

833 SEYMOUR STREET (PRELIMINARY)
(formerly 819 Seymour Street)
DE410152 - ZONE DD

RRS/BM/DR/DK

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

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

Also Present:

R. Segal, Urban Design & Development Planning
B. Mah, Development Services
D. Robinson, Development Services
R. Ackerman, Civic Theatres
D. Ramslie, Current Planning
R. Waite, Engineering
*G. Jaggs, Landscape
*R. Cheung, Building

* Attended April 26/06 DPSC only

** Attended May 10/06 DPSC only

APPLICANT:

Douglas Nelson
Howard Bingham Hill Architects
201-1444 Alberni Street
Vancouver, BC
V6G 2Z4

PROPERTY OWNER:

Orpheum Condominium Properties Ltd.
3502-1088 Burrard Street
Vancouver, BC
V6Z 2R9

EXECUTIVE SUMMARY

- **Proposal:** To construct a 42 storey building with a 7 storey podium including ground floor retail, 3 cultural amenity facilities, commercial offices, 383 residential units and a 35 storey residential tower above plus underground parking proposing a total of 275 parking spaces.

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 Council Report & Minutes (Cultural Amenity Bonus)

Appendix G Sustainability Chart

● **Issues:**

1. Tower Expression
 2. Podium Architectural Treatment
 3. Provision of Parking and Loading
-

• Urban Design Panel: SUPPORT

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE IN PRINCIPLE Development Application No. DE410152 submitted, the plans and information forming a part thereof, thereby permitting the development of a 42 storey building with a 7 storey podium including ground floor retail, three cultural amenity facilities (Orpheum stage expansion, new rehearsal hall and music school), commercial offices, residential units and a 35 storey residential tower plus underground parking, subject to the following conditions:

1.0 Prior to submission of a complete application and a final decision, the applicant is to carry out the following;

1.1 design development to simplify the tower's expression;

Note to Applicant: Accentuating the tower's curve, particularly at the top portion, to achieve a cleaner form, is recommended.

1.2 design development to improve the tower/podium transition and to better integrate the podium's Seymour Street facade with the Orpheum Theatre;

Note to Applicant: Consideration should be given to expressing the various podium components (i.e. school & rehearsal hall) within the façade treatment as well as consideration of a stronger brick treatment.

1.3 design development to the ground floor relationship to the sidewalk to improve pedestrian amenity, including increased setback, and to better integrate the parking entry into the streetscape:

Note to Applicant: The interface of the parking entry to the Rehearsal Hall entrance should be enhanced to improve the Hall entrance's prominence and wayfinding ability for Hall patrons, in consultation with the Managing Director of Cultural Services.

1.4 registration of an agreement or agreements to secure the cultural amenities and ancillary uses in exchange for the bonus density, to the satisfaction of the Director of Legal Services, the Managing Director of Cultural Services, the Director of Real Estate Services and the Director of Facilities Development & Management; and

Note to Applicant: The City will seek to secure its interest in this amenity space through a (no occupancy) covenant that requires conveyance to the City of an air space parcel containing the amenity spaces and a further agreement to secure, at no additional cost, unrestricted use of 23 parking spaces and access to five shared parking spaces at a location determined by the City. While the air space subdivision will address shared facilities easements and any cost sharing agreements the terms must be settled as part of the business deal to be negotiated with the City, prior-to development permit issuance.

1.5 design development of the loading facilities to provide a minimum of three Class B and one Class A loading spaces and the provision of a Loading Management Plan (LMP) to the satisfaction of the General Manager of Engineering Services, Director of Planning and the Managing Director of Cultural Services.

Note to Applicant: The applicant shall provide two Class B loading spaces, which shall remain for the priority use of the residents in addition to the provision of one Class A

and one Class B loading space to be shared between the non-residential (commercial) and cultural amenity uses. A redesign of the loading facilities on this site, depending on the design solution, will be necessary to achieve the provision of these additional spaces.

The Loading Management Plan (LMP) shall be provided to the satisfaction of the General Manager of Engineering Services in consultation with the Director of Planning, and the Managing Director of Cultural Services. The plan may include, but not be limited to, the details of the function and responsibility of a loading manager, arrangements for the assignment of priority use of the shared commercial and cultural use loading spaces, timely access by residents to functioning residential loading spaces and, if necessary, the occasional use of the residential spaces by other users on the site. The plan must also include information and operating protocols to serve the Orpheum concerning expected loading demand and scheduled generated for the Orpheum.

- 2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.
- 3.0 That the complete application be dealt with by the Development Permit Board

• Technical Analysis:

