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1499 WEST PENDER STREET (COMPLETE APPLICATION)  
DE411520 - ZONE CD-1 (Pending)

RRS/MS/LEB/AH/LH

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

B. Boons (Chair), Development Services  
S. Brodie, Engineering Services  
L. Gayman, Real Estate Services  
C. Tapp, Social Planning  
T. Driessen, Park Board

**Also Present:**

R. Segal, Urban Design & Development Planning  
M. So, Development Services  
A. Higginson, Development Services  
W. Memon, Engineering Services

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**APPLICANT:**

Jeff Christianson  
IBI/HB Architects  
#700 - 1285 West Pender Street  
Vancouver, BC  
V6E 4B1

**PROPERTY OWNER:**

Reliance Properties Coal Harbour Ltd.  
#305-111 Water Street  
Vancouver, BC  
V6B 1A7

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop this site with a mixed-use Retail, Residential, Restaurant and Live-Work project containing a total of 145 units, comprised of a 36-storey west tower; a 10-storey east tower; a 5-storey podium; and seven levels of underground parking.

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

Appendix F Rezoning Report

● **Issues:**

1. Detailed design of various exterior building elements

● **Urban Design Panel: Support**

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DE411520 as submitted, the plans and information forming a part thereof, thereby permitting the development of a mixed-use project comprised of a 36-storey west tower, a 10-storey east tower and a 5-storey podium, all over seven levels of underground parking, subject to enactment of the pending CD-1 By-law and Council's approval of the final form of development and also 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:
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- 1.1 design development to further refine the Public Realm interfaces, including consideration to integrating Public Art, as follows:
    - i) Pender Street sidewalk: incorporation of the adapted Triangle West Public Realm Treatment used on the 1100 - 1200 Block West Pender Street ("Ritz"; "Flatiron" and "Sapphire" developments); and
    - ii) incorporating higher quality materials, such as stone, for various planter walls and water features on Broughton and Nicola Streets.
  - 1.2 further design development to the interface of the Broughton Street setback with Pumphouse Plaza to enhance the treatment of this edge as well as its integration with the Plaza;

**Note to Applicant:** Providing for more gracious pedestrian access through to the Plaza is sought. The detailed servicing, maintenance, and operations requirements of the Plaza should be determined in liaison with staff. A separate application and arrangements will ultimately be necessary for any outdoor restaurant seating or any use of the Plaza.
  - 1.3 further design development to the blank elevator core walls on Pender Street to add visual interest, texture and relief;

**Note to Applicant:** Adding narrow vertical "slit" windows at the stairwell landings should be considered where possible. The proposed LED lighting should be pursued as part of the needed architectural refinement (i.e. not as Public Art) noting that care must be taken regarding glare/light intensity so as not to impact livability for facing neighbours.
  - 1.4 further design development to increase daylight, as much as possible, and to set back where feasible and soften the lower level concrete walls to the rear exterior space facing "Dockside" (1478 West Hastings Street);

**Note to Applicant:** The blank wall at the retail service corridor should be rethought. Garage exhaust/intake vents must be located so as not to impact "Dockside" livability. The easterly exit stair and door, with covered area to its east, should also be re-thought, taking into account the potential nuisance factor (CPTED) of this small area. (See also Standard Condition A.1.11)
  - 1.5 further design development to the exterior glazing, including consideration of the use of curtain wall for the entire project (rather than a mix of curtain and window wall);

**Note to Applicant:** The introduction of more colour into the proposal at appropriate, non-vision glass areas should be considered.
  - 1.6 design development to the East Tower's west-facing façade to address solar heat gain on the sloped portion; and
  - 1.7 design development to reduce as much as possible the volume of the elevator mechanical penthouse serving the podium.
  - 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.
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• **Technical Analysis:** Pending CD-1 By-law

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size	-	-	Irregular
Site Area <sup>1</sup>	-	-	23,983 sq. ft.
Floor Area	255,656 sq. ft.		Commercial Uses: West Tower (Retail)           3,559 sq. ft. East Tower (Restaurant)       2,840 sq. ft. Podium (Retail) <u>7,655 sq. ft.</u> Total                               14,054 sq. ft.  Residential Use: West Tower                       159,383 sq. ft. East Tower <u>47,358 sq. ft.</u> Total                               206,741 sq. ft.  Live-Work Use: Podium                             33,134 sq. ft.  Overall Total                         253,929 sq. ft.
FSR	10.66 FSR		Commercial Uses: West Tower (Retail)           0.15 FSR East Tower (Restaurant)       0.12 FSR Podium (Retail) <u>0.32 FSR</u> Total                               0.59 FSR  Residential Use: West Tower                       6.65 FSR East Tower <u>1.97 FSR</u> Total                               8.62 FSR  Live-Work Use: Podium                             1.38 FSR  Overall Total                         10.59 FSR
Open Balconies	19,190 sq. ft.		West Tower                         11,306.2 sq. ft. East Tower                         3,340.4 sq. ft. Podium <u>0.0 sq. ft.</u> Total                                 14,646.0 sq. ft.
Height <sup>2</sup>	352.4 ft. 377.3 ft.(top of cooling tower)		West Tower: Top of Parapet Wall           353.3 ft. Top of Elevator Machine Room 368.1 ft. Top of Cooling Tower         369.8 ft. East Tower: Top of Parapet Wall           108.4 ft. Top of Elevator Machine Room 123.7 ft. Top of Cooling Tower         125.3 ft. Podium: Top of Parapet Wall           60.3 ft. Top of Elevator Machine Room 87.5 ft.

