

2228 WEST BROADWAY (COMPLETE AFTER PRELIMINARY APPLICATION)
DE407997 - ZONE C-3A

MBR/TC/VP/CH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

B. Boons (Chair), Development Services
M. Thomson, Engineering Services
V. Morris, Social Planning/Office of Cultural Affairs
J. Lum, Vancouver Coastal Health Authority
K. Pavananthan, Development Services

Also Present:

M.B. Rondeau, Urban Design & Development Planning
T. Chen, Development Services
V. Potter, Development Services
P. Pinsker

APPLICANT:

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

PROPERTY OWNER:

665428 BC Ltd.
12831 Horseshoe Place
Richmond, BC
V7A 4X5

EXECUTIVE SUMMARY

Proposal: To construct a mixed-use building comprising a drug store, grocery store, and other retail use at grade with 133 dwelling units above, all served by three and one-half levels of underground parking.

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 Response to Preliminary Conditions of Approval

Appendix F Operations Management Plan

Appendix G Traffic Survey

Issues:

1. Final resolution of Traffic Mitigation Measures

Urban Design Panel: Support

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE407977 submitted, the plans and information forming a part thereof, thereby permitting the construction of a mixed-use building comprising a drug store, grocery store, and other retail use at grade with 133 dwelling units above, all served by three and one half levels of underground parking, subject to the following conditions:

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

- 1.1 Arrangements shall be made to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services for street and traffic modifications as follows:
- (a) a short eastbound to northbound left turn bay on Broadway at Arbutus Street;
 - (b) traffic calming measures restricting access to and from the lane south of Broadway between Yew Street and Vine Street as follows:
 - Northbound Vine Street to eastbound lane
 - Westbound lane to southbound Vine Street
 - Northbound Yew Street to westbound lane
 - Eastbound lane to southbound Yew Street
 - (c) traffic calming measures to minimize impacts north of Broadway as follows:
 - A right-in/right-out diverter at the north leg of Broadway and Yew Street
 - A traffic circle at the intersection of Yew Street and 6th Avenue
 - A traffic circle at the intersection of Vine Street and 5th Avenue
 - (d) restriction of access by vehicles to the north-south lane in the half block south of the site, from the east-west lane, such that vehicle usage in the lane will occur only from 10th Avenue;
 - (e) additional traffic calming measures, including physical measures and signage, as may be determined in consultation with neighbouring residents and businesses, within two years following final occupancy, to a maximum additional cost of \$25,000; and
 - (f) a semi-actuated traffic signal at Yew Street and Broadway (pending Council approval);

The Developer/Owner of the site shall bear 100% of all cost of items (a) to (f) inclusive.

- 1.2 design development to the architectural finishing and lighting of loading bay area;

Note to Applicant: This can be achieved by providing architectural concrete reveals, pilasters, scuff line painting to the lower wall area, specialty handrail design, and provision of a lighting concept plan to ensure no glare to adjacent neighbours across the lane.

- 1.3 design development to the retail frontage at London Drugs entrance by ensuring continuous commercial frontage with active uses and that blank windows are not created;

- 1.4 design development to the street frontage at the grocery store and residential entrance to coordinate column spacing with the uses inside the building and consideration to alter the massing at the residential entrance of building 3;

- 1.5 design development to corner plaza and Vine Street setback area to improve and encourage public use;

Note to Applicant: Bench seating should be provided within the setback along the Vine Street frontage and the bench under the large tree in the corner plaza should be enlarged. (See also landscape conditions A.1.8 and A.1.9)

- 1.6 develop an art feature concept with cost in the order of \$50,000 to enrich the corner plaza, such as a custom bench design, with specific notation on the drawing and in consultation with the Office of Cultural Affairs;

- 1.7 provision of a revised Loading Management Plan detailing:

- sharing of loading facilities among commercial tenants;
- provision of letter of undertaking from the operators of London Drugs and the grocery store committing to not bring trucks longer than 50 ft. to the site, and incorporation of this commitment into the Loading Management Plan.

- the range of hours of each day of the week when loading will occur;

Note to Applicant: Daytime hours are encouraged to minimize evening disruption on neighbouring residences.

- 1.8 provision of details of the proposed green roof treatment, consideration to provide a reflective roof material on building 1 and high efficiency irrigation systems;
- 1.9 arrangements to the satisfaction of the Director of Legal Services and the Director of Planning to not expand or consolidate the proposed drug store, grocery store, or other separate retail units and to retain the major retail units generally as proposed in this submission.
- 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	REQUIRED	PROPOSED
Site Area			450 ft. x 125 ft.
Site Size			56,230 sq.ft.
Floor Area ¹	Outright 56,230 sq.ft. Conditional 168,690 sq.ft.		Residential 112,174 sq.ft. *Commercial <u>56,189 sq.ft.</u> 168,363 sq.ft.
FSR ¹	Outright 1.0 Conditional 3.0		2.99
Height ²	Outright 30 ft. Conditional unspecified maximum		Building 1 top of roof parapet 79.1 ft. top of mech. room 86.6 ft. Building 2 top of roof parapet 72.2 ft. top of mech. room 79.4 ft. Building 3 top of roof parapet 58.0 ft. top of mech. room 63.1 ft.
Rear Yard and Setback ³		Residential 15 ft. Setback	from residential exit stair 2ft. from dwelling unit 13ft.
Horizontal Angle of Daylight ⁴		1 angle of 50° or 2 angles of 70° for a distance of 80ft.	Some units do not meet the 50° containing angle, or the 80 ft. distance limit. See note ⁴ below.
Parking ⁵	Small car (25%) 88	Residential 149 Commercial <u>194</u> 343 Disability 9 (Resid. 4; Comm. 5)	Residential 147 Disability bonus <u>4</u> 151 Commercial <u>205</u> 356 Disability 14 (Resid. 5; Comm. 9) Small car 21 Visitors' 0
Loading ⁶		Residential Class B 1 Commercial Class B 3 Class C 2	Residential Class A 3 Commercial Class A 4 Class B 2 Class C 2
Bicycles		Residential Class A 165 Class B 6 Commercial Class A 7 Class B 6	Residential Class A 165 Class B 6 Commercial Class A 10 Class B 8
Balconies	Open 8,974 sq.ft. Enclosed (max) 4,497 sq.ft.		Open 4,476 sq.ft. Enclosed 4,476 sq.ft.
Amenity	10,764 sq.ft (max)		301 sq.ft. (Second floor Party Room)

¹ **Note on Floor Area and FSR:** The Development Permit Board may permit an increase in the FSR up to and including 3.00. The proposal is seeking an FSR of 2.99, or 168,363 sq.ft. The Approval in-Principle of July 19, 2004 approved an FSR of 2.99, or 168,742 sq.ft.

* **Note on Commercial Area:** The commercial space for this complete development application is compared to the Approval in-Principle of July 19, 2004 and is demised as follows:

	Approval in-Principle of July 19, 2004	Complete Development Application
Drug store	33,390 sq.ft.	33,175 sq.ft.
Grocery store	21,526 sq.ft.	20,258 sq.ft.
Retail units	634 sq.ft.	1,998 sq.ft.
Common loading areas	<u>570 sq.ft.</u>	<u>758 sq.ft.</u>
Total	56,630 sq.ft.	56,189 sq.ft.