	PERMITTED	REQUIRED	PROPOSED																																										
Site Size	-	-	150 ft. x 120 ft. (nominal)																																										
Site Area	-	-	17,990 sq. ft. (survey plan)																																										
FSR ¹	Area 'C' Non-residential 2.00 Residential <u>3.00</u> Basic 5.00 Cultural Amenity Bonus (Resid.) <u>13.79</u> Total 18.79	-	Non-Residential 0.63 Residential <u>18.16</u> Total 18.79																																										
Floor Area ¹	Area 'C' Non-residential 36,000 sq. ft. Residential <u>54,000</u> sq. ft. Basic 90,000 sq. ft. Cultural Amenity Bonus (Resid.) <u>248,192</u> sq. ft. Total 338,192 sq. ft.	-	Non-Residential 11,464 sq. ft. Residential <u>326,842</u> sq. ft. Total 338,306 sq. ft.																																										
Balconies ¹	Maximum (8% of Residential FSR) 26,138 sq. ft. All Open Only 26,138 sq. ft. Max. Enclosed (50% of Open) 13,081 sq. ft.	-	Open 17,516 sq. ft. Enclosed <u>8,647</u> sq. ft. Total 26,163 sq. ft.																																										
Height ²	By-law 300.0 ft. View Cone (9.2.1) 413.7 ft.	-	Top of Mech. Parapet 413.9 ft.																																										
Parking ³	Area II Non-Residential (maximum) 11 Residential 388 Cultural Amenity <u>23</u> Total 422 Small Car (25%) 67	Area II Non-Residential 11 Residential 388 Cultural Amenity <u>23</u> Total 422 Disability Spaces 7	Non-Residential 0 Cultural Amenity Standard 18 Small Car 4 Disability <u>1</u> Subtotal 23 Residential Standard 180 Small Car 55 Disability + 6 bonus 12 Visitor's (shared) <u>5</u> Subtotal 252 Total 0 + 23 + 252 = 275 Small car spaces 59 Disability spaces 7																																										
Bicycle Parking ⁴	-	<table border="0"> <tr> <td></td> <td>Cl. A</td> <td>Cl. B</td> </tr> <tr> <td>Non-Resid.</td> <td>2</td> <td>13</td> </tr> <tr> <td>Residential</td> <td><u>479</u></td> <td><u>6</u></td> </tr> <tr> <td>Total</td> <td>481</td> <td>19</td> </tr> </table>		Cl. A	Cl. B	Non-Resid.	2	13	Residential	<u>479</u>	<u>6</u>	Total	481	19	<table border="0"> <tr> <td></td> <td>Cl. A</td> <td>Cl. B</td> </tr> <tr> <td>Non-Resid.</td> <td>3</td> <td>13</td> </tr> <tr> <td>Residential</td> <td><u>482</u></td> <td><u>6</u></td> </tr> <tr> <td>Total</td> <td>485</td> <td>19</td> </tr> </table>		Cl. A	Cl. B	Non-Resid.	3	13	Residential	<u>482</u>	<u>6</u>	Total	485	19																		
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Loading ⁵	-	<table border="0"> <tr> <td></td> <td>Cl. A</td> <td>Cl. B</td> </tr> <tr> <td>Retail</td> <td>0</td> <td>1</td> </tr> <tr> <td>Office</td> <td>0</td> <td>1</td> </tr> <tr> <td>Amenity</td> <td>0</td> <td>1</td> </tr> <tr> <td>Residential</td> <td><u>0</u></td> <td><u>2</u></td> </tr> <tr> <td>Total</td> <td>0</td> <td>5</td> </tr> </table>		Cl. A	Cl. B	Retail	0	1	Office	0	1	Amenity	0	1	Residential	<u>0</u>	<u>2</u>	Total	0	5	<table border="0"> <tr> <td></td> <td>Cl. A</td> <td>Cl. B</td> <td>Cl. C</td> </tr> <tr> <td>Retail</td> <td>0</td> <td>1</td> <td>0</td> </tr> <tr> <td>Office</td> <td>0</td> <td>1</td> <td>0</td> </tr> <tr> <td>Amenity</td> <td>0</td> <td>0</td> <td>1</td> </tr> <tr> <td>Residential</td> <td><u>0</u></td> <td><u>0</u></td> <td><u>0</u></td> </tr> <tr> <td>Total</td> <td>0</td> <td>2</td> <td>1</td> </tr> </table>		Cl. A	Cl. B	Cl. C	Retail	0	1	0	Office	0	1	0	Amenity	0	0	1	Residential	<u>0</u>	<u>0</u>	<u>0</u>	Total	0	2	1
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Residential	<u>0</u>	<u>0</u>	<u>0</u>																																										
Total	0	2	1																																										
Passenger ⁶	-	Class A 0	Class A 4																																										
Amenity	10,000 sq. ft. (maximum)	-	3,858 sq. ft.																																										
Unit Type	-	-	24 - Studio 203 - One-bedroom 29 - One-bedroom + Den 118 - Two-bedroom 4 - Two-bedroom + Den <u>5</u> - Three-bedroom 383 Units Total																																										

Note: The applicant should note that staff does not carry out detailed technical checks on preliminary applications. Figures shown are as supplied by the applicant.

¹**Note on FSR/Floor Area:** On July 21, 2005, Council approved in principle a cultural amenity floor area of 46,572 ft.² (4,327 m²), subject to approval of a development application by the Development Permit Board. The "value" of the cultural amenity package translates into a bonus density of 248,192 ft.². Stage expansion of the Orpheum Theatre (7,131 ft.²), Rehearsal Hall/Studio Theatre (14,873 ft.²) and Music School (24,568 ft.²) are all considered to be cultural amenities and therefore excluded from FSR. A registered agreement is required to secure the cultural amenities. FSR/Floor Area is calculated using the nominal site area of 18,000 ft.². FSR/Floor and Balcony Areas exceed the maximums permitted and must be reduced to comply. (See condition 1.4, Standard Condition A.1.2 and Appendix F - Council Reports & Minutes)

Subsection 4 of Section 3 (Density) in the Downtown District limits residential use to 3.00 FSR of a maximum 5.00 FSR, leaving a balance of 2.00 FSR for non-residential uses. This project provides 0.64 FSR (11,464 sq. ft.) for non-residential (commercial/office) uses. (See commentary on page 8 & 9)

²**Note on Height:** Proposed height marginally exceeds the maximum view corridor height and must be reduced to comply. (See Standard Condition A.1.1)

³**Note on Parking:** Under the current Downtown District (DD) zoning, this application results in an overall parking shortfall of 147 spaces (11 non-residential and 136 residential). Parking spaces for non-residential uses may be waived through payment-in-lieu relief, subject to Council's approval. Engineering Services conducted a parking study using 8 large-scale, recently built, multiple dwelling unit projects in the Downtown Core. This study resulted in a new modified Downtown parking standard which has been applied through rezoning to 4 large Downtown projects. If this new standard were applied to this site, the required parking would be 281 spaces for residential, 11 spaces for non-residential and 23 spaces for cultural amenity, for a total of 315 parking spaces. Engineering staff supports a relaxation of the parking requirement from the existing DD zone parking standard to this derived parking standard, resulting in a shortfall of an additional 40 parking spaces. Staff does not support any further relaxation of parking and thus require the provision of 29 residential and 11 non-residential parking spaces. (See Standard Condition A.1.3)

