

1380 HORNBY STREET (COMPLETE AFTER RE-ZONING APPLICATION)  
DE408825 - ZONE CD-1

RSH/BM/KH/CH

**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

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

**Also Present:**

S. Hein, Urban Design & Development Planning  
B. Mah, Development Services  
K. Hemmingson, Development Services  
R. Waite, Engineering Services  
P. Pinsker, Engineering Services  
Y. McNeill, Heritage Planning

**APPLICANT:**

Gary Shotton c/o Christopher Bozyk Architects Ltd.  
#414 - 611 Alexander Street  
Vancouver, BC  
V6A 1E1

**PROPERTY OWNER:**

Umberto Menghi  
1376 Hornby Street  
Vancouver, BC  
V6Z 1W5

**EXECUTIVE SUMMARY**

**? Proposal:**

- (a) Construction of a new sixteen-storey boutique hotel comprised of a three-storey podium base containing a lobby, meeting/banquet rooms, lounge and back of house facilities and a twelve-storey tower with 41 suites, including a single penthouse suite.
- (b) Rehabilitation and designation of the existing Leslie House.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

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

Appendix D Plans and Elevations\*

Appendix E Applicant's Design Rationale\* and Heritage Conservation Report

Appendix F Legal Survey Confirming Location of New Building/80' Minimum Separation

Appendix G Draft Operations Management Plan (OMP)

Appendix H Owner's status report on work to complete re-zoning obligations

Appendix I Posted Drawings at the Public Hearing

Appendix J Existing Lane Conditions

**? Issues:**

1. Execution of anticipated architectural and landscape quality for the north and east elevations.
2. Anticipated impacts of activities, and related hours of operation, for the roof deck/pool environment.
3. Access to underground parking

**? Urban Design Panel: Support**

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DE408825 as submitted, subject to Council's enactment of the pending CD-1 By-law and form of development approval, the plans and information forming a part thereof, thereby permitting:

- (a) Construction of a new sixteen-storey boutique hotel comprised of a three-storey podium base containing a lobby, meeting /banquet rooms, lounge and back of house facilities and a twelve-storey tower with 41 suites including a single penthouse suite.
- (b) Rehabilitation and designation of the existing Leslie House.

all 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 improve the visual quality of the north elevation and further clarification of exterior wall, landscape and lighting systems information, including confirmation of materials and related detailing, for the north and east elevations to ensure a high degree of visual quality as well as effective privacy and acoustical screening for adjacent neighbours;

**Note to Applicant:** Reduction in the amount of blank wall while minimising glare from interior lighting for the north elevation (stair component) is required. Careful attention to exterior and interior lighting types and locations, as well as exit stair glazing qualities, to mitigate glare for adjacent residents is required.

- 1.2 design development to minimize impacts upon nearby residents resulting from usage of the outdoor pool area including noise, privacy, lighting and odours by either:
  - a) full enclosure of the pool area or
  - b) implementation of operational controls which should be confirmed in the Operations Management Plan (OMP) sought under the following condition 1.3.

**Note to Applicant:** Option A will have floor space implications as the area will be counted in FSR. Option B must remove the bar function. Option B must stipulate the hours of operation which shall be 9:00 am to 6:00 pm. Option B shall provide an Acoustical Report that specifically addresses technical measures to minimise noise impacts, while preserving sunlight and available views, for residents in close proximity to the pool area. The OMP will form part of the approved development permit.

- 1.3 refinement of the Operations Management Plan (OMP) to the satisfaction of the Director of Planning, the General Manager of Engineering Services and the Medical Health Officer to address neighbour's concerns with respect to hours of operation, roof deck/pool area usage, lane management and functionality, and hotel/restaurant operations including special events;

**Note to Applicant:** The OMP should provide a listing of applicable municipal by-laws, including those that address noise and bus idling. The OMP should ensure that new, and pre-existing impacts associated with the restaurant operations, are mitigated on site. The OMP should explore opportunities with other landowners to improve the overall lane environment by reducing garbage pick-up frequency through shared collection services. The plan should address valet parking activities to ensure that impacts are minimised. Careful attention to loading frequency, and related time(s),

to achieve a consistent approach to operations that may be anticipated by residents, while minimizing impacts on neighbours, including noxious emissions from idling vehicles, is required. A schedule of anticipated "special events", and how they are to be managed, is required. Staff do not support an "active" bell use for the campanile tower given the close proximity to residential uses. The plan should address 24 hour/7 days a week availability of hotel/restaurant staff to ensure prompt response to neighbours' concerns as well as on-going communication strategies to inform neighbours and business owners.

- 1.4 design development to improve site access for parking by utilising a conventional two-way parking entry ramp system to the satisfaction of the General Manager of Engineering Services in consultation with the Director of Planning;

**Note to Applicant:** Engineering staff do not support parking access using a vehicle elevator.

- 1.5 design development to eliminate the guest room adjacent to the north property line on floor 8 and replace with the floor 9 plan for consistency with the originally proposed design scheme considered by Council at the Public Hearing;

- 1.6 design development to improve the quality of the Leslie House setting with respect to the scale and character adjacent spaces and walls;

**Note to Applicant:** Provision of larger scale plans, wall elevations and sections of the courtyard environment to confirm an appropriate setting, scale relationship and quality for the Leslie House, courtyard and hotel components is required.

- 1.7 design development to the proposed building's interface with the adjacent building at the northwest corner to ensure high visual quality and privacy;

**Note to Applicant:** Larger scale design details of the interface condition are required. Additional landscaping at grade should be considered to screen hotel entry activities from the adjacent residential suite.

- 1.8 Provision of a *Construction Management Plan (CMP)* to the satisfaction of the General Manager of Engineering Services, the Director of Planning and the Medical Health Officer;

**Note to Applicant:** The *CMP* should address all anticipated impacts on adjacent neighbours as well as on streets, the lane and public realm. The plan should address length of schedule, hours of activity, noise, debris, staging, storage of materials, site security and other off-site impacts including dust, and parking for employees, constructions worker and customers during the construction period. The plan should identify communication strategies to keep neighbours informed. Contact Kevin Cavell at 604-873-7773.

- 1.9 Supply the following information as supplementary to the covenant on title:

Supply a "Letter of Assurance" from a qualified Architect or Engineer, outlining confirmation of their supervision during the removal, storage off site, and reattachment of the heritage building to the site. Confirm the process by which the heritage house will be temporarily relocated and include a detailed description on the approach to securing the building from damage or vandalism and the location and duration where the building will be stored.