² **Note on Height:** The Development Permit Board may permit an increase in the height of the building beyond 30.2 ft. to an unspecified limit; however the Broadway-Arbutus C-3A Guidelines recommend a maximum height of 70 ft. to be considered. Building 1 and Building 2 are over this recommended height limit and are now respectively 0.6 ft and 0.1 ft. higher than the Approval in-Principle of July 19, 2004. Staff still considers this to be supportable.

³ **Note on Rear Yard and Setback:** The southwest exit stair and the end residential unit for Building 3 are within the required residential setback (the exit stair is considered residential use). Standard Condition A.1.3 is seeking the exit stair and residential unit comply with the 15 ft. residential setback requirement.

⁴ **Note on Horizontal Angle of Daylight:** Several habitable rooms do not meet the angle requirement, or the distance requirement of the horizontal angle of daylight. Four dwelling units facing the east property line and four inside corner dwelling units on the Level 3 podium do not meet this requirement. The Development Permit Board may relax the horizontal angle of daylight requirement, having regard to the livability of the resulting dwelling units and providing that a minimum distance of 12 ft. of unobstructed view is maintained. The Approval in-Principle of July 19, 2004 approved dwelling units having similar horizontal angle of daylight deficiencies. Staff support the configuration of these 8 units. See page 7, Section 2.5, Light and Ventilation of the Guidelines table for further discussion.

⁵ **Note on Parking:** The double-counting of the handicap parking requirements as permitted in Section 4.1.14 of the Parking By-law results in a "provided" parking count at 151 spaces (147 physical spaces provided), thereby meeting the parking requirements. No residential visitors' parking has been provided, and Engineering Services seeks clarification of residential visitor parking (See Standard Condition A.2.4). Parking spaces designated as Class A loading spaces are not included in the parking counts. See Note on Loading below.

⁶ **Note on Loading:** The Approval in-Principle of July 19, 2004 recommended the following loading provisions, in lieu of the requirements of the Parking By-law. The proposal has met these recommendations, and is as follows:

	Class A	Class B	Class C
Commercial (Retail)	4	2	2
Residential	<u>3</u>	<u>0</u>	<u>0</u>
Total	7	2	2

The Applicant has designated the Class A loading spaces (for both residential and commercial) as part of the off-street parking count. Standard Condition A.1.1 seeks that these loading spaces be counted separately from parking spaces.

• Technical Analysis: Broadway-Arbutus Policies

	RECOMMENDED	PROPOSED
Section 3.1 Use and Density	<p>a) For Broadway... up to 3.0 FSR total with 1.0 FSR retail/ commercial at grade and the remaining floor space to be residential</p> <p>b) limit individual store sizes to a max. 10,000 sq.ft. except for grocery or drug stores which are limited to 30,000 sq.ft. On July 7, 2004, Council approved the subject site to be considered as proposed with the drug store floor area at 33,900 sf.</p>	<p>The floor areas proposed meet the intent of the guidelines. The individual store floor areas are not significantly changed with the drug store at 33, 175 sf. (see note on Commercial Areas, p. 5) and meet the intent of the Council policy and the approval-in-principle of the Development Permit Board.</p>
Section 3.2 Height and Built form	<p>3.2.1(a) Generally limit heights to a max. of 55 ft. (up to 5 storeys: 1 or 2 storeys commercial/4 storeys residential)</p> <p>3.2.1(b) Consider height relaxations up to 70 ft.</p> <p>3.2.1(c) Limit heights above 55 ft. to a max of 50% of the frontage for sites exceeding 150' in length.</p> <p>3.2.1(d) A street wall height of 30 to 40 ft. on Broadway is recommended</p> <p>3.2.1(e) Height should generally be lower near the adjacent RM-4 District where 30' and 40' heights are common.</p> <p>3.2.1(g) On the south side of Broadway, building massing should ensure substantial sunlight penetration to the north sidewalk at equinox.</p> <p>3.2.1(h) Street walls on large sites should be articulated to improve design interest.</p>	<p>The general massing of the 3 upper residential forms was approved-in-principle by the Development Permit Board. There is a slight increase to the height of the easterly Building (Building 1) and the middle Building (Building 2). Staff have reviewed the view and shadowing issues associated with this increase and find these to be minimal. Therefore, staff reaffirm support for the height as proposed.</p>
Section 3.3 Movement-Pedestrians, Traffic and Parking	<p>3.3.1(a) All vehicular access to sites on Broadway should be from the lane behind Broadway where lane access exists.</p> <p>3.3.1(b) Commercial truck access and loading should be from the lanes.</p>	<p>All access has been proposed from the lane.</p>

• Technical Analysis: Broadway-Arbutus C-3A and 2000 Block West 10th Avenue (North Side) Guidelines.

	RECOMMENDED	PROPOSED
Section 2.2.1 Streetscape Character	Broadway-Arbutus streetscapes should: (b) provide street fronting commercial floor levels at the sidewalk level; (c) emphasize small scale commercial frontages of 7.6 m and a max. 15.3m width; (d) provide high ceiling heights from commercial uses (4.3m - 5.2m) (g) provide commercial or residential entrance lobbies which are well defined and at grade without stairs or ramps in the public realm; (h) provide continuous setback from the Broadway property line; (i) ...not allow vehicular access off streets	The streetscape character generally meets the intent of the guidelines. The condition 1.6 from the preliminary development approval also addresses this aspect, see commentary on page 13.
Section 2.4.2 Private Views	(c) Roof mechanical equipment should provide attractive screening (d) Roof materials should be enhanced with landscape treatments, decorative patterns and colours where adjacent residential overlooks.	Roof mechanical is to be shown on plan and screened with architecturally treated materials (Standard Condition A.1.2)
Section 2.5 Light and Ventilation	(a) Living rooms should not face into courtyards (b) Below grade residential units are discouraged (c) Secondary living spaces may face into the courtyard, provided that the clear minimum courtyard width is 9.2m (d) Courtyard configuration... includes terracing of upper levels on the south side of courtyards	With the form of the residential massing, as 3 building massings, the majority of the units achieve an east or west orientation that allows sunlight access and views in either a north or south direction. The massing is well separated by 2 courtyards with dimensions of 75 ft and 89 ft. Although a relaxation of horizontal angle of daylight is required for 8 units, staff consider that these units will still achieve a high degree of light and ventilation.
Section 2.7 Weather Protection	(a) A minimum of 2 m should be provided on commercial street fronts, common entrances and for grade level residential entrances	Weather protection canopies have been provided and meet the intent of the guidelines.
Section 2.8 Noise	An acoustical report is to be provided for all developments containing dwelling uses.	An acoustical report has been submitted and approved by the Vancouver Coastal Health Authority.
Section 2.9 Privacy	(d) Habitable rooms should not be located directly on pedestrian access corridors	Residential units have not been placed on corridors.

