

NOVEMBER 22, 2004

822 SEYMOUR STREET (COMPLETE APPLICATION)
DE408776 - ZONE DD

RRS/SB/CH

APPLICANT:

W. T. Leung Architects Inc.
300-973 West Broadway
Vancouver, BC
V5Z 1K3

PROPERTY OWNER:

DTKH Robson Development Ltd.
c/o W. T. Leung Architects Inc.
300 - 973 West Broadway
V5Z 1K3

EXECUTIVE SUMMARY

Proposal: Interior and exterior alterations to combine two (2) dwelling units into one (1) dwelling unit on Level 13, and to add a new stairwell to access a new roof deck in this existing mixed use commercial/residential building, thereby seeking 190 sq. ft. by way of a transfer of heritage floor space from the site at 48-56 Water Street pursuant to Section 3.12 of the Downtown Official Development Plan.

See Appendix A - Standard Conditions

Appendix B - Standard Notes and Conditions of Development Permit

Appendix C - Plans and Elevations

Appendix D - Letter "A" from the receiver and donor regarding the purchase of heritage density

Issues: None

STAFF RECOMMENDATION: APPROVE

THAT the Board APPROVE the heritage density transfer request contained in Development Application No. DE408776 as submitted, the plans and information forming a part thereof, thereby permitting interior and exterior alterations, and the addition of 190 square feet by combining two (2) dwelling units into one (1) dwelling unit, and deleting two ensuite storage rooms previously excluded from the computation of FSR (77 square feet), and adding a new stairwell for access to a new roof deck (113 square feet), subject to the following conditions:

- 1.0 That the Conditions set out in Appendix A be met prior to issuance of the Development Permit.
- 2.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

Technical Analysis

	PERMITTED (MAXIMUM)	EXISTING	PROPOSED
Site Size		143 ft. x 120 ft.	
Site Area		17,160 sq. ft.	
Floor Area ¹	85,800 sq. ft. (total) 51,480 sq. ft. (residential)	90,200 sq. ft. (total) 54,192 sq. ft. (residential)	90,390 sq. ft. (total) 54,382 sq. ft. (residential)
FSR ¹	5.00 (total) 3.00 (residential)	5.26 (total) 3.16 (residential)	5.27 (total) 3.17 (residential)
Dwelling Units		82 units	81 units

¹ **Floor area and FSR:** The north seven feet of this site has been dedicated (for street widening purposes) as a condition of DE406340. The maximum permitted FSR for DE406340 had been based on the pre-dedicated site area of 18,000 square feet, and therefore the existing FSR and floor areas exceed the maximum currently permitted for the site.