- 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 <sup>1</sup>	-	-	75 ft. x 120 ft.
Site Area <sup>1</sup>	-	-	9,000 sq. ft.
FSR <sup>2</sup>	6.67	-	6.80
Floor Area <sup>2</sup>	60,030 sq. ft.	-	61,244 sq. ft.
Balconies <sup>3</sup>	4,802 sq. ft.	-	to be clarified
Height <sup>4</sup>	maximum 173.2 ft. may relax up to 186.0 ft.	-	Top of Parapet Wall 176.9 ft. Top of Elev. Mach. Room 187.9 ft.
Top Floor Plate <sup>4</sup>	15%/255 sq. ft. of floor plate (1,700 sq. ft.) below	-	17.5%/-298 sq. ft.
Setbacks <sup>5</sup>	-	West 5.9 ft. 2.95 ft./4 storey bays North 0.0 ft. East 0.6 ft. up to 41.7 ft. 31.5 ft. above 41.7 ft. South 0.0 ft.	West 6.0 ft. 3.0 ft./5 storey bays North ? ft. East ? ft./-54.0 ft. 34.7 ft. above 54.0 ft. South 0.0 ft.
Parking <sup>6</sup>	- Small Car (25% max.) 11	37 spaces  Disability Spaces 2	Standard 36 Small Car 5 Disability 0 Total 41* *4 tandem spaces @ parking level P2
Bicycle Parking	-	Hotel Class A 1 Class B n/r	Hotel Class A 5 Class B 0
Loading <sup>7</sup>	-	Hotel Cl. A n/r Cl. B 1 Cl. C n/r	Hotel Cl. A 0 Cl. B 2 Cl. C 0
Passenger <sup>8</sup>	-	Hotel Cl. A n/r Cl. B n/r Cl. C n/r	Hotel Cl. A 0 Cl. B 0 Cl. C 0

<sup>1</sup>**Note on Site Size/Area:** Site size and site area are nominal measurements and require verification. See Standard Condition A.1.1.

<sup>2</sup>**Note on FSR/Floor Area:** Storage rooms in underground parking levels are not excludable from FSR. FSR/Floor Area must be decreased to comply with the maximum permitted. See Standard Condition A.1.2.

<sup>3</sup>**Note on Balconies:** Balconies are not clearly identified nor summarized. See Standard Condition A.1.3.

<sup>4</sup>**Note on Height/Floor Plate:** The proposed height of the boutique hotel tower component is consistent with that proposed before Council, and supported, at the public hearing. Top floor plate, excluding mechanical equipment, must be reduced to comply with the maximum of 15% of the area of the floor plate immediately below. The Development Permit Board may relax the height up to 186 ft. but it must include all mechanical appurtenances, such as the elevator machine room and screening around mechanical units. See Standard Condition A.1.4.

<sup>5</sup>**Note on Setbacks:** Setbacks on east property line does not comply. Clarify all setbacks from property lines. See Standard Condition A.1.5.

<sup>6</sup>**Note on Parking:** Tandem parking spaces have no access and therefore cannot be included as required parking spaces. While tandem spaces are permissible, they can only be counted as single parking spaces since the buried vehicle may be obstructed in accessing the manoeuvring aisle. Disability spaces are required and must be provided. See Standard Condition A.1.6 and Standard Engineering Condition A.2.2.

<sup>7</sup>**Note on Loading:** See Standard Engineering Condition A.2.8.

<sup>8</sup>**Note on Passenger:** A Class A passenger space is not required for a hotel with less than 75 units.

**? Legal Description**

Lots: 15 - 17  
Block: 111  
Plan: 210  
District Lot: 541

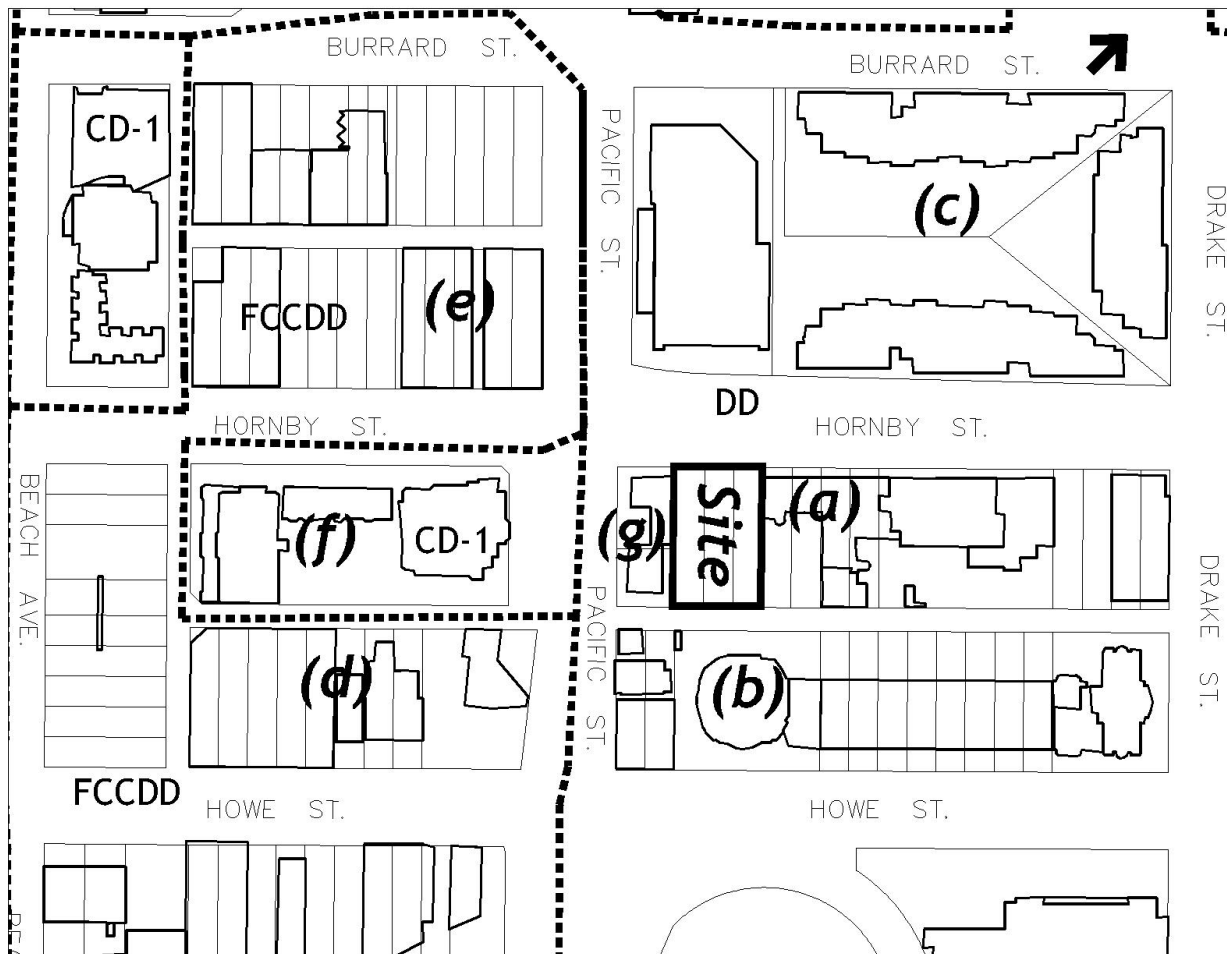
**? History of Application:**

04 09 10 Complete DE submitted  
04 09 29 Urban Design Panel  
04 11 24 Development Permit Staff Committee  
05 01 05 Development Permit Staff Committee

**? Site:** The site is located on the east side of the 1300 Block of Hornby Street. The site does not include the Il Giardino Restaurant located at the northeast corner of Hornby and Pacific Streets.