The use of a portion of the underground parking as proposed for co-op vehicles is not acceptable due to inadequate parking space dimensions, proposal of tandem parking and obstruction of a potential future vehicular access to the adjacent site. Due to the size, layout and location of these spaces, co-op parking spaces cannot be included in the parking count. Each co-op parking space and vehicle supplied, which complies with the minimum parking space standards, can be counted as three parking spaces for the purpose of meeting the minimum required number of parking spaces, to a limit of 6 co-op parking spaces and cars that may be provided for the number of dwelling units proposed. (See Standard Condition A.1.3). Co-op spaces and vehicles to be secured by agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services. (see Standard Condition A.2.7[x])

The cultural amenity facilities package must also include, among other items, the provision of 23 dedicated, rent-free parking spaces and the shared use of 5 residential visitor parking spaces as approved in a report to Council on July 21, 2005 (See Appendix F - Council Report and Minutes). These 23 reserved parking spaces are in addition to the parking requirements for all other uses. An agreement is required to secure these spaces. (See Condition 1.4)

⁴**Note on Bicycle Spaces:** The calculation of bicycle required for the music school use is contingent of number of employees and students yet to be confirmed. (See Standard Condition A.1.8)

⁵**Note on Loading:** Five Class B loading spaces are required, including two for residential use. Engineering Services conditionally supports a loading relaxation to three Class B loading spaces plus one Class A loading space. The maneuvering area behind the internal loading spaces at the rear of the site can accommodate an occasional semi-trailer truck expected to serve the Orpheum. This is supported

subject to non-concurrent use with the other loading spaces and provision of an approved Loading Management Plan (LMP). (See condition 1.5 and Engineering Services commentary, pages 11-13)

6Note on Passenger Loading: Engineering Services supports the applicant's proposal of four passenger spaces on the P1 parking level to serve the expected passenger loading demand at the music school and rehearsal hall. These spaces are not required by the Parking By-Law but are important as the use of the street frontage cannot be guaranteed.

Legal Description

Lots: 29 to 34
 Block: 63
 Plan: 210
 District Lot: 541

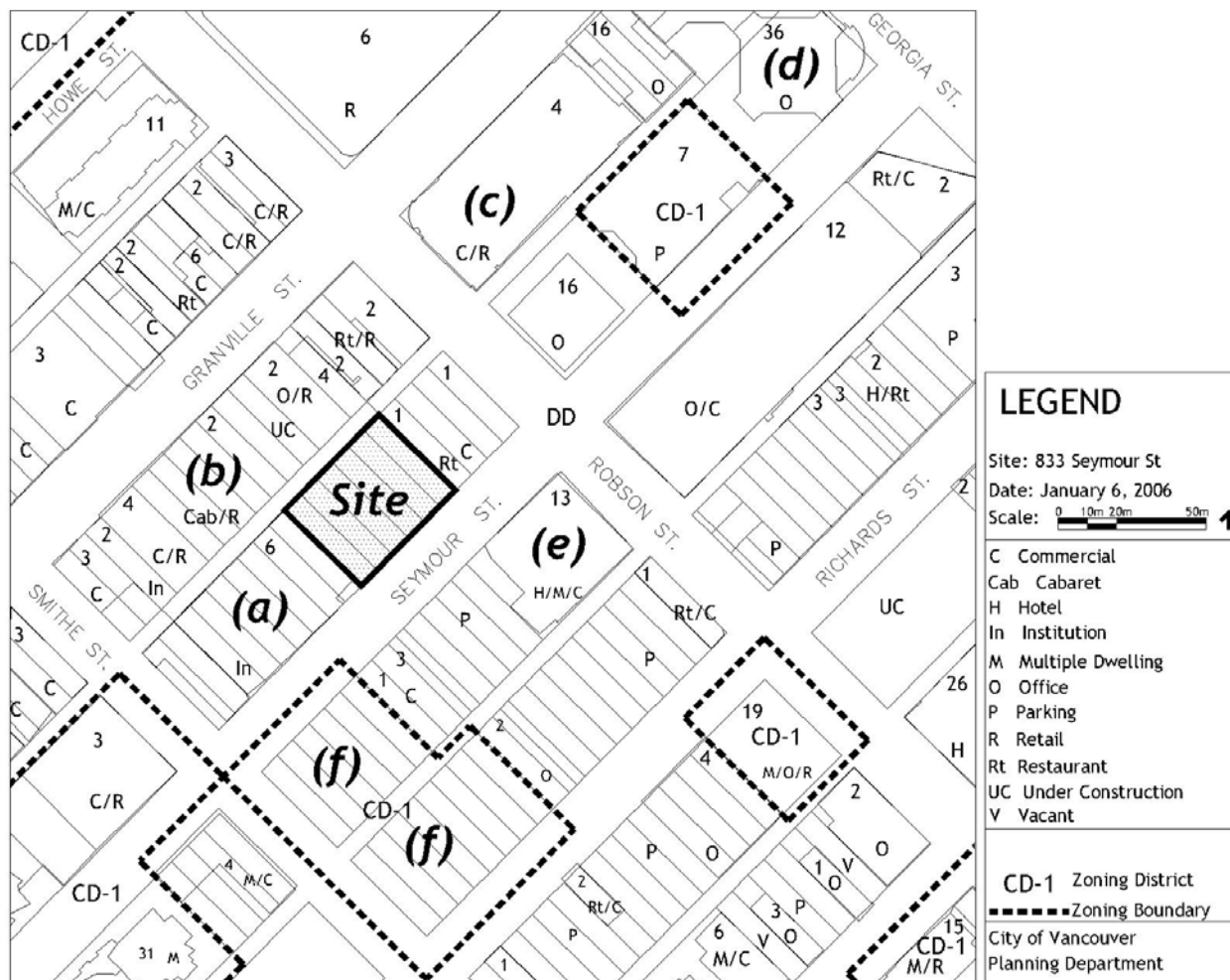
History of Application:

06 02 27 Preliminary DE submitted
 06 03 29 Urban Design Panel
 06 04 26 Development Permit Staff Committee
 06 05 10 Development Permit Staff Committee

• **Site:** The site, formerly occupied by the Capital 6 Theatres, is located mid-block on Seymour Street between Robson and Smithe Street and adjacent to the Orpheum Theatre to the south. The site was previously connected by a lane bridge to a small site on Granville Street. The bridge has been removed.