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED																																
Parking <sup>3</sup>	Commercial 16 sp Residential (max) 278 sp Live-Work (max) <u>60 sp</u> Total 354 sp  Small Car 89 sp (25% max.)	Commercial 16 sp Residential (min) 198 sp Live-Work (min) <u>44 sp</u> Total 258 sp  Disability Spaces Commercial 1 sp Residential / Live-Work <u>6 sp</u> Total 7 sp	Commercial Use: Standard 12 sp Small Car 2 sp Disability 1 sp Disability (Sect. 4.1.14) <u>1 sp</u> Sub-total 16 sp  Residential / Live-Work Uses: Standard 202 sp Small Car 36 sp Disability 5 sp Disability (Sect. 4.1.14) <u>5 sp</u> Sub-total 248 sp  Overall Total 264 sp  Small car spaces 38 sp Disability spaces 6 sp																																
Bicycle Parking <sup>4</sup>		<table border="0"> <tr> <td></td> <td>Cl. A</td> <td>Cl. B</td> </tr> <tr> <td>Commercial</td> <td>2 sp</td> <td>6 sp</td> </tr> <tr> <td>Res./L-W</td> <td><u>82 sp</u></td> <td><u>6 sp</u></td> </tr> <tr> <td>Total</td> <td>84 sp</td> <td>12 sp</td> </tr> </table>		Cl. A	Cl. B	Commercial	2 sp	6 sp	Res./L-W	<u>82 sp</u>	<u>6 sp</u>	Total	84 sp	12 sp	<table border="0"> <tr> <td></td> <td>Class A</td> <td>Class B</td> </tr> <tr> <td>Commercial</td> <td>2 sp</td> <td>6 sp</td> </tr> <tr> <td>Residential / Live-Work</td> <td><u>229 sp</u></td> <td><u>0 sp</u></td> </tr> <tr> <td>Total</td> <td>231 sp</td> <td>6 sp</td> </tr> </table>		Class A	Class B	Commercial	2 sp	6 sp	Residential / Live-Work	<u>229 sp</u>	<u>0 sp</u>	Total	231 sp	6 sp								
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Amenity	10,764 sq. ft. (max.)		5,421 sq. ft.																																
Unit Type			Dwelling units: One-bedroom 7 units One-bedroom + loft 19 units One-bedroom + den 1 unit Two-bedroom 47 units Two-bedroom + den 31 units Three-bedroom 6 units Three-bedroom + den 2 units  Live-Work <u>32 units</u> Total 145 units																																

<sup>1</sup>Note on Site Area: The pending CD-1 By-law specifies that floor area calculations are based on the site size at the time of the rezoning application and prior to any dedications.

<sup>2</sup> Note on Height: Standard Condition A.1.2 seeks a reduction (0.9 ft.) in height for the West Tower and also confirmation of the proposed Cooling Towers height elevation. The Development Permit Board may permit an increase in height beyond 352.4 ft. to a maximum of 24.9 ft above the parapet level for mechanical appurtenances.

<sup>3</sup>Note on Parking: Standard Condition A.1.3 seeks clarification of the location of the designated commercial and residential parking stalls. Standard Condition A.1.4 seeks compliance to Section 4.8.4 (Number of Required Disability Parking Spaces) of the Parking By-law.

<sup>4</sup>Note on Bicycle Parking: Standard Condition A.1.7 seeks compliance to Section 6.2 (Number of Required Bicycle Class B Parking Spaces) of the Parking By-law.

<sup>5</sup>Note on Loading: Engineering Services staff generally support the applicant's request for relaxation of the Class B commercial loading provision, pending submission of a satisfactory Loading Management Plan. See commentary on page 13 and Standard Condition A.2.3.

• **Legal Description**

Parcel 1, D.L. 185, Block 42,  
 Plan BCP32242

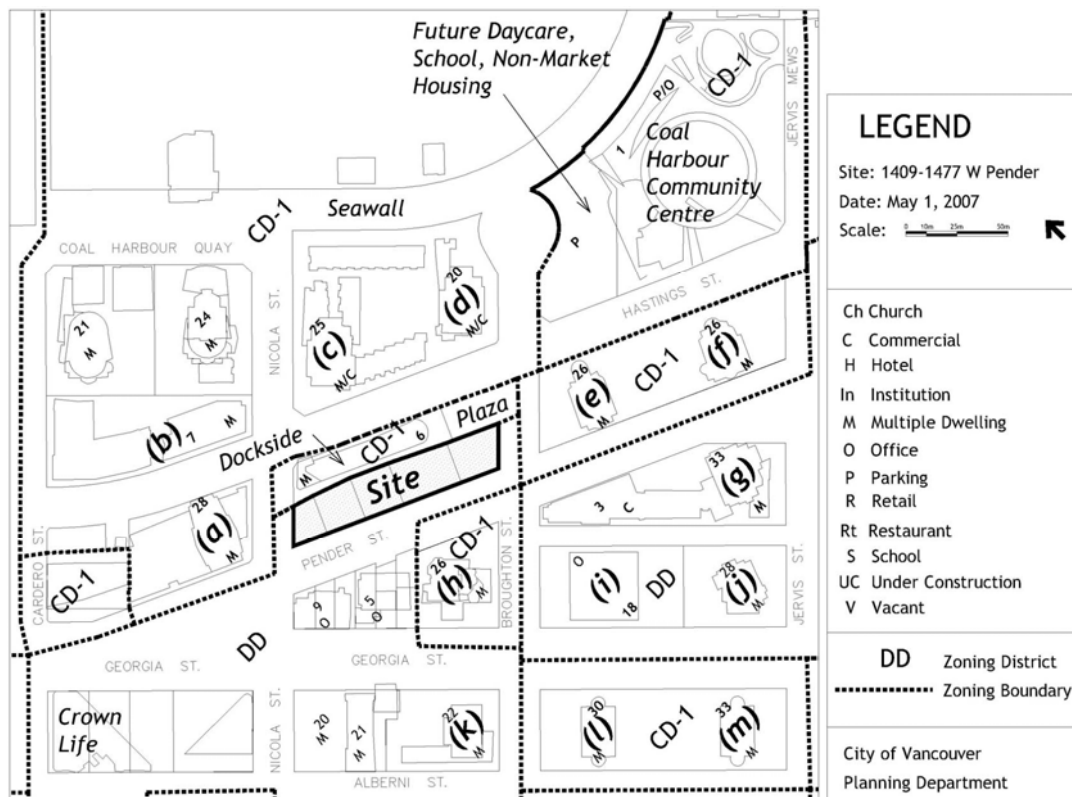
• **History of Application:**

07 06 06 Complete DE submitted  
 07 11 07 Urban Design Panel  
 07 11 21 Development Permit Staff Committee