**? Context:** Significant adjacent development includes:

- (a) 1360 Hornby Street - Pacific Terrace Apartments @ 9 storeys
- (b) 1379 Howe Street - Executive Hotel/Portofino Tower @ 19 Storeys
- (c) 950 Drake - Anchor Point mixed use complex @ 7-8 storeys
- (d) 1475 Howe Street - Approved residential and live-work development @ 30 storeys
- (e) Future development site
- (f) 888 Pacific - existing residential development @ 18 Storeys
- (g) Il Giardino Restaurant



**? Background:** On April 22, 2004, Council approved a re-zoning application from Mr. Menghi to permit the construction of a new boutique-style hotel in a 16 storey (186') tall tower at an overall floor space ratio (FSR) of 6.67 noting that hotel use is not permitted in sub-area N of the Downtown District. The re-zoning enabled the retention, and rehabilitation, of the Leslie House, built c. 1888, for use as a lounge for the adjacent hotel lobby and ancillary office space on the second floor. The additional FSR above the maximum 5.0 permitted in DD Area N represents the heritage bonus floor area for the restoration and designation of the Leslie House which Mr. Menghi sought to retain on site. Council, after considerable deliberation given the concerns raised by owners, neighbours and renters approved the application subject to conditions, including specific design development refinements to ensure a neighbourly interface to the north and east. As a condition of approval, Council requested the provision of an *Operations Management Plan (OMP)* to address concerns raised with respect to uses and activities, both internal and external, of the hotel and restaurant's operation noting historical concerns with the lane environment. Council also mandated a "co-design process" between the applicant and interested neighbours, to be facilitated by city staff, in the resolution of design development conditions and the production of the *OMP*. Staff facilitated several co-design sessions focussing on design development considerations prior to the submission of this complete development permit application. More recently, staff have met with interested neighbours, and/or their representatives to review the draft OMP provided in Appendix G, and to clarify any areas of consensus and concern. Through these recent discussions, and from correspondence received from interested residents and owners, staff have identified and pursued more aggressive approval conditions presented in this report. These conditions focus on the impacts of the pool area, the quality of the north elevation, and related landscape treatment, and how the site/facility operations can be effectively managed to minimise impacts for residents. Staff acknowledge that the development permit application does not include the adjacent lot to the south which has historically shared, and will continue to share, existing restaurant operations noting that staff understand that this lot is under separate ownership. Staff are not aware of specific business arrangements with the owner of this lot and Mr. Menghi which have allowed his operations to bridge the property line.

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

The Council approved CD-1 (Enactment and Form of Development reporting is pending)  
The Parking By-law

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

The following summarizes the applicant's response, with related staff commentary, to the council approved design development conditions established at the re-zoning stage.

**Council-Approved Design Development Condition 1:** Design development to the North and East facades, and related podium rooftop treatment, to improve visual quality for residents of adjacent developments to the north and across the lane; **Note to Applicant:** The podium rooftop treatment should mitigate active uses, and be maintenance friendly.

***Applicant's Response to Condition 1:*** *In discussion with the co-design panel the north façade from the podium level has been carved away to create a series of cascading planters to soften the flanking wall to the Pacific Terrace Apartments rear courtyard.*

*A combination of planting and landscape feature walls will provide privacy for the podium deck and lap pool while screening the activities there from the neighbours. A wood trellis will span across most of the pool surface providing additional sun shading and screening.*

*The lap pool was moved closer to the back wall and a slot was added to the rear elevation to create an infinity edge to the pool. The water from the pool will spill over the metal edge and cascade down into a drainage slot below the pool. This viewing slot will add interest and texture to the lane elevation.*

**Staff Commentary:** The application generally reflects conclusions reached from the co-design process. Staff are requesting further information to ensure quality, and anticipated visual/privacy/acoustical performance, of architectural and landscape systems under Condition 1.1.

**Council-Approved Design Development Condition 2:** Design development to the courtyard, related podium facades, bridging features connecting the Leslie House with hotel functions and landscape treatment to ensure an appropriate setting and scale relationship between the heritage resource and new development. **Note to Applicant:** The bridge element should be transparent in its expression to distinguish the Leslie House's north façade. Careful study of the courtyard's perceived visual scale, including the introduction of large landscape features, is required.

**Applicant's Response to Condition 2:** *The bridge element between the proposed hotel lobby and the restored Leslie House will consist of minimal structure, solid roof and large sliding glass panels that will open and stack to one side providing access to the courtyard on specific occasions.*

*Key components of the ground floor scheme include the embellishment of the Hornby Street Hotel entrance, the interior garden lobby, and the intimate Italian inspired courtyard. The exterior and interior lobby space is appointed with sandstone pavers in a traditional pattern. Climbing hydrangeas supported by green screens flanking the entry into the courtyard frame the view of the 36' high waterfall featuring a thin translucent curtain of water uplit from below. In the middle of the courtyard is a single large specimen Katsura tree that can be seen from inside the restaurant and also glimpsed from the street. Displayed along the east wall of the courtyard are ceramic/metal pots with seasonal plant material featured against backlit ochre coloured acrylic panels.*

*The fourth floor garden includes a generous patio that extends along the northeast edge of the building and offers a linear lap pool embellished with a negative edge. Long bluestone pavers of varying widths stretch across the terrace and interweave with bands of Lily Turf. Narrow bands of black granite are used as accents in the paving pattern and are integrated into the pool edges and coping. Freestanding landscape walls are used as sculptural elements to define and divide the space. A wood and metal overhead structure is located on the east edge of the pool to provide some privacy from adjacent buildings. Evergreen clematis vines supported on wire cables along the walls soften the edges of the garden. A large specimen London Plane tree located near the pool creates a focal point in the garden. The density of cedar hedges and the light foliage of bamboos are used to create interest around the perimeter of the garden.*

**Staff Commentary:** Staff generally support the arrangement of uses in achieving an appropriate setting and scale relationship between the Leslie House and the boutique hotel component. Staff are requesting additional larger scale architectural and landscape information to clarify materials, detailing and landscape aspects under Condition 1.6.