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

- (a) 865 Seymour Street - Orpheum Theatre
- (b) 884 Granville Street - Commodore Ballroom
- (c) 798 Granville Street - "Future Shop" and exterior mounted video screens
- (d) 753 Seymour Street - Scotia Tower - 36-storey office tower
- (e) 822 Seymour Street - 13-storey retail/residential development - approved
- (f) 535 & 565 Smithe Street - "Symphony Place" - Approved DE's for 2 residential towers of 31 & 28-storeys



● **Background:**

Planning, Cultural Services, Civic Theatres and Real Estate Staff, and the applicant have been in discussions on this proposal since early 2004, resulting in Council's approval in principle on July 21, 2005 of an amenity bonus of 248,192 sq. ft. for a total of 18.79 FSR. (See appendix F - Council Report & Minutes). Council also advised that it had no objection to the preliminary height calculation of 413.2 ft. Integral to the support for this proposal in Staff's recommendation that Council approve the amenity bonus was Urban Design Staff's review of the performance of the proposed density and height increase on views, shadowing, streetscape, built form fit in this context, residential livability and neighbouring impacts. Subsequent to Council's decision on the amenity bonus, Staff in various departments have been in on-going consultation with the applicant team as the proposal has advanced to the preliminary development application stage.

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

1. *Downtown Official Development Plan (DODP)*. The site is located in Area "C" of the DODP which prescribes a maximum FSR of 5.0, of which a maximum of 3.0 FSR residential is permitted. A maximum height of 300 feet is prescribed for this sub area, although the Development Permit Board has the discretion to increase height up to 450 feet. Section 6 II of the DODP provides for increases in permitted density in exchange for public, social or recreational facilities which fill a demonstrated need, subject to prior approval by Council of the amount of the density increase.

2. *Downtown District Interim Policies for New Residential in Areas C and F (adopted April, 2005)*. The interim policies seek to encourage employment in Area C generally but do allow for residential up to the maximum of the DODP (3 FSR).

3. *Downtown Design Guidelines*. The Downtown Design Guidelines provide a general checklist of achieving high quality development in the downtown, seeking: contextual, neighbourly development that respects buildings and open spaces; creation of public open space wherever possible; pedestrian amenity along street frontages; preservation and, where appropriate, creation of public views; minimization of shadow and private view impacts; and slim rather than bulky towers.

4. *View Protection Guidelines*. This guideline identifies Council approved view corridors.

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

1. *DODP*
2. *Downtown District Interim Policies in Area 'C':*

Use: The proposed uses, including commercial (retail and office), cultural (school) and residential are all permitted in this area of the downtown

Density: The proposed residential density of 18.16 FSR was approved in principle by Council as the amenity bonus for this proposal on July 21, 2005. (See appendix F - Council Report & Minutes). In terms of non-residential density and Council's Interim Policy in Area 'C' (approved in April, 2005, noting that detailed negotiations on the subject proposal's amenity bonus were well advanced by 2005) which seeks a minimum of 2.0 FSR in non-residential use, the proposal provides 11, 464 sq. ft. (0.64 FSR) office and 24,568 sq. ft. (1.37 FSR) of music school as well as 14,837 sq. ft. (0.82 FSR) of rehearsal hall. Although the music school and the rehearsal hall areas are excluded from FSR as amenity space, their functions, as part of the Vancouver Symphony Orchestra's business plan are similar in many respects to a commercially operating school and performance venue, offering high caliber music instruction by VSO musicians as well as other jobs, thereby providing a further employment component in the Downtown. The office area in the development (11,464 sq. ft.) combined with the music school

and rehearsal hall area (24, 568 sq. ft. plus 14,837 sq.ft. = 39,405 sq.ft.) for a total of 50,869 sq. ft. is equivalent to 2.83 FSR, which staff believe addresses the intent of the Interim Policy.

Height: The proposed height increase to 413.9 feet, substantially higher than the 300 feet permitted in this height zone of the downtown, can be considered under the Development Permit Board's discretionary authority. Council advised at the time it approved in principle the amenity bonus that it had no objection to this height, which is the height that respects the Cambie and 12th view cone passing over this site (Refer to Built Form below, page 9).

3. *Downtown Design Guidelines.*

4. *View Protection Guidelines*

Built Form: The question of whether, from an urban design standpoint, this site could absorb the significant proposed amenity density bonus within a compatible and indeed, exemplary built form, was assessed by Urban Design Staff prior to the proposal being presented to Council. Several massing options were studied, with the following guideline and other factors/criteria applying:

- Applicable view corridors must be respected;
- Shadow impact on Granville Street should be minimized;
- The Granville Street Entertainment District should be taken into account with respect to livability (acoustics) of any proposed residential;
- While the 300 ft. height limit would likely need to be exceeded, the site is less than a half block from the 450 foot height zone north of Robson Street;
- Noting the low Granville Street massing to the west (maximum 90 ft. height), the heritage Orpheum Theatre to the south, and the relatively small development site (100 ft. frontage) to the north, there would be only one tall tower on this block. This amplifies the need for a finely tuned massing that minimizes scale and shadow impacts within a high quality architectural response.