• **Site:** The site is located on the north side of Pender Street, between Nicola and Broughton Streets. It is currently developed with a five-storey office building and two, two-storey commercial buildings, in addition to a surface parking lot. The block-long site is relatively shallow (approximately 70 ft. deep) and is not serviced by a lane. Along Nicola Street, the site slopes approximately 7.8 ft. toward the water; along Broughton Street, the site slopes approximately 6.1 ft. toward the water.

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

- (a) 1529 W. Pender Street (Bayview) - 28-storeys, residential
- (b) 599 Nicola Street (Coal Harbour Co-op) - 7-storeys, residential
- (c) 590 Nicola Street (Cascina) - 25-storeys, residential
- (d) 499 Broughton Street (Denia) - 20-storeys, residential
- (e) 588 Broughton Street (Harbourside Park I) - 26-storeys, residential
- (f) 555 Jervis Street (Harbourside Park II) - 26-storeys, residential
- (g) 1328 W. Pender Street (Classico) - 38-storeys, residential
- (h) 1415 W. Georgia Street (Palais George) - 18-storeys, residential
- (i) 1333 W. Georgia Street (Qube) - 18-storeys, residential
- (j) 1331 W. Georgia Street (The Pointe) - 33-storeys, residential
- (k) 1420 W. Georgia Street (The George) - 22-storeys, residential
- (l) 1367 Alberni Street (Lions West Tower) - 30-storeys, residential
- (m) 1331 Alberni Street (Lions East Tower) - 33-storeys, residential



• **Background:** Following a Public Hearing on June 12, 2007, Council approved an application to rezone this site from DD (Downtown District) to CD-1 Comprehensive Development District. The purpose of the rezoning application is summarized as follows:

- To permit a mixed-use project containing a 36-storey residential tower and a 10-storey mid-rise residential tower, linked by a 5-storey podium of live-work units with commercial uses at grade across the entire site;
- To achieve a maximum FSR of 10.66 including the transfer of heritage density from two donor sites in Gastown; and
- To achieve a maximum building height of 352.4 ft.

As occurs for all proposals involving large density transfers, a thorough urban design assessment of the potential impact of the additional density proposed was conducted as part of the reporting to Council. This assessment concluded that staff supported the proposal as meeting the objectives of applicable zoning and guidelines for the area and that the proposal satisfactorily integrated the additional density in terms of urban design. The rezoning approval was granted subject to a number of conditions. The by-law has not yet been enacted, but this would occur prior to permit issuance. Enactment of the by-law will be predicated on registration of several legal agreements and completion of other obligations, which include:

- A corner-cut dedication for road purposes;
- Provision of funding (50%) for a pedestrian/bicycle actuated signal at the intersection of Nicola and Pender Streets;
- Provision of funding (50%) for a traffic signal at the intersection of Hastings and Broughton Streets;
- Upgrading of the water system to meet the demands of the project;
- Provision of sidewalk improvements;
- Securing the heritage density transfer;
- Provision of public art; and
- Payment of a \$3.0m Community Amenity Contribution.

**Density Provisions and Transfer of Heritage Density:** The maximum floor area permissible in the pending CD-1 By-law reflects a transfer of heritage density to this site from two donor sites in Gastown (210 Carrall Street and 55 Water Street) which are both owned by the same developer. The Development Permit Board is not required to approve the density transfer to the site, as it will be imbedded in the CD-1 by-law, upon enactment.

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

1. CD-1 By-law (Pending)
2. 1400 West Hastings and Pender Street Guidelines

• **Response to Applicable By-laws and Guidelines:** The project's response to the CD-1 By-law (based on this proposal) and the applicable guidelines was assessed at the time of rezoning, with staff concluding that the proposed density, height and built form met or exceeded all applicable requirements (see Appendix F - Rezoning Report; p. 7 - Form of Development ). This Complete Development Application has advanced the project's design in numerous areas as well as attempting to respond to the rezoning conditions.

• **Response to Rezoning Conditions:**

Following conclusion of the Public Hearing on June 12, 2007, Council passed the following:

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

- i) design development to enhance public realm and pedestrian amenity at all sidewalk interfaces, with particular care taken along the sloping Broughton and Nicola frontages;

*Note to Applicant: Blank walls are to be avoided. High quality landscape and materials, along with public art, are sought. Particular attention is needed for the garage entry off Nicola Street.*

**Applicant Response:** The entire Pender frontage will be predominantly lined with commercial retail units with a 2 meter setback and an architectural canopy over. The solid cores at the two towers will be animated by the introduction of a random horizontal pattern in the concrete achieved by a series of reveals. It is planned to further activate the patterned core walls with an LED cove lighting system running the height of the building that will further accentuate the texture of this wall. It is being considered that this lighting system may be further developed to react to external inputs that will result in changing the colour and pattern of the light and that this may become the project's public art contribution. The public realm along the CRU section of Pender features a 4' grass boulevard with street trees at the back of curb, then a broom finished concrete sidewalk up to the property line. Inside the PL there is a 12" concrete band and feature paving up to the building face. A 4' exposed aggregate utility strip/boulevard is proposed in front of the existing bus stop along the east end of Pender. In this area street trees would be planted tree grates in the concrete boulevard.