**Council-Approved Design Development Condition 3** Design development to the lane elevation to reduce the visual impact and improve crime and safety performance of loading, parking garage and access and utility functions. **Note to Applicant:** Greater lower level rear yard setback may be required to respond to Engineering and Health conditions of approval related to garbage and recycling facilities siting and access.

**Applicant's Response to Condition 3:** *In discussion with the co-design panel to address concerns of the neighbours with the visual impact, crime, loading and parking garage access, and garbage / recycling, we have added an additional loading bay (only one was required) to help alleviate the lane congestion.*

*To better control traffic congestion and parking garage access we have gone to a car elevator system controlled by a valet parking attendant. An additional staging area is provided so that several cars can be parked inside the building while waiting for the elevator.*



*An enclosed and enlarged garbage / recycling area is provided to contain garbage dumpsters out of sight of the neighbours.*

**Staff Commentary:** Staff remain anxious with respect to the functionality, and related congestion, given the additional activity this proposal will generate. Staff also note the close proximity to residential units and therefore are requesting the applicant to pursue further design development to improve vehicular access under Condition 1.6 and to improve CPTED performance under standard Condition A.1.1.21.

**Council-Approved Design Development Condition 4:** Design development to all facades to refine detail intent, ensure visual interest and reduce the perceived visual scale to ensure an appropriate visual relationship with Leslie House.

**Applicant's Response to Condition 4:** *The exterior façade will reflect a simplified modernist approach with details expressed in a number of materials including architectural pre-cast concrete panels, natural stone, zinc, composite terracotta panel and poured in place concrete to create a richer more vibrant feel.*

*To create a greater sense of contrast on the exterior different colours and textures of natural sand stone will be used on the lower podium portion of the façade. The overall palette will consist of earth tones of terracotta reds and ochre's, warm greys and the grey green of zinc.*

*The proposed hotel is comprised of four basic elements: a three storey podium base which contains lobby, meeting and banquet rooms, lounge and back of house facilities; a twelve storey tower with 40 units; a one storey penthouse with 1 unit; and a simple campanile style tower - with bell -which will offer the hotel guests a unique visual vantage point. The redesign of the hotel pulls the proposed building profile away from its immediate neighbour by stepping the facade along Hornby Street and creating a roof top garden at the fourth floor level along the party wall between the adjacent property.*

*Of the four elements the podium base is the most visually immediate, expressing the hotels public image and articulating it's main Hornby Street entry. The glazed entrance is set back from the street creating a recess, which reflects the scale of it's historic neighbour the Leslie House. A steel and glass canopy accentuates the main entrance and covers the sidewalk in front, while also creating a horizontal tie in with roof line of the Leslie House's heritage façade. As the base wall runs down the side of the historic house it turns 90 degrees, creating a three-storey wing, which encloses the space between the hotel, house and the Il Giardino restaurant, creating a small intimate semi-enclosed courtyard. The Leslie House will be connected to the hotel lobby by a glazed walkway with sliding glass doors which will allow the courtyard to be opened to the public on select occasions while providing security when closed.*

*The overall site conditions dictate an elegant, more compact building profile with the major circulation provided by a central core with hotel rooms facing towards the south and west, above the third floor, to maximize sun penetration to the landscaped rooftop terraces of the Pacific Terraced Apartments immediately to the north. The south façade is broken into two distinct elements with different articulation and use of materials. This distinctiveness is accentuated by glazed wall with horizontal sunscreens in between. At the base of the rear element a three-storey section pushes out towards the existing restaurant creating a greater sense of articulation and depth, giving the façade more expression. Also contributing to the overall effect is a change of material from pre-cast concrete panels to sand stone / natural stone cladding and the use of rustic earth tones to give a greater sense of contrast.*

**Staff Commentary:** Staff support the proposed revisions. No further design development is required.

**Council-Approved Design Development Condition 5:** Design development to provide one additional street tree along Hornby Street ( in the area of the closed curb crossing). **Note to Applicant:** On the development permit drawings, new street trees should be noted "Final species, quantity and spacing to the approval of the City Engineer and Park Board." Contact Eileen Curran (604-871-6131) of the Engineering Streets Division regarding street tree spacing and quantity and Bill Stephen (604-257-8587) at the Park Board regarding tree species.

**Applicant's Response to Condition 5:** *This street tree addition was missed on the Landscape drawings, but will be added to match existing tree species and spacing to the approval of the City Engineer and Park Board.*

**Staff Commentary:** Formal documentation is required under standard Condition A.1.17.

**Council-Approved Design Development Condition 6:** Design development to garbage storage area to minimize nuisances.

**Applicant's Response to Condition 6:** *In discussion with the co-design panel an enclosed garbage containment area / room was proposed. By locating this room inside the loading bay area it is possible to screen the garbage containers and minimize sight and smell nuisances.*

**Staff Commentary:** Staff support the proposed revisions subject to further refinements that may occur as a result of design development to vehicular access as required under Condition 1.4.

**Council-Approved Design Development Condition 7:** Design development to ensure underground parking is adequately ventilated to prevent the build-up of noxious gases. **Note to Applicant:** Prior to construction, detailed drawings for 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 and details of the swimming pools/hot tubs are to be submitted to the Environmental health Division and the Provincial Health Engineer.

**Applicant's Response to Condition 7:** *VEL Engineering is doing preliminary design development on creating and effective ventilation system to ensure that the underground parking levels are adequately ventilated to prevent the build-up of car exhaust.*

**Staff Commentary:** Confirmation of exhaust systems is required to ensure that they are appropriate located, integrated and disguised. Refer to Conditions 1.3 and A.3.3.

**Council Approved Design Development Condition 8:** Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for reducing opportunities for: i) theft in the underground by securing the parking with a gate; ii) mischief in alcoves on the lane; and (iii) vandalism such as graffiti on the lane.

**Applicant's Response to Condition 8:** *CPTED principles have been considered and incorporated into the project design including the following:*

*Elimination of hidden corners and appropriate lighting of building areas, particularly at street level.*

*Separation, security and keying of vehicle elevator and exit stairs to prevent unauthorized access to non-public areas of the building. Underground parking access will be limited to hotel valet parking attendants only.*

*By adopting a vehicle elevator it was possible to add an additional loading bay to upgrade the lane loading and drop off area by increasing the accessibility of this area.*

*Providing a covered link, with operable sliding doors, from the Leslie House to the proposed hotel will act as a security barrier to control / prevent unauthorized access to the courtyard behind the Leslie House.*

*Although the present design does not show the loading areas and parking access with controlled security gates they could be added if required.*

**Staff Commentary:** Further design development is required. Refer to CPTED Conditions A.1.20 and A.1.21.

**Council Approved Design Development Condition 9:** Parking and loading for the new development are to be provided as per Section 4.3.2 (DD requirements) of the Vancouver Parking By-Law.