In a collaborative dialogue between Staff and the applicant team, an overall design direction was taken, incorporating at this preliminary development application stage:

- A strong podium of 7-storeys related in scale to the Orpheum and overall streetscape, incorporating the amenity facilities and other uses;
- A tower height that respects the most restrictive view corridor; [Note: A preliminary height was calculated at 413.2 ft. in respect to the Cambie and 12th view corridor when the proposal was reported to Council. At this development application stage the detailed calculation, taking into account this specific tower design has established a height of 413.7 ft. Standard condition A.1.1 requires lowering of the absolute height of the building to conform to the view corridor height (from 413.9 ft. to 413.7 ft.)].
- A curved tower form "rotated" from the orthogonal street grid to present its slimmest profile to the noon time sun but returning in massing form to the orthogonal street grid on its north side, transitioning to the podium and city block context to the north.

Detailed shadow, view and skyline analysis assessing the urban design performance of this overall massing and this tower form in particular satisfies Staff that impacts are acceptable and that urban design fit is appropriate, resulting in a positive response to the Guidelines (refer to Detailed Shadow and View Corridor analysis, Appendix D, pages 3 to 9).

Public Realm: A more continuous slightly increased Seymour Street setback (8 to 10 ft.) at the ground floor is sought to provide a more generous pedestrian environment (see condition 1.3). Downtown South Public Realm Treatment is prescribed for the sidewalk. The applicant has proposed a variation of the pattern, using the same broom finished and exposed aggregate concrete surfaces, but in a "piano keyboard" arrangement. Normally, Staff would insist on the prescribed treatment and pattern. Noting that the treatment varies only the Downtown South pattern, but not the materials, Urban Design Staff find it an evocative and fitting public realm expression of the unique cultural venue of the facilities

worthy of further review as a one-off circumstance. However, as deviation from the Downtown South treatment is contrary to policy, Standard Condition A.2.7(iv) requires the prescribed treatment. The proposed "piano keyboard" treatment can be reviewed in more detail at the complete DE stage if it is considered to have merit.

Livability: The proximity to the Granville Street Entertainment District will require that residential units be acoustically designed to withstand noise impacts. (see Standard Conditions A.3.1, A.3.2, A.3.3 & A.3.4)

Architectural Treatment: While the tower's massing and configuration are supported, the Urban Design Panel expressed concern that the tower's expression needed to be simplified. Staff agree that the strength of the tower's architecture would benefit from this further refining of its vocabulary. (see Condition 1.1). The podium's Seymour Street expression, including its integration with the Orpheum and transition to the tower, needs to be reconsidered (see Condition 1.2).

• **Conclusion:** Staff consider the design resolution of this highly complex project to have met or exceeded most guideline parameters. Staff support this preliminary proposal, including a height of 413.7 ft., on the basis of its overall massing and architectural design, subject to further design development as contained in the recommended "prior-to" conditions.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on March 29, 2006, and provided the following comments:

EVALUATION: SUPPORT (10-0)

Introduction: Ralph Segal, Development Planner, presented this preliminary application for the redevelopment of the former Capitol 6 site on Seymour Street. Mr. Segal said that this proposal for a 42-storey, predominately residential building, contains a very important series of cultural amenities which include an expansion to the Orpheum Theatre stage area/back of house facilities. In addition, the proposal includes a full rehearsal hall and a School of Musical Excellence which are in association with the Vancouver Symphony Orchestra. These cultural amenities resulted in a density bonus that brings the FSR to 18.79 from the zoned 5.0 FSR.

Mr. Segal noted that Council approved the cultural amenity bonus and concluded that the proposed height of 413 ft. was acceptable. Mr. Segal said that the zoning allows for 300 ft. of height with discretionary height increase up to 450 ft. The impacts, in terms of shadows and views, are believed to be acceptable in exchange for the cultural amenity package that is being provided.

The advice of the Panel is sought on the following:

- Tower shape/character/expression, given its prominence;
- Tower/podium transition;
- Seymour Streetscape, including integration with the Orpheum;
- Seymour Public Realm treatment (sidewalk & setback area).

Applicant's Introductory Comments: John Bingham, Architect, said this is an important development that will provide additional infrastructure to the Orpheum and rejuvenate its operating style. In addition, this development will provide a music school, loading for the Orpheum and a rehearsal space which will make it a more dynamic facility with an improved realm.

Gerry Eckford, Landscape Architect, described the landscape scheme. Mr. Eckford said that he has built the landscape plan around a musical theme with a more whimsical quality. He also noted that

the applicant team is in discussion with the City to find out how many granite cobbles are available to use for the lane treatment to create a higher quality texture along the lane from Robson Street to Smithe Street. The design team responded to questions from the Panel.

- **Panel Consensus:**

- Simplify the tower expression by editing the architectural vocabulary, particularly in the upper reaches of the tower;
- Give further consideration to the transition of the tower and the integration of the podium. The Seymour façade expression should operate on the scale of the Orpheum façade, which is a very large and monumental brick facade;
- The parking entrance, although an unconventional point of entry, was supported with the proviso that it should be more elaborately integrated into the podium design.

- **Panel's Comments:**

The Panel unanimously supported this application. There was general support from the Panel for the height, floor plate sizes, the form being expressed and the general shape of the tower; however there was a request for some editing to simplify the tower expression, particularly in the upper reaches of the tower, so that the overall form blends more successfully with the neighbouring commercial towers.

The Panel strongly supported the Seymour Streetscape and the lane treatment and the notion to push them as far as the Applicant team is willing, and to include elements such as lighting and to take those elements around the corner. Two Panel members suggested that the intermediate, second, third and fourth floor blocks of uses be expressed at a larger scale and in materials that are more sympathetic to the Orpheum itself. It was also suggested that perhaps the massing and datums established at the Orpheum find their way into the base of the tower.

- **Applicant's Response:**

Mr. Bingham said there is some opportunity for the applicant team to integrate the valuable commentary from the Panel.

ENGINEERING SERVICES

An airspace subdivision is anticipated, so as to create separate volumetric parcels for the portions of the building containing the proposed amenity areas. At a minimum, one airspace parcel should be created to contain the Orpheum Expansion area, and a second to contain the music school/recital area.