The tower entries have been developed to respond to the variable grades along the PL. The East tower water feature has a series of cascading pools and water spouts that step to match the falling grade of the street. The public realm along Broughton frontage has been developed as per the "Triangle West" Non-Terraced Streetscape as per COV Design Standards. There is a 4' grass boulevard with street trees at the back of curb. The sidewalk that extends up to the property line is comprised of alternating panels of exposed aggregate and broom finished concrete. The exposed aggregate Panels would be surrounded by a stone border and have a bronze medallion in the centre of the panel.

- The entry to the West tower has a similar play on water as the East tower. A water spout/source in the planter cascades to a pool at seat-wall height (from the landing). This then cascades towards Pender Street, again responding to the grade change. The public realm along Nicola frontage has a set back allowing the provision of a landscape area planted with trees and vines to minimize the impact of a feature concrete wall that contains the pedestrian access ramp to the West Tower. This wall will have the same language of the concrete core walls of Pender providing uniformly treatment along all frontages of the project. As a continuity of this same are proposed on the other side of the vehicular access ramp.
- The north side of the East tower that faces the Pump Station plaza would be a restaurant terrace with paving that would complement the existing plaza paving. This plaza will provide a seating and gathering area for the public (subject to a separate application) in addition to mitigating the visual impact of the Pump House through planting and accenting.

**Staff Assessment:** Positive steps have been taken along all of the public realm interfaces. Further refinements are sought (Recommended Condition 1.1) in the following areas:

- Pender Street sidewalk: Utilizing an adapted Triangle West sidewalk treatment incorporating the Triangle West medallion at strategic points, similar to the pattern used on the 1200-Block West Pender Street;
- Incorporating a higher quality material such as stone (rather than concrete) for various planter and water feature walls on Broughton and Nicola Streets; and
- Pursuing the Public Art predominantly within the grade level public realm (Note: The suggestion that LED lighting of the elevator core wall on Pender Street could fulfill part of the project's Public Art requirement is not supported. See also Staff Assessment for Rezoning Condition (b) iii, p.8).

- ii) *design development of the interface with Pumphouse Plaza, to enhance and, as much as possible, activate this public open space, taking into account operational and service requirements of the pumphouse; in addition, should any restaurant use be proposed adjoining the Plaza, it should address potential neighborhood concerns regarding noise, traffic and use of the public plaza;*

*Note to Applicant: Delete all proposed improvements to the plaza, and make separate arrangements to the satisfaction of the General Manager of Engineering Services for any changes or improvements. Consideration of Restaurant use at the eastern end of the site will involve separate liquor licensing process, outdoor restaurant seating in the public plaza will require separate approval, and all approval process for these, including development permit approval, will involve public notification and consultation.*

**Applicant Response:** A restaurant use is indicated on the east end of the ground and plaza levels. It is acknowledged that separate applications for outdoor seating or liquor licensing would be required by a future tenant. No improvements to Pumphouse plaza are shown on this development application. A separate process and approvals are required in order to change the function of the Plaza.

**Staff Assessment:** Activating the Plaza as much as possible is an important component of the project's overall public realm response. The planters and water features extending from the building face out to the sidewalk will impede pedestrian movement through the Plaza, as will the large horizontal garage exhaust. Refinements to the landscape treatment of this public edge should be pursued at this development applicant stage. Investigating the complex array of plaza servicing requirements should be pursued in liaison with staff to achieve the best possible conclusion at this important edge of the proposal. (Condition 1.2)

- iii) *design development to enhance the architectural treatment of the blank elevator core walls on Pender Street;*

**Applicant Response:** The solid cores of the two towers will be animated by the introduction of a random horizontal pattern in the concrete achieved by a series of reveals. It is planned to further activate the patterned core walls with an LED cove lighting system running the height of the building that will further accentuate the texture of this wall. It is being considered that this lighting system may be further developed to react to external inputs that will result in changing the colour and pattern of the light and that this may become the project's public art contribution.

**Staff Assessment:** The attempt to articulate these blank concrete walls with a horizontal pattern is acknowledged but the treatment should be carried further to provide greater relief and texture. Consideration should also be given to introducing narrow random vertical "slit" windows to some of the core stairwell landings, to increase articulation. The proposed LED lighting should be pursued but is considered part of the architectural treatment needed to enhance these blank walls rather than Public Art. (Condition 1.3)

- iv) *design development to the space between the proposed podium and the Dockside development to the north to improve daylight access and to enhance the landscape treatment;*

*Note to Applicant: To achieve the foregoing, some shaping and terracing of the podium's north façade is encouraged. Stepping back of the upper two floors should be considered, if floor area can be appropriately redistributed elsewhere, including to Pender St. (south side of the podium).*

**Applicant Response:** The podium design has been revised to provide a stepping back of the structure at the North elevation facing the Dockside. This provides an increased sense of space and light to the rear of both buildings. There is a corresponding forward slope on the south elevation that adds detail and interest to the street façade



and recovers floors space given up by the rear set back.

**Staff Assessment:** While a substantive effort has been made to improve the interface with the "Dockside" development, staff believe further detailed refinements are needed to gain some additional daylight into this intervening space and to soften the impact at the lower levels. (Condition 1.4)

- v) *design development to detailing and specification of curtain wall and other exterior materials to ensure that the high quality of the proposed dynamic architectural form is achieved.*

**Applicant Response:** Extensive detailing is provided in the development permit drawings DP8.1, DP8.2 and DP8.3, samples board, and other renderings and detail studies that will be provided at Urban Design Panel.