***Applicant's Response to Condition 9:*** All parking and loading requirements have been incorporated into the design.

**Staff Commentary:** Further design development is required. Refer to Engineering commentary and Condition 1.4.

**Council-Approved Design Development Condition 10:** Parking for the existing restaurant and other ancillary functions of the Leslie house shall be provided as per Section 4.3.1, Area II of the Vancouver Parking By-Law within the hotel parkade.

***Applicant's Response to Condition 10:*** All parking requirements have been incorporated into the design.

**Staff Commentary:** Further design development is required. Refer to Engineering commentary and Conditions A.1.6. and A.2.2.

**Council-Approved Design Development Condition 11:** All garbage and recycling facilities for the hotel and restaurant are to be provided on site to the satisfaction of the General Manager of Engineering Services, including appropriate access and right-of-way agreements.

***Applicant's Response to Condition 11:*** All garbage and recycling containment requirements have been incorporated into the design.

**Staff Commentary:** Further design development is required. Refer to Engineering commentary and Condition A.2.4.

**Council-Approved Design Development Condition 12:** Design development to ensure that Fire Department access to building entries and from the lobby to below - and above - grade levels comply with the Vancouver Building By-Law. **Note to Applicant:** Review Section 3.2.2.20 - Co-ordination of Fire Fighting Facilities. Fire protection equipment (i.e., fire hydrant location, fire department connection, central alarm and control facility and standpipes) should be indicated on Development Permit drawings.

***Applicant's Response to Condition 12:*** All Fire code issues will be addressed and incorporated into the design.

**Staff Commentary:** Staff recommend that the applicant pursue further consultation to determine implications for the design as submitted.

**Council Approved Design Development Condition 13:** Design development to mitigate noise impacts on the site. **Note to Applicant:** An Acoustical Consultant's report which assesses noise impacts on the site and recommends mitigating measures will be required with the Development Permit application. If a bell or bells are to be incorporated, they should be considered in the consultant's assessment, noting that they would not be subject to the Section 8(b) exemptions of the Noise By-law No. 6555.

***Applicant's Response to Condition 13:*** In discussion with the co-design panel design development issues to mitigate noise impacts on the site where discussed. Wall and plant screening was introduced

*on the deck level to provide privacy and soften and help mitigate the noise levels on the deck from adversely affecting the neighbours.*

*A preliminary operational management plan has been developed by the Owner and will be discussed with the co-design panel to gather neighbourhood input. After consultation a final document will be produced which will among other things deal with times of operation etc. that will help to allay/control noise related issues.*

**Staff Commentary:** An acoustical report has been provided assessing noise from the pool/bar. An additional acoustical report is required to assess the noise impacts on site. Refer to Condition A.3.1.

**Status of Agreements:**

The status of the following agreements established at the re-zoning stage is summarized in Appendix H.

- a. *The consolidation of Lots 15, 16, and 17, Block 111, D.L. 541, Plan 210 has occurred. Plans were deposited in the Land Title Office on July 28, 2004.*
- b. *In discussions with VEL Engineering and the various City of Vancouver Engineering Departments, no off site sewer upgrading is required.*
- c. *Discussions for relocating of the "H" pole in the lane are ongoing. Verbal approval has been given by BC Hydro and the City that the pole can be relocated. We are in the process of getting approval from the neighbour across the lane.*
- d. *Arrangements for under grounding of any new electrical and telus services from the closest existing suitable service point are ongoing between our consultant Falcon Engineering and the various authorities involved.*
- e. *When written confirmation is provided by the authorities involved we will provide the information necessary execute a legal agreement satisfactory to the Director of Legal Services.*
- f. *The Heritage Revitalization Agreement has been registered.*

**? Conclusion:** Staff support the complete development permit application with the conditions as presented. Staff note that these conditions are considered to be design refinements noting that the proposal generally responds to Council's design development conditions. Staff recommend that the owner continue to engage interested neighbours during, and after, construction to ensure they are updated with field progress and that their concerns are acknowledged. Staff are anxious about the longer term commitment by the owner to effectively implement the *Operations Management Plan and will therefore continue to monitor its effectiveness with adjacent residents and owners.* Given this concern, staff are strongly recommending the enclosure of the outdoor pool area, or as an alternative - restricted usage, to ensure that operational impacts associated anticipated activities are minimised. Staff support the heritage strategy outlined under this application subject to the detailed responses to the heritage conditions.

**URBAN DESIGN PANEL**

The Urban Design Panel reviewed this application on September 29, 2004, and provided the following comments:

**EVALUATION: SUPPORT (7-0)**

- **Introduction:** Scot Hein, Development Planner, presented this application. The Panel supported the proposal at the rezoning stage. The main design development conditions of the rezoning related to the interface with the adjacent courtyard to the north, the north elevation interface, and the relationship of the yellow house to its adjacency with the new boutique hotel to the north and the courtyard at the rear. Since the rezoning one change has occurred on the Hornby frontage whereby the corner element has been increased by one floor.

Issues of use, form, general massing and public benefit have been determined at the rezoning stage. The Panel's advice is sought on the response to the rezoning conditions and on the recent change to the Hornby frontage.

- **Applicant's Opening Comments:** Chris Bozyk, Architect, described the changes to the scheme since the Panel's last review. He briefly described the design rationale and the applicant team responded to questions from the Panel.

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

- the northwest corner was considered better to be one floor lower, but not essential;
- if possible, the campanile feature element should be higher;
- there may be opportunity to increase the amount of greenery on the northwest wall and reduce the amount of exposed concrete;
- design development to reduce the blankness of the south façade.

- **Related Commentary:**

The Panel unanimously supported this application and acknowledged the lengthy process undergone by the applicant to reach this stage. The Panel found the scheme considerably improved since the rezoning and appreciated the applicant's response to the previous comments. It was thought that even more improvements could be achieved with some further small gestures.

Most Panel members thought the northwest corner should be lowered by one floor, but there was no strong consensus. One comment was that the revised height matches the symmetry of the more distant northerly neighbour. Another was that it would be more neighbourly to bring it down one floor and avoid a blank façade.

The Panel found the revised expression of the north face of the building much more respectful of the northern neighbours' courtyard and the feature wall in harmony with the landscaping of that neighbouring courtyard. There was a suggestion that the lower planter could be lowered rather than being stepped up on the top stair. It may also be possible to move the stair, without detriment to the building, and to further articulate the taller planters to expose less of the concrete wall to the neighbours.

The Panel appreciated the retention of the yellow heritage house. It was agreed it will always be an "odd" relationship and the two scales impossible to reconcile. Panel members were satisfied that everything had been done to give it as much breathing space as possible.