	RECOMMENDED	PROPOSED
Section 2.10 Safety and Security	<ul style="list-style-type: none"> (a) For parking security, the residential should be separate and secure from other uses with perimeter access points into the underground parking secured. (b) Lobbies should be separated from exit stairs in the underground. Each unit should have internally secure access to mail boxes, garage and parking without having to use public property (c) Exit alcoves and open exit stairs on the street and lane should not be created. Street level elevator lobbies should be visible from the street (d) Mail boxes should be located to be visible to the residential elevators with no areas of concealment 	<p>Parking security has been well addressed. The building is setback at the lane such that exit alcoves are not created. Mail box locations have not been shown and are requested under condition A.1.11. Residential elevator lobbies are located at the street face.</p>
Section 2.11 Pedestrian Access and Circulation	<ul style="list-style-type: none"> 2.11.1(a) Internal public circulation systems are discouraged 2.11.1(b) Corridors should be adequately sized and no more than 23.0 m in any one direction 	<p>Public circulation uses the streets as envisaged by the guidelines.</p>

Legal Description

Lot: A
Block: 343
Plan: 15807
District Lot: 526

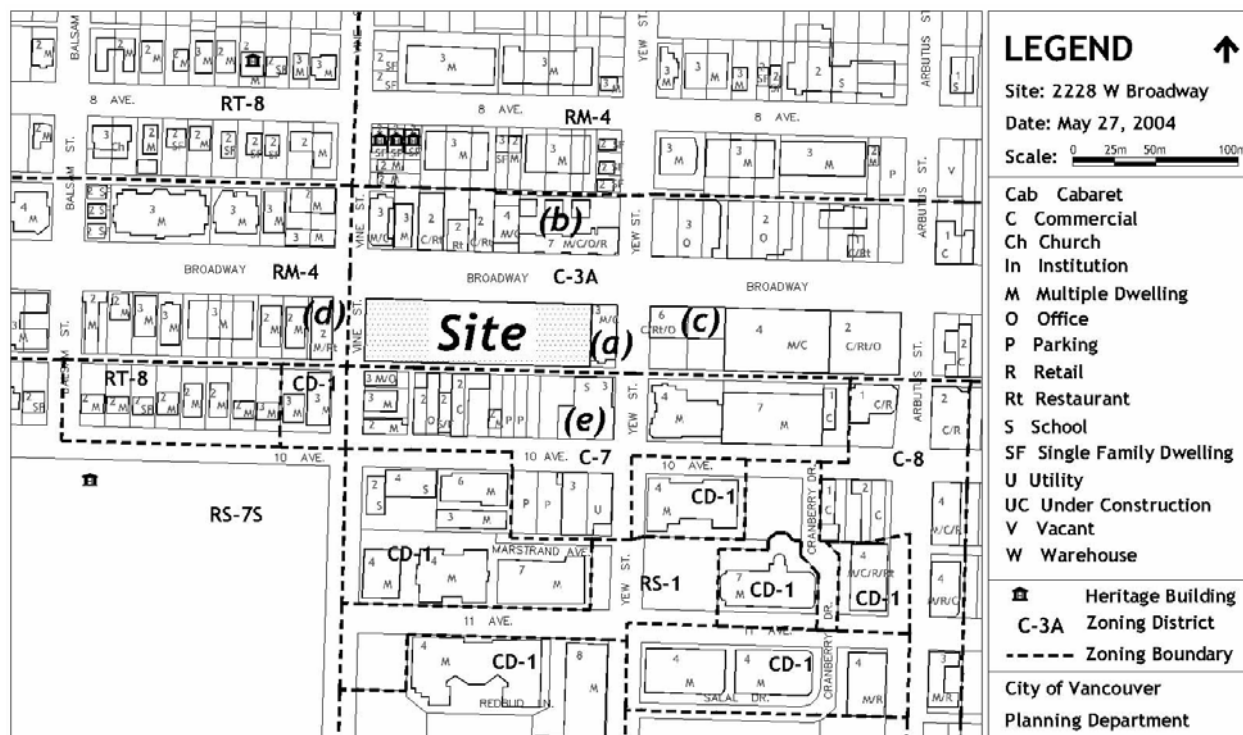
History of Application:

04 07 19 Approved in Principle by DP Board
04 10 20 Complete DE submitted
04 12 08 Urban Design Panel - Support
05 02 02 Development Permit Staff Committee

Site: This site is located on Broadway at Vine Street and has 450 ft. of frontage. It encompasses the majority of this block, north of the lane with the exception of a leftover 50 ft. lot on Yew Street. There is a slope of approximately 4 ft. across the Broadway frontage from east to west, and a further slope from the corner of Broadway and Vine to the south lane of approximately 5 ft., for a total of 9 ft. The site is currently occupied by a vacant one-storey building previously used as a Claims Centre by ICBC. A number of significant trees exist on the site. Across the lane to the south are primarily non-residential uses in the C-7 zone.

Context: Significant adjacent development includes:

- 2220 West Broadway, a retail and residential 3-storey building
- 2223 West Broadway, a commercial and residential building with a height of 70 ft. to shoulders and 85 ft. height to roof elements
- 2184 West Broadway, an older medical/commercial building with a height of approx. 70 ft.
- 2515 Vine Street, a c.1910 commercial and residential 2-storey building
- 2215 West 10th Avenue, St John's School, a 3-storey private school



Background:

On July 7, 2004, Council adopted a policy that the Broadway Arbutus sub-area guidelines should permit a maximum of 10,000 sq.ft. for any single commercial unit, with the exception of grocery or drug store uses which are to be permitted to a maximum of 30,000 sq.ft. *"except that the project at Broadway and Vine (2256 West Broadway) may be considered as currently proposed"* with the drug store use at approximately 33,900 sf proposed at that time.

Apart from limiting the size of retail units, the policy and guidelines adopted by Council on July 7, 2004 also included a number of design considerations related to the treatment of building massing, streetscape amenity, open space, and residential livability. The review of both the preliminary and complete development application has been conducted in the context of the new policy and guidelines.

On July 19, 2004, the Development Permit Board approved-in-principle a preliminary development application for this site with conditions to be addressed for this complete development application. In terms of height of the building, the new Guidelines for this sub-area suggest a maximum of 70 ft. The Development Permit Board reviewed the height proposed for the preliminary development application at 78.5 ft for the easterly massing (Building 1) and took into consideration surrounding views, shadowing and massing impacts. The Development Permit Board supported that height of 78.5 ft.

Significant traffic issues were identified by staff and neighbours at the preliminary application stage. Traffic modifications and calming measures have been addressed based on neighbourhood consultation and are discussed on page 18 of the report.

Applicable By-laws and Guidelines:

1. C-3A District Schedule

Use: 'Grocery and Drug Store' is an outright retail use in C-3A. Residential is a conditional use.

Density and Height: The outright density permitted is 1.0 FSR with a maximum conditional density of 3.0 FSR in accordance with Section 4.7 of the C-3A District Schedule. The outright height is 9.2 m (30.2 ft.). The height can be increased to an unspecified maximum in the district schedule through section 4.3 of the Zoning and Development By-law. Increases to density and height may be permitted provided the Development Permit Board first considers:

- the overall resolution of the building and its effect on the surrounding area, including existing views,
- the amount of open space, the design and general amenity provided by the proposal; and
- traffic impacts of the proposed development, pedestrian amenity and liveability of any residential uses, and
- submission of any advisory group, property owner or tenant.

2. Broadway-Arbutus C-3A and 2000 Block West 10th Avenue (North Side) Guidelines

The intent of the guidelines as they relate to this site is to provide for active commercial uses on Broadway (to a maximum of 1.0 FSR) which:

- link with the existing Arbutus Street local shopping area;
- provide an active, vital streetscape, pedestrian amenity, and open space; and
- encourage livable residential use.

The guidelines require consideration of views and shadowing in the resolution of building massing to a height of 70 ft., and they call for high quality architectural expression. Treatment of the lane through scaling down massing and landscaping is suggested in the guidelines.

Response to Preliminary Conditions:

- 1.1 arrangements to the satisfaction of the Director of Legal Services and the Director of Planning to not expand or consolidate the proposed drug store, grocery store, or other separate retail units and to retain the major retail units generally as proposed in this submission;*

Applicant's Response: Please see attached letter from London Drugs dated October 19, 2004, which states: These issues can be addressed by wording of the DP. Any expansion of the premises would require a new DP application.