The enclosed bridge structure over the lane that once provided a connection between the Capital Six Theatres has been removed. The airspace parcel that contained the bridge (Airspace Parcel 1) will be transferred back to the City. Arrangements are required for utility up grading to the overhead wiring resulting from the removal of the bridge and the transfer of Airspace Parcel 1 to the City. (see conditions A.2.6)

Engineering Services requires the relocation and/or removal of the utility poles which impact access in the lane and loading areas of the proposed building. (see Standard Condition A.2.4).

This complex project has several significant transportation related issues that require resolution. The applicant must provide an adequate number of parking spaces, ensure a standard right-side vehicular flow after the P1 parking level and an adequate number of loading spaces.

Parking

This site is located within Area II of the DD (Downtown District) zone and requires parking for residential dwelling units to be provided at a rate of 1 parking space for units less than or equal to 100m² in size and 2 parking spaces for units which are greater than 100m² in size.

The applicant is seeking support for a relaxation of the residential parking requirement and their proposal to calculate it using the standard applicable to the Downtown South portion of the DD. Staff do not support using the DD (Downtown South) parking standard for this development application. That standard largely applies to residential sites typically located 2 or more blocks further removed from the commercial core than this site and for some blocks on Granville Street due to special circumstances. (e.g. Transit mall location, lower built form, ages of buildings, and smaller lots).

Engineering staff conducted a comprehensive review of 8 recently built and occupied residential buildings in the downtown core to determine the current level of vehicle ownership within new residences in this portion of the Downtown. The parking standard derived from this research, more commonly referred to by staff as the "Shangri-La standard", has been applied through rezoning to recent large-scale, multi-residential applications in the downtown core. Sites where the new standard has been applied are the Shangri-La at 1120 West Georgia St, 1133 West Georgia St, the Hudson project at 600 Granville St and most recently Jameson House at 830 West Hastings St. Engineering staff expect to see this modified downtown parking standard incorporated into the Parking By-law later this year. In contrast, the existing residential parking requirement within the DD zone represents the parking standard at the time when the downtown core contained virtually no residential buildings.

The residential parking requirement using the modified parking standard is based upon the unit size within 3 categories (i.e. less than 44m², between 44m² and 70m², and over 70m²) and provides for a maximum parking permissible that is 0.2 space greater than the minimum requirement for each unit. Given the range of residential unit sizes proposed, a residential parking requirement of 281 spaces is required using the modified (Shangri-La) parking standard which staff believe more closely reflects the actual demand for parking.

Staff support the provision of countable residential parking spaces (i.e. actual spaces vs. bonused or off-site spaces) calculated using the modified (Shangri-La) parking standard subject to the applicant meeting a number of requirements. The applicant must provide a minimum of 281 residential parking spaces, based on unit size and number of units as submitted in the application. The applicant should be required to fully comply with all other non-residential parking requirements. (See Technical Table, page 4). Engineering Services will support provision of waiver of parking requirements for payment-in-lieu relief (as permitted in section 4.12 of the Parking By-Law) for the non-residential/non-cultural (commercial) parking spaces required. Staff cannot support any lesser provision of residential parking, as the minimum supported represents less than three-fourths of a space per dwelling; any lesser provision would impose serious difficulties on the future residents.

The applicant proposes 6 substandard co-operative vehicle spaces (see Appendix D, page 22). These must be increased in size to comply with the parking stall dimension requirements of the Parking By-Law before they can be included as parking spaces and "bonused" for provision of 12 additional spaces. The application is currently short a total of 29 residential parking spaces, but this would be reduced to 11 if 6 correctly dimensioned co-operative parking spaces (and co-op vehicles) were provided. (see Standard Condition A.1.3)

On July 21, 2005, City Council approved a policy report (See appendix F - Council Report & Minutes) in which a parking requirement for the "cultural amenity spaces" was set at 23 "rent free" parking spaces and the non-exclusive use of 5 visitor parking spaces. The applicant is proposing 28 parking spaces for these uses.

Staff support the applicant reassigning 5 of these spaces to the residential component and designating 5 of the residential visitor spaces for shared use with the cultural amenity users.

Circulation

Engineering staff support the proposed "left-in, left-out" driveway crossing onto Seymour Street, which results in vehicular flow on the left hand side of the main parking ramp. Staff seek the provision of

visible signage to ensure vehicles enter on the left side of the driveway and modification of the proposed "left-side" drive aisle design below the P1 parking level to ensure that a standard "right-side" route to the P7 parking level is provided. (see Standard Condition A.2.1).

Staff are seeking the installation of signage and pavement markings on the P1 level to clearly delineate the exit route to grade from the passenger drop-off spaces, and to denote the route to further lower parking levels. The proposed changing of the drive aisle to correct the left-side drive requires relocation of the electrical room from the northerly side of the site where the ramp to the P2 level will need to be located (see Standard Condition A.2.1).

Loading

In accordance with the Parking By-law, this application requires the provision of 5 Class B loading spaces. The applicant proposes 2 Class B loading spaces and space at the rear of the site which is parallel to the lane and of sufficient dimensions to accommodate a Class C sized (semi-trailer) truck. Engineering staff do not support the extent of the loading relaxation sought by the applicant.

When the space proposed by the applicant to accommodate a semi-trailer truck off the lane is occupied, it will obstruct access to the Class B spaces. The provision of a Loading Management Plan (see Condition 1.5) should enable all user groups to have access as required. Engineering staff support this approach.

Staff seek the provision of 2 residential Class B loading spaces, as required by the Parking By-law, which shall remain for the priority use by the residents. (see Condition 1.5). The provision of one Class A and one Class B loading space to be shared between the non-residential (commercial) and the cultural amenity uses is also required (see Condition 1.5). A substantial redesign of the loading facilities on this site will be necessary to achieve the provision of these additional loading spaces with the possible loss or reconfiguration of some commercial floor space depending on the design solution.