The Panel liked the inclusion of the campanile tower but found it too low and too buried by the mechanical to make a major statement about the design of the building. One Panel member indicated support for an increase in height to express this element more successfully.

Some Panel members suggested further design development to the south façade which is still somewhat blank.

One Panel member thought there should be a reduction in the number of parking spaces given it is intended to be valet parking only which does not require the same aisle widths. It was suggested the various manipulations of the tower have resulted in less efficient parking.

The Panel found this to be a very successful, elegant project and it was noted that going taller in this case has made an enormous difference at no detriment to the city.

## HERITAGE

### Heritage Value and Agreements:

The house at 1380 Hornby Street is historically valuable for both cultural and architectural reasons. Built in 1888, the Leslie House is one of the earliest surviving examples of housing in Vancouver and is architecturally significant as a rare example of a "cottage" version of a "Queen Anne" style Victorian house. The building's cultural significance lies within its status as the oldest surviving building in the area and how it illustrates the nature of housing for Vancouver's first inhabitants. For these reasons, the building is significant to all of Vancouver and has been given the highest rating of an "A" on the Vancouver Heritage Register.

The owner proposes to restore and rehabilitate the heritage house and use it as lounge area for the hotel functions. In exchange for the conservation costs to the exterior of the building and certain interior features, the owner requested bonus density for use on site and offered to designate the building and enter into a Heritage Revitalization Agreement (HRA) with the City. Both the designation and the HRA have been registered against the title of the land along with a 219 covenant that restricts occupancy of the tower until the restoration work has been completed and obligates the owner to protect the site from vandalism during the redevelopment process.

The **Vancouver Heritage Commission** reviewed the application at numerous stages and passed a motion to support the rezoning on July 21, 2003. The Commission saw the project once again on December 6, 2004 to review the Development Application drawings and made the following motion.

THAT the Vancouver Heritage Commission supports the proposed Development Application at 1380 Hornby Street, with respect to the conservation of the heritage building, relationship of the heritage building to the new tower and the contemporary interpretation of an Italian Garden courtyard approach to landscaping.

FURTHER, THAT the Vancouver Heritage Commission recommends the following:

- (i) An interpretative program form part of the development application and be of a material and placement that will not detract from the heritage building;
- (ii) Further investigation into the kinds of planting in the courtyard in order to further define the house from the tower;
- (iii) The applicants work with the staff/neighbourhood co-design team to further investigate additional greening/façade treatment that could soften the look of the towers north elevation as seen from the adjacent residential development.

Staff have added prior to conditions to better relate the heritage building to the tower and these are contained within the report, however the scope of the project satisfies the intent to preserve, protect and rehabilitate the heritage building and complies with the agreements approved by City Council.

## ENGINEERING SERVICES

The key transportation issue for this site is how the accessibility of parking and loading are resolved. Engineering Transportation staff carefully reviewed the proposed elevator access into the underground parking, as well as the neighbouring residents' concerns about traffic and delivery vehicle congestion in the lane. In conclusion, staff recommend against approval of a vehicle elevator as the sole means of access to the underground parking on this site. The Operations Management Plan requires further work to address neighbourhood concerns and enable full Engineering support.

The Parking By-Law does not specifically address the issue of parking entry using a ramp versus a vehicle elevator. There is however, a long-standing and commonly understood and accepted means of access via a parking entry ramp, which delivers the expected level of [ready] access. In rare

circumstances, access to residential parking spaces has been approved through the use of a vehicle elevator, where particulars of site configuration and building program meant that elevator access was the only viable means of achieving access to parking on the site.

There are very few examples of developments which have proposed the use of, or have both an approved and issued Development Permit where a vehicle elevator provides access to some on-site parking. An applicant must make a clear and decisive case to demonstrate severe hardship due to unusual site constraints or other mitigating factors before Engineering Services will support a proposal for parking access by vehicle elevator. Several residential sites recently considered have lower average peak vehicle use, and ½ or less the number of parking spaces, than this proposed restaurant and hotel use. Elevators which have been considered or approved include 1180 Hornby (approx. 16 spaces), 540 Beatty (21 spaces), and 1241 Hornby (14 spaces), and these were considered at the limits of the elevator capability without creating unacceptable public impacts.

An elevator has several disadvantages over a parking ramp. There are significant capacity limits and in this development proposal a single elevator would not be nearly adequate to serve the traffic generated by the site. Being mechanical, it is susceptible to break down and will eventually require repair and maintenance. At such times, vehicle entry and exiting will be impossible without a secondary elevator. At commercial sites, visitors upon arrival will not instinctively know how to operate the system, and have little or no experience to draw upon for reference. Dependence on valet parking is not acceptable to ensure safe vehicle entry, as either the use, management, or ownership of the building may change and result in the loss of valet services. Moreover, use of the City street fronting a site for valet parking cannot be guaranteed indefinitely since on-street stopping regulations can change for a variety of reasons; for example, to eliminate vehicle stopping or parking on the street in order to accommodate the movement of peak hour traffic, to install bicycle lanes, or to be allocated for a higher priority use such as a transit zone.

Engineering staff met with some of the neighbouring residents to listen to their concerns about existing traffic and loading conditions in the rear lane. These concerns were not only related to activities resulting from the current restaurant operation, but also included taxi shortcutting at considerable speeds, illegal vehicle parking, and lane traffic congestion and access difficulties arising from garbage collection activities and delivery operations to the many businesses in the lane. Engineering staff expect the Operations Management Plan will result in better coordination of deliveries to the site, at times of the day that will minimize the impact to adjacent properties, and in trucks sized to fit into the on-site loading space. Moreover, staff encourage the applicant, Mr. Menghi, to consult with neighbouring businesses and residents in order to better coordinate their collective delivery schedules and garbage and recycling container collection with a view to eliminating most, if not all, trips by large trucks into this lane. The neighbours also had concerns about the possibility of tour bus idling occurring on Hornby Street. Staff expect a boutique hotel to generate little or no bus traffic, and gave assurances that City Parking Enforcement Officers are able to issue tickets to drivers of buses with engines idling excessively.

Engineering staff ask that the applicant provide only one Class B loading space with a height of 3.8 m (12'6") and width of 12' to accommodate a greater range of vehicles. One loading space meets our loading requirements and can work as well as two spaces with proper loading management, but will benefit the site by not using valuable floor area required for the kitchen or for the garbage and recycling containers. Staff believe that the neighbourhood residents' concerns about lane congestion from vehicular activity at the site will be lessened through prudent scheduling of both garbage and recycling services, as well as, regular deliveries in appropriately sized trucks, in conjunction with the provision of an oversize (taller and possibly wider) Class B loading space. Engineering Staff have been in discussion with the project architect and are satisfied that an alternative access plan which proposes a traditional two-way parking entry ramp and a single, oversized loading space, is achievable.