Staff Response: Given that grocery and drug store is an outright use under 1.0 FSR, amalgamation of the major retail units would be processed as an outright development application. Therefore, a legal agreement is necessary to secure non-amalgamation. This legal agreement has been undertaken by at least 2 other recent comparable development applications. Staff suggest that this condition be restated for the complete development application under condition 1.9.

- 1.2 arrangements to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services in consultation with local residents for provision of the following street and traffic modifications, listed as a) through f) inclusive, noting that the Developer/ Owner of the site shall bear 100% of the cost of these items, wherever Translink funding is not available:*

- a) a short eastbound to northbound left turn bay on Broadway at Arbutus Street;*
- b) adequate and effective traffic calming measures restricting access to and from the lane south of Broadway between Yew Street and Vine Street as follows:*
 - northbound Vine Street to eastbound lane;*
 - westbound lane to southbound Vine street;*
 - northbound Yew to westbound lane;*
 - eastbound lane to southbound Yew Street;*
 - other measures as necessary including mitigating effects on adjacent residential units (light, noise, etc.);*
- c) modification, in consultation with abutting owners/tenants, to the 12' lane east of Vine from 10th Avenue north to make it operate unidirectionally to minimize the effects from traffic visiting the site or to block it off from the east-west lane to the north;*
- d) a semi-actuated traffic signal at Yew Street and Broadway (subject to Council approval);*
- e) undergrounding of any power pole or guy wire that may restrict or limit the access to the loading spaces in the lane south of Broadway adjacent to the site;*
- f) adequate and effective traffic calming north of Broadway, including curbside signage, traffic circles or diverters on Yew and Vine Streets;*
- g) other measures as may become apparent through the public review.*

***Note to Applicant:** It is expected that the applicant and City staff will consult with neighbouring residents and businesses in advance of submission of the complete development application. Both temporary and, where applicable, permanent street and traffic modifications would be covered in the consultation process.*

Applicant's Response: Street and traffic modifications as outlined below will be implemented after analysis of City sponsored survey sent out early October. Please also see attached letter from

London Drugs dated October 19, 2004 which states: The traffic items referred to will be funded by the applicant by way of a full "deposit" or letter of credit for the estimated costs at the time of issuance of a building permit.

Staff Response: In general the proposed traffic modifications have been well addressed through extensive neighbourhood consultation and coordination with Engineering Services. Staff are satisfied that traffic modifications proposed under Condition 1.1 will address this condition.

1.3 arrangements to the satisfaction of the Director of Planning and the General Manager Engineering Services for secured employee parking for commercial uses, for free or purchase stub, time-limited commercial patron parking, and provision for visitor parking for residential uses;

Applicant's Response: Please see attached letter from London Drugs dated October 19, 2004 which states: Employee parking will be marked on the DP plans and "reserved" signage provided for 15 spaces. Employees will be given a parking pass. Of the planned 50 shift employees for both the London Drugs and the Food Store, it is expected that a maximum of 30% of employees may require parking, based on the excellent public transit and walk in connections. Commercial patron parking will also be marked on the DP plans. It is the intention of the owner to limit parking to two hours by means of a refundable purchase stub or by security guard and enforced tickets and towing. The owners must have this parking available only to their customers and will not allow "commuter" parking.

Staff Response: Staff suggest that a condition be placed on the development permit to secure employee parking and free time-limited commercial parking (see condition B.2.9). Employee parking is to be noted on the plans (see condition A.2.5). Clarification of the provision of visitor parking is sought under condition A.2.4. The applicant has indicated support for providing visitor parking.

1.4 provision of a minimum of 4 Class A, 2 Class B, and 2 Class C loading spaces for commercial uses, and 3 Class A spaces for the residential use;

Note to applicant: Provide a sawtooth loading design for the Class C spaces which also incorporates the Class B loading spaces. Provide documentation of the largest intended vehicle to service the site, and include details on plans showing acceptable turning swaths to and from the lane at the street intersections.

Applicant's Response: 4 Class A, 2 Class B, 2 Class C loading and 3 parkade level Class A residential loading spaces have been provided. A sawtooth loading design has been provided for the 2 class C and 2 Class B spaces located on the lane. The largest vehicle intended to serve the site will not exceed the size allowed by the largest loading space.

Staff Response: This condition has been met. Staff have received response from several neighbours across the lane from the loading bay with concerns with traffic, noise and visual impacts. See discussion on page 18 and the resulting condition 1.2 suggested by staff to address these issues.

1.5 design development to improve the lane façade design and interface by providing a landscaped setback, and by scaling down the building at the lane edge;

Note to Applicant: Where the lane meets Vine Street, the garbage and loading should be relocated and replaced with a 3.3 ft. landscape setback. Larger caliper conifers and deciduous trees should be provided within the setback to replace the loss of the large existing Pine trees and to reduce the visual impacts of the development on the neighbouring properties to the south (across the lane). For the remainder of the lane, a 2 ft. landscaped setback should be

provided. In addition, the building should step back 5 ft. above a height of approximately 15 ft. along the length of the lane.

Applicant's Response: A 3' setback - reduced to 2' towards the east end of the building - provides sufficient width to accommodate substantial planting at the building edge. The addition of planting will aid in improving the aesthetics of the lane façade and its interface with adjacent properties.

Garbage and loading have been relocated approximately 120' from the lane at Vine Street and a 3.3' setback with planting and trees has been provided to replace the loss of existing trees on the site. The remainder of the lane has a 2' setback and planting strip. A 5' wide setback planting strip at approximately 15' above most of the grade on the lane has been provided to mitigate visual impacts of developments to the south.

Staff Response: This condition has been well resolved. See discussion on page 16 regarding architectural finishing of the loading bay area and condition 1.2.

1.6 design development to commercial street frontages;

Note to Applicant: *More retail units should be provided at the street level with doors onto the street. This can be achieved by adding at least one retail unit (can be 12 ft. deep) to the Broadway frontage, and by raising the floor level across the Vine street frontage, preferably with small scale retail units or the grocery store 'Bistro'. Shop fronts should be improved through:*

- *emphasizing small scale shop fronts through varied architectural detail for distinct interior uses even if those spaces are part of the same tenancy, using expansive butt glass retail windows,*
- *architectural integration of glass weather protection, and*
- *specialty design detailing of column and window curbs.*

Applicant's Response: A bistro located at the Broadway and Vine corner and Building 3 lobby has been added to the Broadway street frontage. A store entrance located off Vine Street serving the restaurant and grocery store brings most of the floor level across Vine Street to grade.

Small scale shop fronts have been emphasized through the use of varied glazing, varied scale of shop front, varied canopies and material changes.

Butt-joined glazing has been provided in various spots throughout the project.

Glass and fabric awning weather protection has been provided throughout the project. Specialty design detailing columns and shop fronts have been provided.

Staff Response: The condition has been well addressed through the placement of the Bistro on Vine and Broadway. After detailed review of the Broadway frontage, it appears that there are some inconsistencies in the plan versus the elevations where some blank windows are proposed. This issue was identified by the Urban Design Panel. Staff request these inconsistencies be resolved to ensure that active, visually open commercial use fronts the street under conditions 1.3 and 1.4. This may require some further adjustment to the plan layout of the London Drugs entrance area.