Early in the pre-application design process, staff and the applicant concluded that the provision of a Loading Management Plan was desirable to respond to the constraints posed by the lane, site size and complexity of uses on the site. Staff expect the proposed Loading Management Plan will manage the shared use and access into the non-residential loading spaces. (see Condition 1.5). Although occupation of the area which can accommodate one Class C sized semi-trailer can result in the obstruction of access to and from the Class B spaces, the provision of a Loading Management Plan to the satisfaction of the General Manager of Engineering Services should enable all user groups to have access as required to avoid parking and/or loading spaces being used in practice to serve this function. This contributes to staff support for the parking and loading relaxations presented. (see Condition 1.5)

The applicant has provided 4 passenger spaces on the P1 parking level for the music school and rehearsal hall drop-off needs. Although the provision of these spaces is not required under the Parking By-law, staff view the provision of these spaces as necessary to fulfill this function on-site and to enable staff to support the relaxation of residential parking. This is particularly important as the availability of on-street curb space on Seymour Street cannot be guaranteed.

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

LANDSCAPE

The public realm streetscape for the 833 Seymour Street project reflects the musical program for the building. As an extension of the Orpheum Theatre, Vancouver's premier musical venue, this site will be the home of three cultural amenities, all music oriented, in addition to ground floor retail and the

residential tower. The amenities will be linked both physically and programmatically to the Orpheum Theatre. The piano key motif along Seymour Street reflects this musical context. Materials proposed are the standard COV sidewalk materials (Broom finish concrete and washed aggregate) used in a musical graphic. The construction technique would be typical as well. On the private side of the property line, the Sharp/Flat keys are represented by black granite seating blocks providing public seating integrated into the design. Lighting will be provided in the blocks. While staff consider this public realm pattern to be an interesting expression of the cultural venues within the project, policy dictates that the Downtown South treatment be required (see Standard Condition A.2.7[iv]).

CULTURAL SERVICES

The public amenity proposed by the developer has three components of interest to the City: an extension of the Orpheum stage, a rehearsal hall/studio theatre and a music school.

Orpheum stage extension:

The applicant will construct a shell space only extension to the Orpheum stage/back of house. While it is not expected that the new shell space will be fitted and finished until a later date by the City, there are several critical things to be done when the shell space is initially constructed. (see Standard Condition A.1.14)

- the new structure should be structurally attached to the existing Orpheum and any seismic ramifications for the Orpheum determined.
- the stage extension should be acoustically separated and isolated from the rest of the new development and from external noise.
- further design development is needed on the functionality of the various access points and associated stairs, ramps and elevators.
- The stage extension and basement level should be serviced adequately for the spaces to be occupied.

Rehearsal Hall/Studio Theatre:

Further interior design development is needed to ensure that the space will function to the satisfaction of Civic Theatres. (see Standard Condition A.1.15) Areas for further development include acoustic performance characteristics and isolation from noise sources such as electrical and mechanical equipment and elevators, floors, walls, doors, sound and light locks, corridors, HVAC operating criteria, lighting fixtures and dimming equipment, locations and finishing of support rooms and stage technical services (sound and lighting), security, the interconnections with the Music School spaces and public access from the street. Specifically, the street entrance will be dwarfed by the Parking entrance. A design solution will be needed to identify the Rehearsal Hall/Studio Theatre entrance to the general public. (see Condition 1.3)

Music School:

Further design development is needed to ensure that the spaces function to the satisfaction of Civic Theatres and the Vancouver Symphony Orchestra. (see Standard Condition A.1.14) Areas for further development include acoustic performance characteristics of practice rooms and the Recital Hall, acoustic isolation from noise sources such as electrical and mechanical equipment and elevators, finishes, lighting fixtures and dimming equipment, HVAC operating criteria, public access and interconnections and internal traffic and security. Specifically, the interior passenger elevator currently extends to the commercial area at the top of the podium. This elevator should be shared by the Orpheum and Music School. (see Standard Condition A.1.16)

SUSTAINABILITY

The City Council adopted a Green Building Strategy on November 3, 2005 which identifies three priorities for green buildings. These priorities are energy efficiency, water efficiency, and green roof development. The applicant proposes to participate in the Green Buildings Strategy Program. They propose features that address all of these priorities. Staff support all of the measures proposed to enhance the environmental performance of this proposal. Specifically, Staff support the measures proposed to promote energy efficiency, to achieve an intensive roof top garden on the podium and a green roof on the proposed tower. These specific features stand out among the other features proposed as being supportive of City's Green Building Strategy.

The proposal has identified 29 credits from the LEED BC Project check list (see Appendix G - Sustainability Chart). Staff request that the applicant consider a minimum commitment of 33 credits from the LEED BC project checklist. To meet this requirement, the applicant has identified another 14 credits it categorizes as "questionable" on the submitted LEED BC Project Checklist (see Appendix G - Sustainability Chart). Staff realize that the feasibility of these credits identified by the applicant as "questionable" can be difficult to determine for a preliminary application. Therefore, Staff encourage the applicant to commit to a minimum of 4 of the 14 credits identified for final approval of the complete development application. (see Standard Condition A.1.17)

Staff encourages the applicant to specifically seek additional credits in the Energy and Atmosphere and Water Efficiency categories of the LEED BC Project Check List. (see Standard Condition A.1.18) Staff believe this will further the intent of the City's Green Buildings Strategy and develop leadership and capacity in these areas of green building in the Vancouver development community.

SOCIAL PLANNING/HOUSING CENTRE

While Central Business District Policies state that consideration of "residential rezonings should be primarily targeted for adult-oriented housing", the proposed development includes 127 units with two or more bedrooms that may attract families with children. Although the site and building form are constrained, an opportunity exists to accommodate children's play and/or teen lounge as well as adult-oriented activities within the indoor amenity space on Level 8 by providing resilient flooring, a handicapped accessible washroom, and kitchenette (see Standard Condition A.1.19)

ENVIRONMENTAL PROTECTION BRANCH

A site profile and a copy of Stage 1 Preliminary Site Investigation Report prepared by the Keystone Environmental Ltd dated October, 2003 was received for the subject site. There are no schedule 2 activity uses on the site as noted in the site profile. An erosion and sediment control plan is required for our review and approval at the Building Permit application stage.