### **ENVIRONMENTAL PROTECTION BRANCH**

An erosion and sediment control plan is required for review and approval at the Building Permit Application stage.

### **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 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) Details of swimming pools/hot tubs to be submitted to the Environmental Health Division Provincial Health Engineer prior to construction.
- (iii) The garbage storage area is to be designed to minimize nuisances.
- (iv) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases.
- (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 into the building.
- (vi) Details drawings of amenity spaces to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction.

### **FIRE & RESCUE SERVICES**

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

### **NOTIFICATION**

One sign was erected on the site on November 15, 2004. On November 22, 2004, 922 letters were sent to neighbouring property owners advising them of the application. Seven responses were received, expressing a variety of concerns. In summary, the respondents indicated concern about ensuring the 80 foot separation between towers as laid out in the Council rezoning approval, concern about the increasing amount of traffic on Hornby, loss of individual views and privacy, noise from the pool and other users of the roof deck, traffic congestion in the lane, the visual quality of the north elevation and



exterior wall, and the location of the garbage bins. There were also general comments and requests for more details in the Operations Management Plan.

**Staff Response**

Confirmation of the 80 foot separation between towers has been received from an independent surveyor (a copy is attached as Appendix F). Design development conditions have been included to address concerns regarding noise from the pool and roof deck which recommend enclosure of the pool area. Landscape and design development conditions also address improvement of the visual quality of the north elevation and exterior wall. The Operations Management Plan is felt to be a good first effort, but requires additional details regarding traffic, deliveries and overall management of the lane environment.

**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Development Permit Staff Committee reviewed the proposal on November 24, 2004, however, it was noted that meetings were scheduled with the neighbours relating to the Operations Management Plan, and the project was returning to the Heritage Commission on December 6, 2004 for review.

DPSC reviewed the report again on January 5, 2005 and recommended support for this application subject to the recommended conditions as set out in this report. Staff noted concerns about the Operations Management Plan and its ability to be effective, and staff strongly encourage the applicant to take the Operations Management Plan seriously. Staff believe the project should contribute to improving the lane environment, but acknowledge that activities in the lane are not all necessarily related to the proposed development. Staff also noted concerns about the pool and recommend enclosure of the pool area to address the noise and privacy issues.

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B. Boons  
Chair, Development Permit Staff Committee

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S. Hein, MAIBC  
Development Planner

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B. Mah  
Project Coordinator

Project Facilitator: K. Hemmingson

## 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 provide a survey plan verified by a registered BC Land Surveyor, indicating site dimensions and site area;

A.1.2 decrease total proposed floor area to comply with Section 3.1 (Density) of the pending CD-1 By-law;

**Note to Applicant:** Storage rooms in the underground parking levels are included in FSR. Verify and confirm all floor areas of proposed hotel, including heritage building, on FSR overlays. Dimensions used to calculate floor areas must be reflected on all floor plans. Provide accurate and complete information to support calculations. Where applicable, the applicant's figures are used to provide a summary for the technical analysis to assist in representing the proposal.

A.1.3 clarify and identify all balcony areas;

**Note to Applicant:** Provide details of all balcony areas.

A.1.4 reduce building height and top floor plate to comply with Section 4.2 (Height) of the pending CD-1 By-law;

**Note to Applicant:** Total building height, including elevator machine room and screening for mechanical units, must not exceed 186 ft. Area of floor plate of building having increased height above 173.2 ft. must not be greater than 15% of area of floor plate of storey immediately below it, excluding mechanical equipment. Provide detailed calculations and interpolations of building grades for proposed height, including locations of and distances to critical points. Submit an up-to-date copy of the City building grades plan.

A.1.5 provide setback requirements on the east (lane) property line to comply with Section 5 (Setbacks) of the pending CD-1 By-law;

**Note to Applicant:** Clarify height of podium on the rear (lane) elevation. Reduce bay extensions into the west (Hornby Street frontage) setback from 5 storeys to 4 storeys. Clarify and indicate all setbacks from property lines, including setbacks of existing heritage building.

A.1.6 provide disability parking spaces to comply with Section 4.8.4 of the Parking By-law;

**Note to Applicant:** Where 40 - 74 parking spaces are provided, two disability parking spaces are required. Disability parking spaces must have a minimum vertical clearance of 7.55 ft., including all entrances, exits, drive aisles, other access to and from these spaces. Each disability parking space provided to meet the minimum required number of such spaces can be counted as two parking spaces for the purpose of satisfying the minimum required number of parking spaces.

A.1.7 provide detailed, accurate and fully dimensioned floor plans;

**Note to Applicant:** Clarify use of all areas, rooms, voids and open spaces, including accessory uses. Provide layout of sleeping unit on the 16th floor. Clarify use of lounge areas. Where lounge areas include a liquor license, a separate application and process is required. Is the existing restaurant separate from or part of the hotel operation? Clarify alterations along south

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property line and outdoor bar on landscape plan. Show pool on sections B-B and C-C. Revise project statistics to reflect proposal.

A.1.8 provide details of sunscreens, planters, screen walls, open spaces, etc.;

**Note to Applicant:** Floor plans should be coordinated with the landscape plans.

A.1.9 identify and label all exterior finish materials on all building elevations;

A.1.10 provide a summary of number, type and size of all sleeping (guest) units;

**Note to Applicant:** Verify and confirm that all sleeping units have a minimum floor area of 104.4 sq. ft. in accordance with Section 10.19 (Sleeping Units) of the Zoning and Development By-law.

A.1.11 design development to locate, integrate and fully screen any emergency generator, exhaust ventilation, electrical substation and gas meter in a manner that minimizes their impact on the building's open space and the public realm;

**Note to Applicant:** In order to prevent contaminated air from being drawn into the building, all fresh-air intake portals must be located away from driveways, and parking or loading areas. Show exhaust systems, including location, sizes and related detailing to ensure that they are appropriately located with respect to window openings and architecturally integrated/screened to reduce their visual impact.

A.1.12 annotate on plans stating: "The design of the parking structure regarding safety and security measures shall be in accordance with Section 4.13 of the Parking By-law.";

A.1.13 annotate on plans stating: "The design of the bicycle spaces (including bicycle rooms, compounds, lockers and/or racks) regarding safety and security measures shall be in accordance with the relevant provisions of Section 6 of the Parking By-law.";

### Heritage Conditions

A.1.14 provide colour sample board of proposed colour scheme following investigation into historic colours of the building;

**Note to Applicant:** Given the identifying nature of the colour and its associations with the restaurant on site, a proposed colour scheme that incorporates yellow could be supported. Include all heritage conservation drawings within the large format development application drawing package. The drawings should include all notes related to proposed changes and conservation of the building. The exterior and interior elevations should be annotated clearly to show which existing exterior and interior elements are to be retained, restored, altered or removed and what is new.