1.7 design development to the open spaces along Vine Street and at the Broadway corner plaza;

Note to Applicant: *This can be achieved by providing:*

- *further consideration of the scale of the open space vis á vis appropriate pattern of table chairs and other seating,*
- *a more urban response with canopy trees and specialty paving (signage feature in plaza to be deleted),*

- *a low planter within the setback at the residential entrance on Vine Street at the lane to provide a transition to the Vine Street widened public realm,*
- *pedestrian-scale light standards between the inner row of trees and on the plaza, and*
- *a coordinated furnishings package such as benches and garbage receptacles (to be maintained by the development).*

The corner plaza should be programmed for outdoor display and for public uses such as walking and seating, and it may need to be enlarged. For information and resources, refer to the City's "Plaza Design Guidelines". All proposed paving, furnishing and landscaping on public property to be to the satisfaction of the General Manager of Engineering Services.

Applicant's Response: Design development along Vine Street including the plaza at the Broadway corner, has resulted in an increase in public amenity space including, but not limited to:

1. Increase in quality and quantity of site furnishings, including bicycle racks - all furnishings to response to existing standard set throughout the Arbutus Walk neighbourhood.
2. Paving, pedestrian scaled lighting, and a double row of street trees create pockets and 'places' for flexible seating, eating, and mingling.
3. The enlarged plaza at the corner of Vine and Broadway provides a room for neighbourhood use and outdoor displays. Focal planting at the corner aids to protect the space from ambient intrusions (traffic) on Broadway Street, at the same time, enhancing pedestrian circulation throughout.
4. A more urban response to the ground plane is softened at the Vine Street edge to blend with the surrounding neighbourhood.

Staff Response: Staff consider that this condition has been very well responded to and that the Vine Street frontage will provide an amenity to the neighbourhood. After detailed review, staff suggest minor design development to complete the amenity by increasing the sense of publicness of the Vine Street through the provision of additional benches facing the street within the setback area and to the corner plaza by enlarging the bench seating area under the large tree to increase the amount of public seating as noted under condition 1.5.

1.8 design development to the scale of the building at Vine Street;

***Note to Applicant:** This can be achieved by shifting the westerly upper residential massing to the east by approximately 20 ft. The elevator located on Vine at the lane should also be set back to better relate to the Vine streetscape.*

Applicant's Response: Building 3 has been moved 20' east and a bermed landscape strip has been provided to better transition the massing into the Vine Street frontage.

Staff Response: This condition has been well resolved.

1.9 design development to better emphasize the grocery store entrance in a manner similar to, and in coordination with, the drug store entrance;

Applicant's Response: The grocery store entrance has been defined through the use of expansive butt-joined glazing and similar signage as the drug store entrance.

Staff Response: The Urban Design Panel considered the retail frontage including the grocery store had much improved. However, noted that there was some lack of clarity in the area of the grocery

store entrance and the residential entrance. Staff suggest that, similar to the issues of the London Drugs retail frontage, the column spacing from the upper massing can be adjusted at the retail street level to provide clarity of uses as well as altering the massing slightly on the residential above the entrance to building 3 to reflect the colour perspective drawing (see under condition 1. 4).

1.10 design development to the proposed art feature concept to enrich the Broadway Streetscape;

Note to Applicant: Arrangements to be made, in consultation with the Office of Cultural Affairs, for the selection of an artist and the art concept to enhance the public realm. The approximate cost of this feature to be in the order of \$50,000.

Applicant's Response: Please see letter from London Drugs dated October 19, 2004 which states: Arrangements will be made in consultation with the City of Vancouver Office of Cultural Affairs to select an artist to design and implement a site integrated or building integrated art feature (e.g.- special bench, tree grates, column art feature) at the cost of the developer. It's expected that the approximate cost of the art feature for both design, supply and installation will be \$50,000.

Staff Response: Specific design concept for the art feature, such as a bench for the corner plaza, is sought and shown on drawings prior to issuance of a development permit as noted in condition 1.6.

1.11 provision of a sustainable building feature checklist and illustration of the design details of these features on application drawings (including any storm water retention, landscape roof treatment, or south façade building treatments to reduce solar loads);

Applicant's Response: Sustainability items, particular to landscape, include, but are not limited to:

1. The use of water efficient landscaping (50% reduction or no potable use).
2. Reduction of heat island affects both on and off the roof. Planting at the lane building façade, in terraced planters, minimized use of hard surface at the podium level, and the incorporation of an extensive green roof system all contribute to a significant reduction in reflective and ambient radiation.
3. The use of passive solar shading on the south side through overhangs, balconies, slab extensions and awnings.

Staff Response: Staff support these sustainable building efforts and consider they will contribute to the general amenity of the area and residential livability. Under condition 1.8, staff request minor clarification for the features proposed and consideration of additional features: along with the drought resistant planting, staff request consideration of high efficiency irrigation systems to further reduce water use. Green roof has been proposed on buildings 2 and 3, staff request a detail of the green roof and consideration of a highly reflective roof material for building 1.

1.12 drafting and submission of a construction and operations management accord between the two large retailers and local residents and businesses, to the satisfaction of the General Manager of Engineering and Services;

Applicant's Response: Please see attached letter from London Drugs dated October 19, 2004. (See Appendix F)

Staff Response: An Operations Management Plan is attached in Appendix F. Staff request more detailed information in Condition 1.7. Construction Management is routinely worked out at the Building Permit stage and will address issues of contacts, communication, adherence to hours of construction, parking for workers, etc. (see item 14 of Appendix F.)

1.13 inclusion, in the infrastructure requirements, street and sidewalk lighting and landscaping on Vine Street south of Broadway to match those of Arbutus Walk;

Applicant's Response: All site furnishings to be of equal quality, scope and finish to those used throughout the Arbutus Walk neighbourhood. Refer to landscape drawings.

Staff Response: Street lighting has been proposed on Vine Street to match Arbutus Walk.

1.14 design development to arrange the commercial layout and take other measures so windows will remain transparent along the Broadway sidewalk.

Applicant's Response: A drugstore and grocery store layout plan has been provided showing the extent of racking and merchandising at a schematic level. All windows serving the display areas of the stores are to remain transparent.

Staff Response: This condition will be partially responded to by the new condition 1.3 where commercial frontages are to be further resolved and otherwise has been met.

Other:

Loading Bay Architectural Finishing and Lighting: Although the Engineering Services requirements for the loading bay have been met, the architectural finishing of the loading bay requires some development. This was identified by the Urban Design Panel and by neighbours across the lane who are concerned with the impacts of the loading bay. Staff suggest that the concrete walls of the loading bay area be treated as a finished exterior wall similar to the walls on the lane. That would suggest; continuation of the reveal patterns in the painted architectural concrete, pilasters treatment, scuff line on the lower walls, specialty detailed handrails and a lighting concept plan to ensure no glare on adjacent neighbours. This is described under condition 1.2.

Conclusion: This development application has progressed well from the preliminary stage to the complete stage to address the issues identified. The program for the site is ambitious with 2 outright retail uses to 1.0 FSR and residential, in addition, to maximize the conditional density to 3.0 FSR. However, at every point, the development team has responded well to issues identified by staff and neighbours.

Management of the traffic flow within the vicinity of the development is the most identifiable issue for this proposal. A public consultation process including a well attended public open house and Traffic Survey Form with a high response rate has been undertaken. The high level of support received on the Traffic Survey Form for the traffic calming and modifications reflects an inclusive public process.