**Staff Assessment:** A comprehensive submission of detailed drawings describes how this sophisticated architectural design will be implemented. The Urban Design Panel raised a concern about the mix of curtain wall and window wall systems. Staff agree that attempting to blend these two glazing systems will confuse the sculptural strength of the design and that a singular approach of all-curtain wall be pursued. In addition, the judicious introduction of colour elements into the design should be considered, perhaps with highlighted spandrel or other non-vision glass elements. (Condition 1.5)

- vi) *design development to provide a minimum 130m2 secure outdoor children's play area with a covered seating area for adult surveillance and/or an adjacent common amenity room, following the High Density Housing for Families with Children Guidelines, to the satisfaction of the Director of Social Planning;*

*Note to Applicant: Particular care should be given to avoid the use of toxic plants and landscaping materials in and around the play area. A list of toxic plants is available as an appendix to the City's Childcare Design Guidelines and is available online at:*

*<http://vancouver.ca/commsvcs/Guidelines/CO17.pdf>*

**Applicant Response:** To the east of the elevator there is an unprogrammed lawn area with seating and an informal children's play area. Although, original requirements for the project included 190sq.m. of children's play area, in discussion with the City of Vancouver's Social Planning department, the area was decreased to ~90 sq.m. and designed as an open and informal lawn space for the use of all residents. This decision was made due to the small size of the amenity garden space and to accommodate the design teams desire to place to the south of the lawn a total of 18 garden plots, 39 sq .m (414 sq. ft.) in area, for use of all the residents.

**Staff Assessment:** The applicant has accommodated a variety of different users and has maximized the functionality of this relatively confined space. See Housing Centre/Office of Cultural Affairs/Social Planning commentary on page 13.

- vii) *design development to take into consideration the principles of CPTED, having particular regard to:*
- *reducing opportunities for theft in the underground parking;*
  - *providing secure access for off-site parking users;*
  - *providing a gate to the loading area; and*
  - *reducing opportunities for break and enter and vandalism.*

**Applicant Response:** Overhead Security gates are provided for both Commercial-Visitor and Residential uses and are marked up on the plans DP2.2 and DP2.3 as OHSG. A total of 3 (three) have been provided dividing the different areas according to uses. Loading areas are within secured areas protected by the provision of the main OHSG. All exiting doors have been designed flush with the building elevation either on the ground level or plaza level accordingly reducing opportunities for mischief in alcoves.

**Staff Assessment:** This condition has not been fully satisfied. See Standard Conditions A.1.11 through A.1.14.

*viii) consider provision of permanent landscaping on the podium and tower roof areas;*

*Note to Applicant: Planters should meet or exceed BCLNA (B.C. Landscape & Nursery Association) Standards.*

**Applicant Response:** Level 6 contains an amenity patio/garden accessed by both towers, and semi private patios for individual suites. The south side of the podium contains patios accessed via stairs from the suites below. Suite Patios are also located where the towers meet the podium. Privacy is maintained through the use of hedges and privacy screens. A common area extension is also provided on the south side with view to Pender Street for the use of all residents.

The north side of the podium contains the amenity space. Adjacent to the amenity room on the east side of the west tower there is a large patio and an outdoor kitchen area. To the east of the elevator there is a unprogrammed lawn area with seating and an informal children's play area. To the south of the lawn area there are a total of 18 garden plots for use of the residents of both towers.

The rooftop penthouse patios located at level 36 and level 10 for the West Tower and East tower respectively were designed as dynamic landscapes with modular planters to allow for rooms to be created by the suite owner. The fixed central planter and variable paving patterns serve to break up the space and provide character.

**Staff Assessment:** Well-programmed, permanent landscaping has been provided, although minor refinements are sought. (Standard Conditions A.1.15 and A.1.16) See also commentary on page 13.

*ix) provision of high efficiency irrigation for all landscaped areas and hose bibs for each individual private patio, semi-private patio and extensive green roof spaces;*

**Applicant Response:** All irrigation systems will be designed to IIABC standards and hose bibs provided on all patios. During the working drawing phase of the project specific means of irrigation efficiency (e.g. rain sensors) will be examined and implemented.

**Staff Assessment:** The appropriate notes have been provided on the submitted plans. This condition is satisfied.

*x) provision of new street trees adjacent the site;*

*Note to Applicant: Ensure that tree root barriers are specified for trees. 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 Engineering Streets Division regarding street tree spacing and quantity. Contact Bill Stephen (604.257.8587) of Park Board regarding tree species.*

**Applicant Response:** The required trees are provided and are shown on the project landscape drawings.

**Staff Assessment:** Continuous new street tree planting on the Nicola, Pender and Broughton Streets frontages is provided. The condition is satisfied. Coordination with Engineering Services and Park Board staff will be required for implementation. (Standard Condition A.2.12)

*xi) a preliminary LEED score card should be submitted with development (DE) application showing proposed strategies for attainment of at least LEED Silver or equivalent;*

*Note to Applicant: Registration and certification with CAGBC (Canada Green Building Council) to achieve LEED Silver certification is encouraged but not required. Best effort to pursue equivalency to the satisfaction of the Director of Planning will be accepted.*

Applicant Response: A Preliminary LEED Score card is attached. The applicant will continue to study detailed design and specification opportunities to achieve in the highest ranges of LEED Silver points.

**Staff Assessment:** A specific problem area in respect to solar heat gain occurs on the west façade of the East Tower where a portion of the glass wall tilts back (rather than forward). Design development to address this matter is recommended in Condition 1.6. Otherwise, the condition is satisfied.

• **Conclusion:** This architecturally audacious proposal will add an exciting building form to the area. The applicant is commended for pursuing a high quality, dynamic architectural design. A number of further refinements are sought in pursuit of the design promise conveyed in the submission, as well as other detailed items. Approval is recommended subject to the conditions in this report.

## URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on November 7, 2007 and provided the following comments:

### EVALUATION: SUPPORT (8-2)

- **Introduction:** Ralph Segal, Development Planner, introduced the application for a mixed-use development in the 1400 block of West Pender Street. Council approved the rezoning in respect to the increased density on the site. Mr. Segal noted that at the rezoning stage, the proposal was supported by the Urban Design Panel at the meeting of August 2, 2006. Referring to the model, Mr. Segal described the proposal and other developments in the surrounding area.

The proposal was for a complete development application to permit a mixed-use development comprising of one 36 story tower, a five storey live/work podium and a ten store mid-rise tower.

Advice from the Panel on this application is sought on the following:

- Overall quality of project's architecture.
  - Project's interface with the public realm on 3 streets, as well as the Pump House Plaza.
  - Proposed treatment of the blank elevator core walls on Pender Street.
  - Shaping and treatment of the space between the proposed podium and Dockside, including adequacy of daylight access.
- **Applicant's Introductory Comments:** Jim Hancock, Architect, further described the proposal noting that five storeys had been removed from the tower to improve the views for the buildings behind the project and to improve shadowing impacts. Regarding sustainability, Mr. Hancock noted that they are currently at 38 points on the LEED™ score card.

Jennifer Stamp, Landscape Architect, described the landscape plans for the project noting the water features at the entries that will animate the public realm.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
  - Consider more design development to the east plaza to better relate to the pump house station plaza;
  - Consider more design development to the slot between the project and the Dockside building;

- Consider design development of elevator core walls; and
  - Consider design developments to make for stronger and better defined entries.
  - Design development of architectural details to better realize the inherent potential of the proposed sculptural building.
- **Related Commentary:** The Panel supported the proposal and commended the applicant for a high quality project.

The Panel liked the carefully sculptured form of the project but had some concerns regarding possible technical difficulty in bringing the window wall and the curtain wall together. One panel member suggested only using window wall at the large continuous balcony to help simplify the transition between systems.

Several Panel members suggested that height and density could be taken off the podium and added to the shorter tower.

The Panel had some concerns with the space between the Dockside building and the proposed podium noting that a number of suites overlook the area. One panel member asked the applicant team to consider how the space looks from above.

Some of the Panel liked the LED lighting designed for the south side of the towers as they felt it would give a night-time signature to the building; however others raised concerns about potential light pollution. One of the Panel members thought the colour palette was too cool and suggested adding a warm contrasting material or element.

Several Panel members thought the parking exhaust could be massive and the potential impact on the two plazas and Pump House Plaza should be carefully considered. Also the Panel thought the lobby in the main tower needed to have a stronger entry. Most of the Panel thought the scale of the retail seemed compressed and needed to be more strongly differentiated from the upper units. Also some of the Panel thought the east plaza on Broughton Street could have a stronger interface to Pump House Plaza.

A couple of Panel members questioned why the width of exposed concrete on West Pender was the same for both towers, and suggested the width of exposed concrete on the short east tower could be narrower. A couple of other Panel members suggested adding narrow slot windows to the stair wells of the exposed concrete core walls in order to create a playful element and to give a more interesting light at night as well as to add natural light during the day.

Several Panel members thought it was wasteful to include air conditioning in the building with one Panel member suggesting the money could be better spent improving the way the façade reacts to the environment. The Panel would like to see more in the way of sustainability and suggested using cisterns for water collection and adding green roofs.

The Panel felt that in order to make the sculpted tower design work, attention to detail would be critical, and more development of the fine scaled details was still needed.

- **Applicant's Response:** Mr. Stovell thanked the Panel and noted that the design calls for a curtain wall on the west and east sides of the buildings. As for sustainability the applicant has committed to achieve LEED™ Silver. Mr. Stovell also noted that air conditioning is a market expectation. The applicant is sensitive to the Dockside and the podium will have single loaded suites to protect the privacy of the tenants at the Dockside. Also there will be some landscaping treatment coming down that wall to soften the edge and will be maintained as a private area.

## ENGINEERING SERVICES

During review of the rezoning application, Parking Management Branch staff acknowledged the challenges faced by the applicant in terms of the depth of this site, but remained concerned that the applicant's resulting design did not provide both functional and suitable loading facilities, as well as safe and functional access to the various parking levels. As recommended by staff, the applicant engaged the services of a Transportation consultant to address these concerns.

Parking: The plans do not identify the location of the proposed commercial parking spaces. (Standard Condition A.1.3) The location of residential disability parking spaces is also problematic as they appear to be located within areas intended for commercial parking and must be relocated within the secured residential parking area. (Standard Condition A.1.4)

The applicant's consultant reviewed the parking ramp design and stated that it was adequate; however, he recommended implementation of a series of safety measures, as stated in his Parking and Loading Review. Staff seek implementation of these measures and further modifications to improve the ramp design. (Standard Conditions A.2.1 and A.2.2)

Loading: The Parking By-law requires the provision of three Class B loading spaces to service this project - one for residential use and two for commercial use. The applicant has proposed two Class B loading spaces (one for commercial; one for residential) and three Class A loading spaces, all on the Plaza parking level. In conjunction with a Loading Management Plan (LMP), as recommended by the applicant's consultant (Standard Condition A.2.3), staff are prepared to support the Class A spaces being provided in lieu of the third Class B space. The LMP must address how the shared use of the spaces will be managed and an agreement securing the shared use arrangements must be registered. (Standard Condition A.2.4)

Staff seeks both clarification and demarcation of the intended path(s) from the Class B loading space to the restaurant at the east end of the site. (Standard Condition A.2.5) It is unclear whether the elevator serving the Live-Work residents, or the northerly parking ramp to the easterly plaza parking level, is the intended route, staff require painted markings at the site to make motorists aware of the loading activities which will cross their vehicle path. See also Standard Conditions A.2.6 and A.2.7.

