed "lane crossing" position, as it appears to straddle the extension of the Davie Street property line;
- adjustment of the proposed trees to accommodate the existing bus stop on Howe Street;
- all existing street furniture, poles, and the like, on the landscape plans to ensure there are no conflicts with street trees; and,
- that full reconstruction of the sidewalks adjacent the site is intended, fully at the Owner's expense.

- A.2.10 Design development to the exit doors in the lane to set them back so as to not swing over the property line.

A.3 Standard Vancouver Coastal Health Authority Conditions

- A.3.1 an acoustical consultant's report shall be submitted which assesses noise impact and recommends noise mitigation measures in order to achieve noise criteria; and

- A.3.2 a letter from an acoustical consultant shall be submitted confirming that the development permit drawings show a minimum STC55 construction between the commercial and residential components of the building, or a minimum 6 in. solid concrete slab shall be specified on the drawings.

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 be submitted.

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

- A.4.1 submission of a Certificate of Compliance from the Ministry of Water, Land and Air Protection, confirming that the site has been remediated to residential standards.

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 June 6, 2007. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the "prior-to" response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **December 18, 2007**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Conditions of Development Permit:

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 In accordance with Private Property Tree By-law No. 7347, all trees are to be planted prior to issuance of any required occupancy permit, or use or 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 planted in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
- B.2.5 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.2.6 Amenity areas of approximately 1,872 square feet, located on Level 2, 3, and 7 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.2.7 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.8 This site is affected by the Development Cost Levy By-law No. 9418. Levies will be required to be paid prior to issuance of Building Permits.

Processing Centre - Building comments

The following comments have been made by the Processing Centre- Building and are based on the architectural drawings submitted for the proposed Development Permit. This is a preliminary review in order to identify issues which do not comply with the Vancouver Building By-Law # 8057.

1. The building must be sprinklered throughout in conformance with NFPA 13 and the Vancouver Building Bylaw. A standpipe system must be provided in conformance with NFPA 14 and Sentence 3.2.5.11.(1) of the Vancouver Building Bylaw.
2. Areas of refuge are required on the below grade parking levels in conformance with Clause 3.8.3.19.(1).(f), unless a generic equivalency has been prepared and accepted as outlined in the City of Vancouver Bulletin 2006-001-BU.
3. The building must be of non-combustible construction.
4. This building must comply with the accessibility requirements of Section 3.8 of the Vancouver Building Bylaw. Residential portions of this building must comply with the enhanced accessibility requirements of Sentence 3.8.2.27.(4) of the Vancouver Building Bylaw.
5. It appears that there may be some architectural errors in the building core area on levels P-1 through level 2. Please note that an exit analysis and detail of operation of security features of the building will be required in order to determine that code compliance with the access to exit and exiting provisions of the code is achieved.
- *6. The two required exits from the 2nd storey appear to converge at the rear of the building. This is not permitted.
- *7. Access to exit from both the upper and lower levels of the two storey penthouse units on the 14th floor is required to comply with Sentence 3.3.4.4.(2) of the Vancouver Building Bylaw.
8. This building must comply with the high rise measures in Subsection 3.2.6. of the Vancouver Building Bylaw including provisions of fire fighter's elevators, top venting of below grade stairs, bottom venting of above grade stairs, and provision of a central alarm and control facility.
9. For doors equipped with closures in areas that are required to be accessible for people with disabilities, clearances around the door must be provided in conformance with Sentence 3.3.1.12.(10). Specific attention should be directed to the residential storage areas and parking level elevator lobbies. Please note that an accessible path of travel is required from the elevator lobby to the residential garbage and recycle room on level P1.
10. Spatial separation at the south elevation must be reviewed.
- *11. There appear to be unprotected openings within 1.2m of the south property line on levels 5 and 6.
12. The residential lobby intended to be used as an exit lobby must be designed in conformance with Article 3.4.4.2. of the Vancouver Building Bylaw.
13. If the ramped corridor leading from Howe Street to the lane and serving the commercial tenants is intended to be a required exit, all doors swinging into the corridor must open in the direction of exit travel, but the door in its swing must not reduce the exit width to less than 750 mm.
14. Fire fighter access to all main roof areas must be provided in conformance with Sentence 3.2.5.3.(1) of the Vancouver Building Bylaw.
15. The building must be provided with a Siamese connection to be located within 5 m of the building principle entrance and within 90 m of a hydrant.
16. 64mm standpipe hose connections are to be provided with sufficient clearance to permit use of a standard Fire Department hose key.
17. 38mm hose stations are required to be provided in floor areas not covered by 39.6 m of hose and spray from the 64 mm service.
- *18. Fire fighter facilities and access to above and below grade levels must be coordinated with the fire fighters entrance in conformance with Sentence 3.2.5.20.(1) of the Vancouver Building Bylaw.

*Items marked with an asterisk have been identified as serious non-conforming Building By-Law Issues.

Written confirmation that the applicant has read and has understood the implications of the above noted comments is required and shall be submitted as part of the "prior to" response. The applicant may wish to retain the services of a qualified Building Code consultant in case of difficulty in comprehending the

comments and their potential impact on the proposal. Failure to address these issues may jeopardize the ability to obtain a Building Permit, or delay the issuance of a Building Permit for the proposal.

NOTE:

The new 2007 Vancouver Building By-law #9419 came into force and took affect on May 1, 2007. All comments generated herein by the Processing Centre-Building were made under the provisions of the previous 1999 Vancouver Building By-law #8057, and some comments may vary from the provisions of the new 2007 By-law. The applicant is advised to seek the advice of a qualified Building Code consultant as to the impact of the new provisions on this particular project. All building permit applications made after May 1, 2007, must comply with the provisions of the new 2007 By-law.