The design of the building has progressed well and received unanimous support from the Urban Design Panel. For the complete development application, there remain only a few detail issues to be resolved, which are outlined in the conditions recommended by staff.

The proposal has responded well to the conditions for the increases in density and height identified in the By-Law and Guidelines with the key features of earning noted below:

- traffic modifications to respond to the proposed drug store and grocery store uses,
- building massing which provides sunlight access, views through the site and reduced shadowing,
- high quality building materials and treatments,
- pedestrian amenity through a landscaped setback on Vine Street with active commercial uses on the street with well articulated retail frontage treatments,
- provision of open space with a public plaza at the corner of Vine and Broadway,
- art feature to be integrated into the public realm,

- sustainable building features.

On that basis, staff recommend approval of the complete development application subject to the conditions recommended in this report.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on December 8, 2004 and provided the following comments:

EVALUATION: SUPPORT (5-0)

- **Introduction:** Mary Beth Rondeau, Development Planner, introduced this complete application. The Panel supported the preliminary submission in May 2004 and the Development Permit Board subsequently approved it in principle in July 2004. The proposal is for a London Drugs store on the ground floor and a grocery store slightly below the street grade, with residential use above. The Development Permit Board supported the requested maximum permitted density of 3.0 FSR and a maximum height of about 78 ft.

Ms. Rondeau briefly reviewed the issues raised by the Panel and the Board at the preliminary stage. The Panel's advice is sought on the applicant's response to the conditions of preliminary approval, including:

- whether the project has earned the discretionary increased density and height;
 - rear lane treatment and setback;
 - retail street resolution including scale of weather protection and entries;
 - Vine Street treatment including setback, vertical feature and treatment of public corner plaza;
 - sustainable design issues.
- **Applicant's Opening Comments:** The developer, Jim McLean, introduced the design team and Jim Hancock, Architect, briefly described the revisions to the scheme in response to the conditions of the Development Permit Board and the Panel's previous comments. Chris Phillips briefly reviewed the landscape plan and noted that public art will be incorporated into the architectural façade to enhance the public realm. Colleen Dixon addressed the sustainability measures, and the design team responded to questions from the Panel.
- **Panel's Consensus on Key Aspects Needing Improvement:**
- Design development to enhance the autonomy and differentiation of the residential entries relative to the retail frontage;
 - Consider relocation of grocery store entry further eastward, if practical;
 - Design development to the loading bay materials and lighting to enhance the quality of the loading bay.
- **Related Commentary:**

The Panel unanimously supported this application and generally considered it to be very well handled. The Panel considered the requested height and density to be well earned by the design approach taken to break up this large block, the successful integration of the uses, and for the project's sustainability initiatives.

The Panel acknowledged the significant improvements made to the treatment of the lane. Some concerns remained about the large loading dock, although acknowledging its necessity for the commercial uses. The applicant was urged to consider a high level of finishes and lighting in this area to soften its impact on the neighbourhood. Treatment of the loading dock should be residential rather than industrial in appearance.

The improvements made to the Vine Street frontage were strongly endorsed by the Panel. Extending the pavement up to the building will make it much more usable by the general public, including the corner plaza. The corner specimen tree was also strongly supported. It was noted that moving the westerly building away from Vine Street creates more breathing space, both for the Vine streetscape and for the small building across the street. The Panel found the corner plaza and bistro to be one of the most successful aspects of the project.

The Panel strongly urged that the Broadway streetscape and character be further refined. Suggestions and comments included:

- Relocating the westernmost residential entry to Broadway contributes positively to the Broadway streetscape;
- There needs to be greater variety and distinction between the residential and retail entries;
- London Drugs should be encouraged to make their windows as permeable as possible;
- Attention should be given to coordinating the entries with the pattern of street trees;
- There may be a conflict between the grocery entry and the bus stop;
- The Broadway streetscape could benefit from a higher quality of materials, perhaps more brick and less painted concrete;
- Recommend the grocery store entrance be located further to the east to be more mid-way between the residential masses (similar to the London Drugs frontage);
- Interior lighting adjacent to the street will be very important to the quality of the streetscape;
- The smaller retail units should be deeper to make them more workable.

Other minor comments included a suggestion for the vertical elements to be slightly more disengaged from the mass behind (as suggested in the rendering). Also, a comment that the roofs may be somewhat weak given they will have a prominent profile from the street.

The Panel welcomed the inclusion of sustainable design features and strongly urged that the applicant seek up to LEED silver certification.

- **Applicant's Response:** With respect to the grocery store entry, Mr. McLean noted there are some very practical considerations for making it work as proposed. He said they can continue to work on it but moving it further to the east would be very difficult.

ENGINEERING SERVICES

At the Preliminary stage of this development, issues associated with traffic management and neighbourhood protection were the dominant transportation-related concerns to both the local community and staff. Also of concern were management of parking, goods loading, and servicing [i.e. garbage and recycling] to minimize impacts to neighbours. The concerns raised by residents and nearby businesses have been, or are being, addressed by the project team through design changes to the building, determination of measures to manage traffic and protect the neighbourhood, and commitment to manage loading activities.

Parking and Loading

Changes to parking and loading have been made, to the betterment of the overall project. A more direct parking access to/from the P2 level has been incorporated, which more cleanly segregates public/commercial and private/residential spaces. The design of loading facilities has improved significantly since the preliminary application. Some changes, however, are still required [see conditions 1.2 and A.2.1]. A Loading Management Plan is required to clarify operating hours, shared use of the loading facilities, and specification of the largest vehicles that will be accommodated. (See Condition 1.7)

Neighbourhood Consultation for Traffic Calming Measures

Since the preliminary approval-in-principle by the Development Permit Board in July 2004, the applicant team and staff have undertaken consultation as follows;

- September 15, 2004 Traffic Focus Group Meeting, Fraser Academy, 7pm-9pm;
16 local households invited, 11 neighbours signed in;
Schematic layout for traffic measures developed with focus group;
Draft Traffic Comment Form Handed out for comment by focus group.
- October 6, 2004 Public Open House, Kitsilano Community Centre, 4pm-7pm;
Notification mailed to 2,351 residents, 53 neighbours signed in;
Responses on Traffic Comment Form - 33
Summary of responses based on Traffic Comment Form to the overall
satisfaction with proposed measures:
21% very satisfied
54% somewhat satisfied
14% not at all satisfied
11% undecided
- With respect to the option for either a right-in/right-out diverter on the north side
of Broadway/Yew intersection and traffic circle at 6th and Yew OR a diagonal
diverter at 8th and Yew:
79% favoured the right-in/right-out diverter option
21% favoured the diagonal diverter option

Based on the response to the Traffic Comment Form, a Traffic Survey form was mailed to 1,952 neighbouring property owners and delivered as a mail drop to this same area (to reach tenants) on January 19, 2005. (See plan, next page, and full survey, Appendix G) Respondents have shown 72 percent (259) support for the traffic features outlined in the survey form, 25 percent (99) opposed, and three percent (11) unspecified. On the basis of support for the traffic measures outlined in the survey, staff recommend calming measures and features as noted in condition 1.1.

Note that follow-up consultation between the City and neighbourhood will be required as some of the initial measures specified would be installed as a trial, and the need for further measures could become apparent once the development is fully operational. In this regard, \$25,000 is sought for unspecified measures that may be approved by City Council within two years of final occupancy.

Diagram from Survey Form:

TRAFFIC CALMING PLAN



Additional recommendations from Engineering Services are contained in Appendix A.