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

## HOUSING CENTRE/SOCIAL PLANNING/OFFICE OF CULTURAL AFFAIRS

Eighty-six of the proposed 145 units contain two or more bedrooms and may be attractive to families living with children (59% of the total). The outdoor common amenity area located on level 6 connects all three buildings and is adjacent to, and the access point for, the indoor amenity space in the West Tower. The amenity patio includes a lawn and informal children's play area, covered outdoor kitchen and seating areas.

In addition, the area contains 18 - 24 sq. ft. shared garden plots. Design development will be required to provide tool storage and a composting area near the garden plots. (Standard Condition A.1.15) The applicant is encouraged to incorporate, where possible, edible landscaping, specifically edible shrub plantings that will provide all-season interest, in the planters on the amenity patio or near the shared garden plot area. (Standard Condition A.1.16)

In addition, design development will be required to provide a fully accessible washroom, kitchenette and storage area on level 6, in conjunction with the lounge and business centre/meeting room. (Standard Condition A.1.17)

## ENVIRONMENTAL PROTECTION BRANCH

A site profile was submitted as part of the development application and was forwarded to the Ministry of Environment for their review. There are no requirements to be satisfied prior to development permit issuance. An erosion and sediment control plan must be submitted to and accepted by the Environmental Protection Branch prior to issuance of a building permit.

## 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 that the acoustic report submitted by BKL Acoustics as part of this development application has been reviewed and accepted. Written confirmation that the applicant will incorporate the written recommendations in to the final design and construction is required. (Standard Conditions A.3.1 and A.3.2) The applicant is also advised to take note of the following:

- (i) Detailed drawings of food/retail spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction;
- (ii) Details of swimming pools/hot tubs to be submitted to the Environmental Health Division and 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; and
- (v) Detailed drawings of amenity spaces to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction.

## NOTIFICATION

Three signs were installed on the site on October 31, 2007. On November 5, 2007, 2,125 letters were sent to neighbouring property owners advising them of the application. To date, eleven responses have been received. All respondents oppose the development. The objections relate to: loss of views; increased traffic congestion; unattractive architecture; and impacts on light and ventilation due to the proximity to the Dockside project.

Response to Comments: While the concern of neighbours is acknowledged, it must be noted that a substantive effort was undertaken during the Rezoning process to shape, configure and position the building mass to minimize impacts. This process included several open houses and direct meetings with neighbours and three major redesigns of the project to respond to concerns (this after an initial assessment of four basic massing alternatives for the site). Staff believes the proposed height and density are optimally configured, with the overall built-form responding quite sensitively to its neighbours.

In terms of traffic, staff believes that the parking provisions properly satisfy the demands of the proposal, noting that the predominantly residential use generates notably less traffic and parking than would an office development of similar density.

**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and concluded that with respect to the pending CD-1 By-law and the Downtown Official Development Plan (DODP) it requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

With respect to the Parking By-law, the By-law gives the Director of Planning the authority to consider relaxations of the Parking By-law in regard to the provision of off-street parking and loading spaces. The By-law also gives the authority to the Development Permit Board to act on behalf of the Director of Planning. This application seeks a relaxation of the loading provisions (number of Class B spaces provided) of the Parking By-law. The Staff Committee supports the relaxation proposed, as discussed on page 13 of this report and subject to the conditions recommended by staff to ensure proper functioning of the loading facilities.

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B. Boons  
Chair, Development Permit Staff Committee

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R. Segal, MAIBC  
Senior Architect/Development Planner

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M. So  
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 clearly label the number of proposed Class A Bicycle spaces designated for Commercial use on the Plaza Level Parking floor plan;
- A.1.2 reduction in the parapet height on the West Tower by 0.9 ft. to conform with the CD-1 By-law and confirmation of the Cooling Tower height on the West Tower;
- A.1.3 clarification of designated commercial and residential parking stalls location on the parking layout plans;
- A.1.4 provision of a minimum of seven (7) Disability Parking spaces, to be located within the residential secured parking area, in accordance to the Parking By-law, to the satisfaction of the General Manager of Engineering Services;
- A.1.5 correct the Visitor Parking notation on the submitted parking summary;

**Note to Applicant:** The submitted parking summary should indicate the zero (0) Visitor Parking spaces required and fifteen (15) Visitor Parking spaces provided.

- A.1.6 clarification of parking security arrangements to enable shared use of the firefighter elevator between commercial deliveries and live-work residents;

**Note to Applicant:** Measures are required to ensure that delivery personnel cannot access the live-work areas.

- A.1.7 compliance with Section 6.2 - Bicycle Spaces, of the Parking By-law, to the satisfaction of the General Manager of the Engineering Services;

**Note to Applicant:** All twelve required Class B Bicycle Spaces are to be located on private property. The location of these spaces should be accurately indicated on both the Site Plan and the Landscape Plans.

- A.1.8 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.1.9 provision of large scale sections through open space areas, including entrance areas/water features, retaining walls, podium and rooftop planters;
- A.1.10 design development of outdoor area at corner of Nicola and Pender Streets to increase the width of the tapered planter to 2 ft. minimum;

**Note to Applicant:** As proposed, the tapered planter may create a marginal growing condition.

### Crime Prevention Through Environmental Design (CPTED)

- A.1.11 design development to the north interface with the existing Dockside Building;
-

**Note to Applicant:** The gaps, exit walkway and backwater areas should be redesigned to create a smooth transition between the two buildings. Provide detailed sections to show these revisions.

- A.1.12 design development to reduce opportunities for theft and mischief in the underground parking areas;

**Note to Applicant:** Provide separation to secure residential parking from other users including gates at each level. Reduce alcoves and hidden areas, separate exit stairs from elevator lobbies.