A.1.15 provide a revised landscape plan for the courtyard to comply with the requirements set out within the rezoning process that called for a landscape "buffer" to differentiate the heritage house from the hotel;

**Note to Applicant:** See Landscape Conditions for further clarification.

A.1.16 Provide an interpretive element that relays the history of the site and locate the element within public view;

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**Note to Applicant:** In addition, confirm that no future signage will be requested for the heritage house. The City will provide the heritage house with a commemorative bronze plaque once the project has been completed and will affix the plaque to the front of the heritage house. The interpretive element can occur anywhere within the immediate vicinity of the house while in public view.

### Standard Landscape Conditions

A.1.17 provide illustration on landscape plan (L1.1) of details and extent of proposed public realm on Hornby Street;

**Note to Applicant:** Show all existing and proposed street trees, including the additional street tree required on Hornby Street.

A.1.18 design development to the ground level central courtyard to provide a visually strong green landscaped wall at the east side of the courtyard.

A.1.19 clarify planting depths for proposed specimen trees on landscape sections A, B and C;

**Note to Applicant:** Planting depths can be illustrated by showing planter walls and underlying slab.

### Crime Prevention Through Environmental Design (CPTED)

A.1.20 design development to reduce opportunities for graffiti along the lane frontage; and

A.1.21 provide a gate on loading spaces to be closed during non-business hours and at the entrance to the parking ramp.

### A.2 Standard Engineering Conditions

A.2.1 clarify intent to allow access between this and the site to the south and make arrangements to the satisfaction of the Director of Planning and Chief Building Official for access to all uses in accordance with the Vancouver Building By-law;

A.2.2 delete tandem parking spaces or show as a single space;

**Note to Applicant:** Parking spaces require an unobstructed manoeuvring aisle and though tandem parking spaces are permissible, they can only be counted as single parking spaces, since the buried vehicle may be obstructed in accessing the manoeuvring aisle.

A.2.3 design elevations are required at all entrances along the lane and Hornby Street as well as notation of all slab elevations at entries to ensure building grades are correctly met;

**Note to Applicant:** Correct design elevation on Hornby from 166'.50" to 166'.67" and 171'.12" to 171'.26".

A.2.4 Provide confirmation to the satisfaction of the General Manager of Engineering Services that the solid waste (garbage/recycling) facilities will be sufficient to accommodate all materials generated by the kitchen for all food services that it supplies;

Note to applicant: The space indicated does not appear to be an adequate size to store both garbage bins and recycling containers for all the uses, including the site to the south.

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- A.2.5 clarify canopy proposal, the proposed canopy at the Hornby Street property line is not shown at the same location on all pages:  
-Pages DP 05, 06, 07 indicate the canopy to be just over the PL onto city street  
-Page DP16 indicates it to be just inside the PL  
-Page DP18 indicates it to be an even greater distance over the property line;

**Note to Applicant:** If an encroaching canopy is intended then provide a canopy width that adequately protects the public sidewalk users.

- A.2.6 provide Downtown South streetscape adjacent the full frontage of the site; and
- A.2.7 arrangements shall be made to the satisfaction of the General Manager of Engineering Services for relocation of the hydro pole in the lane that obstructs access to the loading;

**Note to Applicant:** Any changes to the BC Hydro servicing also requires the approval of the City Engineer. Any transformers are to be provided on site with all servicing underground per the CD-1 By-law.

- A.2.8 provide one enhanced Class B loading space;

**Note to Applicant:** a minimum of 3.5m (12'6") unobstructed overhead clearance is required and additional loading bay width is recommended.

### **A.3 Standard Vancouver Coastal Health Authority Conditions**

- A.3.1 an acoustical consultant's report shall be submitted which assesses noise impacts on the site (by the development) and recommends noise mitigation measures in order to achieve noise criteria;
- A.3.2 confirmation is supplied by the applicant and notations required on plans that the acoustical measures will be incorporated into the final design and construction, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer); and
- A.3.3 confirmation is supplied by the applicant and notation required on plans that mechanical (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 & Rescue Services contained in the Staff Committee Report dated January 5, 2005. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the "prior-to" response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **July 31, 2005**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the by-law or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

## **B.2 Conditions of Development Permit:**

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
  - B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
  - B.2.3 All services, including telephone, television cables and electricity, shall be completely underground.
  - B.2.4 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
  - B.2.5 This site is affected by the Development Cost Levy By-law No. 6924. Levies will be required to be paid prior to issuance of Building Permits.**
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### Processing Centre - Building comments

The following comments have been provided by Processing Centre - Building and are based on the architectural drawings received on September 10, 2004 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law.

1. Building is required to be noncombustible construction.
2. Building is high-rise and VBBL 3.2.6 Requirements for high buildings apply to entire building.
3. Area of refuge at exits stairs shall be provided for every required accessible floor areas where common areas are provided such as Lounges, banquet facilities, amenity spaces, meeting room, Pool, roof top garden, lobby, accessible parking floor, minimum sleeping units per VBBL 3.8.2.31. etc.
4. The building is required to provide access to persons with disabilities and shall conform to 3.8. Accessible parking stalls are also required.
5. Two means of egress/exit required from roof top garden area.
6. Storage garage security shall conform to 3.3.6.7.
7. Stairs serving the basement storage garage shall be terminated at ground level exiting and separated from stairs serving above ground occupancies.
8. Vestibules are required as per VBB 3.3.5.7
9. Vehicular elevator may require equivalency.
10. Full upgrade of existing building is required if horizontal exiting is used from new building to existing building. Clarification required regarding fire wall, fire separation etc
11. If two lots are not consolidated, Legal Agreement for access between properties is required.
12. Walls in the courtyard area may require exposure protection and fire rating. If these walls are considered internal wall then it requires to terminate at vertical fire separation.
13. Two exits are required from 16th floor and from roof deck viewing area (17th floor).

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

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### Fire and Rescue Services Comments

The following comments have been provided by Fire and Rescue Services and are based on the architectural drawings received on September 10, 2004 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with fire provisions of the Vancouver Building By-law.

- a.) Clarify suite door that opens directly into the single exit stair. Floor 16 is a single hotel suite. Only 1 exit provided from this level. Fire Fighter's Elevator opens directly into suite.
- b.) Clarify stair access. For stair access to Floors 5-15, fire fighters have to cross over to scissor stairs behind elevator core.
- c.) Access required to both scissor stairs from the stair from Hornby Street.
- d.) Direct access required from hotel lobby to kitchen.
- e.) Identify how Fire Department responds to restaurant and lounge. Clarify whether they are addressed separately.
- f.) Access to offices on second floor required review for Fire Department response
- g.) Two exits /access required from scissor stairs to level 16. Review exiting and Fire Fighters elevator.
- h.) Access required to all food areas for fire department.