HOUSING/SOCIAL PLANNING

A children's play area has been included between buildings 2 and 3, and generally meets the requirements established in the Guidelines. However, there is not sufficient detail as to the types of planting proposed in the play area, the size and type of fencing, and the proposed water feature. This detail is sought in condition A.1.12.

ENVIRONMENTAL PROTECTION BRANCH

A closure report by the environmental consultant will be required on any findings during subsurface work, to be submitted to the Environmental Protection Branch prior to occupancy. In addition, an erosion and sediment control plan is required for review and approval at a Building Permit Application stage. See Conditions B.2.10 and B.2.11.

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

An acoustical report dated October 20, 2004 has been reviewed and accepted. The applicant's response to "prior to" conditions, dated November 16, 2004, addresses all conditions from the preliminary approval of July 19, 2004.

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

- (i) Detailed drawings of food/retail spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction.
- (ii) The garbage storage area is to be designed to minimize nuisances.
- (iii) 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.
- (iv) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases.
- (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.

FIRE & RESCUE SERVICES

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

NOTIFICATION

Between the Development Permit Board's preliminary approval in principle on July 19, 2004, and submission of this complete application, two meetings were held to discuss traffic mitigation options. The first meeting, on September 15, 2004, was a focus group session aimed at exploring and reviewing potential traffic mitigation measures with immediate neighbours. Eleven neighbours signed in. On October 6, 2004, a Public Open House was held to review the feedback from the focus group and present options. About 60 residents attended the Open House. Feedback from these meetings was used by the applicant and City Engineering staff to identify a specific traffic mitigation strategy.

Following submission of the complete development application, 3 revised site signs were posted at the site, and a notification letter was mailed to 1,952 neighbouring property owners on December 17, 2004, advising them of the application and seeking comment. A subsequent notification was mailed on January 19, 2005, along with a survey (Appendix G) seeking comment on proposed traffic mitigation measures. A mail drop of the notification area also occurred that week, to ensure tenants were aware

of the proposal and proposed traffic mitigation measures. Staff also met on site with representatives from nearby schools, St. John's and Fraser Academy.

Forty one responses have been received since the July, 2004 preliminary approval, and 276 people responded to the survey. Of the letters received, 8 are opposed to the application, 20 are in support of the application, 6 are not opposed, but cite concerns or make suggestions about traffic mitigation, and 7 respondents had other questions. Of the surveys received, 247 support and 88 oppose the proposed traffic mitigation plan. (72% support, 28% oppose).

Supporting comments

Most of those writing in support of the application felt the proposed design is attractive, that the combination of housing and retail planned suits the area and will add vitality, and that the applicant came a long way since the preliminary approval to address the design and traffic issues identified.

Concerns Identified:

- Traffic Congestion:
 - Neighbours are concerned about the increase in traffic this proposal would cause, believing the congestion in the area is already at dangerous levels.
 - Neighbours noted the need for proper pedestrian signals in the vicinity.
 - Some suggested speed bumps on the laneway, to slow traffic down.
 - Some felt recent traffic mitigation measures have hindered, rather than improved, traffic congestion, particularly on Arbutus between Broadway and 13th. Some felt City enforcement of new regulations was lacking.
 - One neighbour felt the traffic survey conducted in the fall was inadequate.

Staff Response: Staff agree that traffic generated by this proposal will present a challenge for the area. However, after reviewing the traffic study, consulting with neighbours and reviewing the results of the traffic Survey Form, staff are confident that the negative impacts of the traffic and loading from this proposal can be mitigated through traffic calming and required modifications.

- Street Parking:
 - Neighbours seek maintained or enhanced on-street parking opportunities on both Broadway and Yew to ensure ample parking for commercial patrons.
 - Permit parking for residents is recommended by some.

Staff Response: There is no plan to reduce on-street parking in the vicinity of the project. The issue of parking for residents is dealt with per existing programs managed by the Parking Branch of Engineering Services. Neighbours should contact the office at (604) 871-6153 for assistance in pursuing resident parking protection.

- Loading Operation
 - Neighbours adjacent to the lane, including St. John's School, are concerned about increased traffic in the lane and the safety risk this may cause to school children.
 - The lane will be converted from a tree landscaped lane to one with massive loading bays and complex garbage disposal operations, a significant impact to adjacent residential neighbours.

Staff Response: The existing activity on the lane for vehicles has been taken into consideration as part of the traffic study and analysis. Staff consider that this lane, shared by commercial, school and residential will function adequately, given the loading bay design and traffic modifications proposed. Condition 1.2 suggests improvements to the architectural treatments and lighting to improve the look of the loading bay on the lane and to ensure that lighting does not cause glare to adjacent neighbours. Condition 1.8 requests more detail on the Loading Management Plan submitted by the Development Team.

- View loss
 - One neighbour considered the project should be limited to 5 storeys as anticipated in the Broadway-Arbutus Policy statement, citing loss of valuable and desirable views from residential homes.

Staff Response: This specific view issue was addressed at the preliminary development application stage. Views from the 4th floor cannot be preserved and would be compromised with a 5 storey massing.

- Other
 - Immediately adjacent neighbours cited privacy concerns, as residential units would look directly into their premises (St. John's School).
 - Some felt the form of development is "too heavy" and large for the neighbourhood, with too much concrete. The intimacy of Kitsilano's streetscape will be lost.
 - One respondent felt the size of the major commercial tenants would have a negative impact on existing retailers.
 - One respondent felt that a ramp to the grocery store was preferable to the proposed lift, to provide barrier-free access.

Staff Response: With respect to privacy, the residential units overlooking the lane meet setback requirements for residential which take privacy issues into consideration. The resolution of the massing has been well supported by the Urban Design Panel and by staff with the intent of keeping a scale and treatment in character with the area. Market studies on other similar sites in the Central Broadway corridor suggest that anchor retail such as is proposed tend to support smaller retail in adjoining areas. Staff are satisfied that the handicap lift for access to the grocery store is the preferable resolution when considered in conjunction with the overall public realm.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

Staff Committee considered that the applicant, neighbours and staff should be commended on the process leading to the comprehensive traffic mitigation plan, and look forward to additional details on the loading management plan.

The Committee support the minor additional height on Broadway, beyond the Guideline suggested, given the overall benefits of the proposed massing and sensitive attention to shadow impacts.

The Committee supports public use of the corner plaza and efforts to encourage more of that use through design improvements.

B. Boons
Chair, Development Permit Staff Committee

M.B. Rondeau, MAIBC
Development Planner

T. Chen
Project Coordinator

Project Facilitator: Vicki Potter

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 provision of the Class A loading spaces to be separated from the provisions of off-street parking counts;

Note to Applicant: Spaces may be designated as one or the other, not both. The Parking statistics tables will have to be amended to reflect the separations.

- A.1.2 provision of roof-top mechanical equipment and its associated architectural screening materials;

- A.1.3 design development to locate the southwest residential exit stair and adjacent residential unit to comply with the 15 foot residential setback requirement;

- A.1.4 deletion of all references to signage on the building, as they are governed by the Sign By-law and require separate approvals.

Note to Applicant: The Applicant is encouraged to meet with staff prior to finalizing the overall signage plan for the development. Please contact the Enquiry Centre at 604 871-6714 to discuss signage requirements.

- A.1.5 provision of a decorative metal screen surrounding the gas meters on the lane;

Standard Landscape Conditions

- A.1.6 provision of additional street trees along West Broadway frontage.