- A.1.13 design development to separate commercial service and loading from the live-work lobby;

- A.1.14 design development to improve visibility into the residential plaza from Nicola Street by reducing the height of walls in the plaza area;

#### Social Planning/Housing Centre/ Cultural Affairs

- A.1.15 design development to provide tool storage and a composting area on the amenity patio on level 6;

- A.1.16 incorporate, where possible, edible landscaping, particularly edible shrub plantings that provide all-season interest, in the planters on the amenity patio or near the shared garden plot area;

- A.1.17 design development to provide a fully accessible washroom, kitchenette and storage area on level 6, in conjunction with the lounge and business centre/meeting room.

#### A.2 Standard Engineering Conditions

- A.2.1 modifications to the parking and loading design and implementation of the safety measures listed in the Parking and Loading Review are required;

- A.2.2 modification of the parking ramp design to provide adequate two-way vehicle flow;

**Note to Applicant:** A review of the inside and outside radius of the parking ramp is recommended.

- A.2.3 provision of a Loading Management Plan, as recommended by the Transportation consultant, to the satisfaction of the General Manager of Engineering Services;

- A.2.4 suitable arrangements are made, to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Engineering Services, for the shared-use of the proposed loading spaces between all user groups;

- A.2.5 clarification and demarcation of the delivery route to the restaurant from the Class B loading space;

**Note to Applicant:** A clearly marked delivery path to the fire fighters elevator and/or along the parking ramp to the upper plaza parking area is required.

- A.2.6 provision of direct access from the loading bays to all retail units located along West Pender Street;
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**Note to Applicant:** All retail units must be linked to loading the loading facility via a service corridor from the elevator. Note units #1 and #9.

- A.2.7 provision of required stall width for Class A loading spaces;

**Note to Applicant:** A minimum of 8.83 ft. (2.7 m) stall width is required. Stalls adjacent to pedestrian aisles may share this aisle to make up required width.

- A.2.8 clarification of the location of garbage storage for retail units and garbage pick up operations;

**Note to Applicant:** Written confirmation that a truck can access and pick from all locations shown is required. Please ensure your waste management firm reviews the turning operations and access situation. (Two security doors need to be accessed to get to the garbage compactors).

- A.2.9 accurately illustrate the proposed boulevard crossing on Nicola Street and the existing boulevard crossing on Broughton Street;

**Note to Applicant:** The location of these crossings will have a significant impact on the Triangle West sidewalk pattern and street tree locations. The Broughton Street crossing may be reduced so it serves only the City of Vancouver water pump station. Contact Kevin Cavell at 604.873.7773 for further details.

- A.2.10 design and location of all crossings, to the satisfaction of the General Manager of Engineering Services;

**Note to Applicant:** A separate application to the Engineering Services will be required.

- A.2.12 arrangements shall be made, to the satisfaction of the General Manager of Engineering Services, for street trees; and

**Note to Applicant:** Street trees must conform to standard spacing and clearance. Tree species must be approved by the park Board. Before purchasing trees, final tree locations are to be determined to the satisfaction of the General Manager of Engineering Services. Also, a separate application to Engineering Services is required for street trees, tree grates and any other non-standard treatment of City sidewalks.

- A.2.13 confirmation that all utility services will be provided underground.

**Note to Applicant:** All electrical services to the site must be primary with all electrical transformers located on this site. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The Applicant may be required to show details of how the site will be provided with all services being underground.

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

- A.3.1 A notation will be required on the plans to confirm that the acoustical measures will be incorporated into the final design and through construction, based on the consultant's recommendations as concurred with or amended by the Medical Health Offices (Senior Environmental Health Officer); and

- A.3.2 A letter from an acoustical consultant shall be submitted confirming that the development permit drawings show a minimum STC 55 construction between the commercial and residential components of the building, or a minimum 6 in. solid concrete slab shall be specified on the drawings. Where music, recorded or live, may be a major activity in the commercial premises, submit a report from an acoustical consultant recommending minimum SC 60 construction confirmation shall be submitted by the applicant that the acoustical measures will be incorporated into the final design, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer).
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**B.1 Standard Notes to Applicant**

- B.1.1 The applicant is advised to note the comments of the Processing Centre-Building, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated November 21, 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 **June 17, 2008**, 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 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.2.4 Amenity areas/common residential storage spaces 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.

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- B.2.5 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.2.6 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.2.7 In accordance with the CD-1 By-law, only the following uses are permitted in any live-work unit: Dwelling Use, General Office, Health Care Office, Barber Shop or Beauty Salon, Photofinishing or Photography Studio, or Artist Studio - Class A; or Dwelling Use combined with any of the above-listed non-residential uses.
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### Processing Centre - Building comments

The following comments are based on the drawings prepared by IBI/HB Architects dated 06/07/2007 for the proposed development permit. This is a preliminary review in order to identify issues which do not comply with the VBBL #9419, and includes a review of Subsection 3.2.5."Provisions for Fire Fighting".

- 1.\* The building is required to provide access to persons with disabilities to all public areas, common areas, storage, amenity, meeting rooms, and to areas where work functions could reasonably be expected to be performed by persons with disabilities.
2. Building construction is required to be noncombustible.
3. Highrise building and VBBL 3.2.6 requirements for high buildings apply to the entire building.
4. The building is required to meet Enhanced Accessibility provisions.
5. Exit lobbies require fire separations to areas of occupancy and to concierge.
6. Mezzanine of the restaurant is to be designed as interconnected floor spaces.
7. The restaurant must have access to two separate exits at both floor levels, either through exterior exit doors or through a public corridor.
8. In the parkade levels, storage rooms must be provided with two egress doors if travel distance is exceeded.
9. Building safety facilities such as central alarm and control facility, fire fighter's elevator, and stairwells equipped with standpipe connections shall be coordinated with the location of the firefighters' entrance.
10. Live-Work use may require an alternate solution report, prepared by a registered professional, which is to be reviewed for acceptance by the Chief Building Official

\*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.