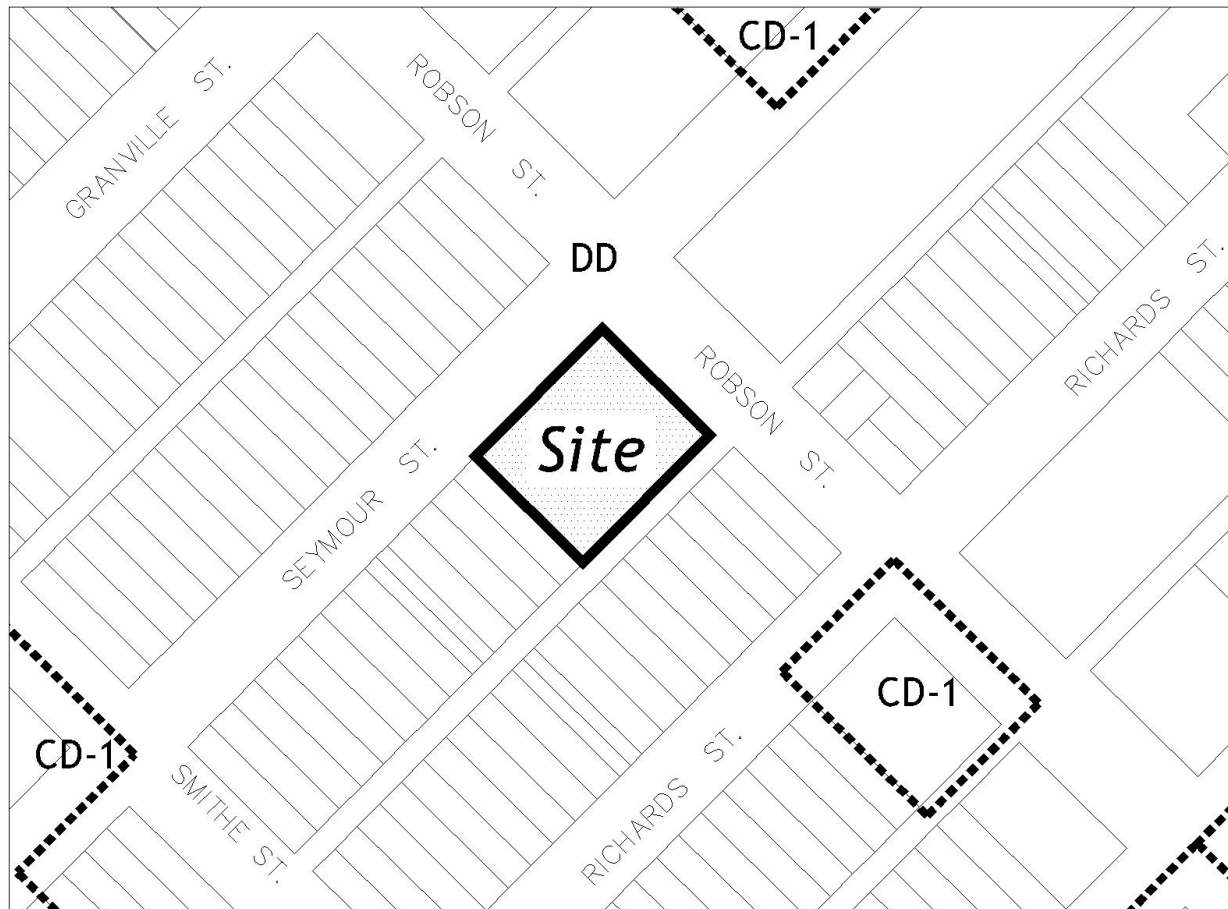
Legal Description

Lot: A
Block: 64
Plan: BCP1877
District Lot: 541

History of Application:

04 08 20 Complete DE submitted
04 11 22 Development Permit Board Meeting

Site: The site is located at the southeast corner of Robson Street and Seymour Street



Site: 822 Seymour St, Date: November 9, 2004, Drawn: TM, Scale: 0 10m 25m 50m North: ↑

Background: The site was approved for a 13 storey, mixed use commercial/residential building containing ground floor retail, second and third floor commercial, and fourth through thirteenth floor (10 storeys) residential use containing a total of 82 dwelling units by the Development Permit Board on March 18, 2002.

Applicable By-laws and Guidelines:

1. Downtown Official Development Plan (DODP)
2. Downtown (except Downtown South) Design Guidelines
3. DD (except Downtown South) C-5, C-6, HA-1, HA-2, Character Area Descriptions
4. Transfer of Density Policy and Guidelines

Response to Applicable By-laws and Guidelines:

1. Downtown Official Development Plan

FSR: The By-law allows up to a maximum of 5.00 FSR for all permitted uses, of which a maximum of 3.00 FSR is permitted for a residential use, excluding up to 10 percent additional heritage density transfer allowed under section 3.12 (see below). The proposed floor space amount under this application is 190 sq. ft. or 0.01 FSR, which equates to 2.2 percent of the maximum ten percent heritage density transfer eligible for this site.

Heritage Density Transfer: The Downtown Official Development Plan, under Section 3.12 contains in part, the following:

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

Conclusion: Staff support this proposal for a small heritage density transfer.

B. Boons
Chair, Development Permit Staff Committee

R.R. Segal, MAIBC
Development Planner

S. Barker
Project Coordinator

A.1 Standard Conditions

- A.1.1 Provision of Letter "B" (sample copy attached) which includes confirmation from the owner of the "donor" site that the agreement has been finalized, and confirming the new "balance" of transferable density remaining on the donor site.
- A.1.2 Arrangements shall be made to the satisfaction of the Director of Legal Services for appropriate amendments to the Density Transfer Covenant on title for the "donor" site to reflect the completion of the density transfer.
- A.1.3 Submission of a landscape plan for the roof deck incorporating planting and hard surface treatment and detail of the guard rail.

Note to Applicant: Irrigation hose bibs shall be provided to the roof deck area, and notations to this effect should be added to the drawings.

B.1 Standard Notes to Applicant

- B.1.1 It should be noted that if Condition 1.0 has not been complied with on, or before **May 22, 2005**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the By-law or regulations can be issued.
- B.1.3 A new development application will be required for any significant changes other than those required by the above-noted conditions

B.2 Condition of Development Permit

- B.2.1 This site is affected by Development Cost Levy By-law No. 6924. Levies will be required to be paid prior to the issuance of Building Permits.