Note to Applicant: The number of new street trees should be maximized, specifically adjacent to the bus zone along West Broadway. Minimum spacing from light posts should be used.

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

- A.1.7 paving and boulevard treatment on city property to the approval of the General Manager of Engineering Services;

(Note to Applicant: Planning will be seeking a higher quality paving treatment on city property such as exposed aggregate banding with Broom finished concrete panels. Unit pavers (proposed within the property line) to delineate plaza/café seating is acceptable;

- A.1.8 provision of pedestrian amenity in the form of permanent benches located between the inside row of trees (proposed along Vine Street);

Note to Applicant: Benches should be located just inside property line. In addition, light standards may have to be moved closer to the building in order to accommodate benches)

- A.1.9 design development to provide a curvilinear bench around the feature Black Walnut tree in order to provide a unique pedestrian seating experience;

Note to Applicant: Paving pattern reflecting the curve of the building edge should be used to facilitate pedestrian movement through the plaza, provide visual cues for café seating and reflect the curve of the bench.

- A.1.10 confirm that a minimum of 36" soil depth is being provided for the feature Black Walnut tree located in the corner plaza at Vine and West Broadway;

Note to Applicant: Please provide a minimum 1/4" section. A minimum 36" soil depth can be achieved by both reducing the slab at the mechanical room roof and providing a grass berm around the tree.

Crime Prevention Through Environmental Design (CPTED)

- A.1.11 design development to reduce opportunities for mail theft in the residential lobbies by locating mail boxes on plan where they are fully visible to the residential elevators;

Social Planning/Housing Centre

- A.1.12 design development to the children's play area to meet the requirements of the City's Guidelines for High-density Housing for Families with Children:

Note to Applicant: Specify on the landscape plans the types of planting in the play area, noting that toxic plants are prohibited. Further details of the size and type of fencing should be shown on the architectural and landscape plans. Details on the plans of the proposed water feature are needed to ensure there is no pooling, or that the water feature is separated from the children's play area.

A.2 Standard Engineering Conditions

- A.2.1 provision of unobstructed 11.5' width for westerly Class C loading space and relocation of the westerly Class B loading space out of the travelling path of this Class C space.

Note to Applicant: This will require minor modifications to a portion of the adjacent wall to bring loading spaces in line.

- A.2.2 provision of barrier restricting access from parking ramp to adjacent parallel circulation aisle on Parking Level 3.

Note to Applicant: The proposed inadequate radius would result in back-up manoeuvres, delay, and interlocking vehicular head-on conditions.

- A.2.3 provision of adequate manoeuvring and turnaround for parking stalls 66 and 67 on Parking Level 4.

- A.2.4 clarify provision of parking for residential visitors, to the satisfaction of the General Manager of Engineering Services.

- A.2.5 provision on plans of signage denoting employee parking spaces.

- A.2.6 undergrounding of any plant associated with "pole #4" (See Appendix D, 7 of 15) necessary to avoid limiting of access to or from the loading facility;
-

- A.2.7 correction of design elevations at both sides of parking ramp entrance at lane. Design elevations must meet building grades. Design elevations are required at all entrances on Broadway.
- A.2.8 submission of a canopy application is required. Canopies must be fully demountable and drain internally into the buildings drainage system.
- A.2.9 submission of a separate, revised Landscape Plan directly to Engineering Services;
- A.3 **Standard VCHA Conditions:**
 - A.3.1 confirmation of the location of the proposed exhaust vents located adjacent to the rear lane.

Note to Applicant: The vents should be located so as to minimize negative impacts both within the development and across the lane.

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 February 2, 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 **August 29, 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 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 of approximately 301 square feet, located on Level 3 podium, and excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or commercial tenants of the building;

AND

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

- B.2.5 The enclosed balconies are to be maintained at all times in accordance with the balcony enclosure details on the approved plans and are not to be used as an integral part of the interior space of the building.
 - B.2.6 All trees in accordance with Tree By-law No. 7347 are to be installed prior to issuance of any required occupancy permit or use of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
 - B.2.7 All approved street trees shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
 - B.2.8 In accordance with Private Property Tree By-law No. 7347 the removal and replacement of trees are permitted only as indicated on the approved Development Permit drawings.
 - B.2.9 As stated in a letter from the owner dated October 19, 2004: a) employee parking spaces are to be signed and maintained for employee use, with such spaces indicated on the drawings; and b) parking for retail patrons would remain free of charge or reimbursed with proof of purchase, and may be time-limited.
 - B.2.10 A qualified environmental consultant be available to identify, characterize and appropriately manage any soil and/or groundwater materials of suspect environmental quality which may be encountered during subsurface work at the site;
 - B.2.11 Submission of a closure report by the environmental consultant on any findings during subsurface work, to be submitted to the Environmental Protection Branch prior to occupancy.
 - B.2.12 This site is affected by the Development Cost Levy By-law No.8149. Levies will be required to be paid prior to issuance of Building Permits.
-

Processing Centre - Building comments

The following comments have been provided by Processing Centre - Building. Items #1-9 were identified at the preliminary review, from drawings dated October 10, 2003, and were conveyed to the applicant in the prior to letter July 26, 2004. Items #10-18 are the result of a review of the Complete development permit plans dated October 20, 2004. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law.

It is advised that the applicant retain a qualified Building code consultant for this project.

- 1) Building construction requires to be noncombustible.
 - 2) High-rise building and VBBL 3.2.6. requirements for high buildings apply to entire building.
 - 3) Area of refuge shall be provided for the required accessible floor areas to conform 3.8.
 - 4) The building is required to provide access to persons with disabilities. Also shall meet enhanced accessibility requirements.
 - 5) At least 2 exits/ egress required from floor areas.
 - 6) Storage garage security shall conform to 3.3.6.7.
 - 7) Additional exit may be required from storage garage.
 - 8) Dead end corridor shall meet VBBL.
 - 9) Exits do not conform to VBBL.
 - 10)*Travel distance may exceeds 45m.to the nearest exit at various locations.
e.g.. Additional exit may be required from P4,
 - 11)*Storage garage vestibules shall be provided as per VBBL 3.3.5.7.
 - 12)*Storage garage exits shall exit directly to outside and be separated from above grade exit stairs.
 - 13) Wired glass in exit stairs shall meet the VBBL requirements.
 - 14)*Only one exit shall go thorough exit lobby.
 - 15)*Designated exit /egress pathway required when exiting through loading bay area.
 - 16)*Exiting from residential units through open space shall have access to open public thoroughfare.
 - 17)*Common space shall have required number of exits and exit pathways shall be protected.
 - 18) Protection exit facilities shall conform to VBBL 3.2.3.12.
- * Items marked with an asterisk have been identified as serious non-conforming Building By-law issues.

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 October 20, 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.

- 1) Refer to previous Fire Dept Review comments of 03/Dec/09 and 04/Jun/22.
- 2) Review fire alarm system in conjunction with fire department response points. There will be separate fire dept response points required. This will also include a separate response point for the parkade. Suggest a meeting be arranged with Electrical Department and Fire Department for this.
- 3) Applicant, Colleen Dixon of Hancock Bruckner Eng & Wright Architects has responded to Planning Department 04/Nov/16, with the following; 'We, as applicant have acknowledged that comments of the Processing Centre... and the Fire & Rescue Services Department have been considered and will be incorporated into the building permit set.' On the basis of this response from applicant, Fire Department Review complete for the Development Application stage.