PROCESSING CENTRE - BUILDING

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Processing Centre-Building staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law

requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, fire fighting access and energy utilization requirements.

Further comments regarding Building By-law requirements are contained in Appendix C attached to this report.

VANCOUVER COASTAL HEALTH AUTHORITY

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

- (i) Detailed drawings of food/retail spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction;
- (ii) The garbage storage area is to be designed to minimize nuisances;
- (iii) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases;
- (iv) All fresh-air intake portals are to be located away from driveways and parking /loading areas in order to prevent vehicle exhaust from being drawn into the building;
- (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

One sign was erected on the site on March 16, 2006. On March 21, 2006, 1,401 letters were sent to neighbouring property owners advising them of the application.

Staff received no responses to notification.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law and Official Development Plan it requires decisions by the Development Permit Board.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

It also requires the Board to consider a By-law relaxation per Section 3.2 of the Parking By-law with regard to the provisions for off street parking and loading spaces.

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it supports some but not all of the relaxations, as outlined in the proposed conditions of approval.

The Development Permit Staff Committee supports this complex project as meeting important public objectives of expanding the performances venue at the Orpheum Theatre, noting this unique project with substantial bonus, has been endorsed by Council.

The Staff Committee notes that there are challenges posed by this proposal but believes that the applicant can achieve design solutions that address the issues associated with the application.

B. Boons
Chair, Development Permit Staff Committee

R. Segal, MAIBC
Senior Development Planner

B. Mah
Project Coordinator

Project Facilitator: D. Robinson

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 confirm height of proposed development has not exceeded the maximum view corridor height;

A.1.2 verify and confirm all floor areas as proposed;

Note to Applicant: Submit FSR overlays with tables and summaries of all floor areas and exclusions, sealed and signed by both the Architect and Land Surveyor. Provide detailed and fully dimensioned floor plans, including overall, perimeter and exclusion dimensions, as required for calculating floor areas. Dimensions and labeling on FSR overlays and floor plans should match, be clear and legible. FSR/Floor and Balcony Areas to be reduced to comply with the maximums permitted. Clarify site dimensions on survey plan.

Enclosed balconies excluded from FSR cannot be labeled as dens. To qualify for exclusion from FSR, enclosed balconies and storage rooms must meet the criterion outlined in Planning By-law Administration Bulletins titled "Balcony Enclosure Guidelines" and "Bulk Storage - Residential Developments".

A.1.3 provide 11 non-residential (commercial) off-street parking spaces and an additional 29 residential off-street parking spaces (shortfall from the 281 residential off-street parking spaces required under the modified Downtown parking standard), and details of all parking spaces to comply with the applicable provisions of the Parking By-law, having particular regard to space sizes, maneuvering, height clearances, curbs, etc.;

Note to Applicant: Where parking requirements for non-residential (commercial) uses cannot be met, payment-in-lieu relief is available. Engineering Services supports the relaxation of residential parking from the Downtown District parking requirements to a modified parking standard as applied to 1120 West Georgia Street (Shangri-La).

Size, layout (tandem) and location of proposed co-op parking spaces do not qualify as countable parking spaces. Co-op parking spaces must meet the minimum parking space dimensions of the Parking By-law. Co-op parking spaces that meet minimum parking space standards can be counted as 3 parking spaces (two additional bonus spaces) for each co-op vehicle and parking space provided.

Spaces located next to walls and structures require extra width. Column sizes, spacing and encroachment into parking spaces may be permitted, subject to compliance with the City Engineer's guidelines. Disability parking spaces require a minimum clear vertical clearance of 2.3 m (7.55 ft.), including all entrances, exits, drive aisles, other access and egress to and from these spaces.

Provide a summary of all parking spaces at each parking level and a total summary for Project Data. Statistics under Parking Level Summary in Project Data should be revised to reflect the actual parking spaces provided.

A.1.4 demonstrate that smallest units have a minimum floor area of 398 ft.²;

Note to Applicant: Floor area should be calculated to the inside of the perimeter walls of the unit. Clarify layout of these units, including sleeping areas for studio units. All habitable rooms/areas must have access to natural lighting and ventilation. Provide a summary of dwelling units at each floor level and a total summary in Project Data.

- A.1.5 provide independent and direct access to all bicycle rooms on parking level P2 and show separation between bicycle rooms on parking level P1;

Note to Applicant: Provide a direct means of bicycle egress that does not require the use of the elevators in the tower core or the building lobby. Consideration should be given to relocate all Class A bicycle spaces in the tower core on parking levels P2 to P7. A minimum width of 1.64 ft. (0.5 m) is required behind bicycle racks for access. Clarify how cyclist visitors are directed to the location of Class B bicycle spaces in parking level P1 and if access to the residential Class B bicycle spaces is available at all times. Provide a summary of bicycle spaces at each level. Add dimensions to Class A bicycle spaces and maneuvering aisle.

- A.1.6 clarify proposed uses on levels 1, 4 and 5;

Note to Applicant: Commercial, café, café bar and retail are not listed uses under the Zoning and Development By-law. Refer to Section 2 (Definitions) of the Zoning and Development By-law for defined uses. Clarify use of area in rehearsal hall on level 4, commercial (office) on level 5 and mechanical area on level 7.

- A.1.7 clarify use and layout of residential amenity space on level 8, including finishing, equipment and/or furnishings;

Note to Applicant: A letter of undertaking, signed by the owners, is to be submitted regarding the furnishing and availability for use of the amenity space by all residents of the building.

- A.1.8 provide a letter clarifying the number of employees and students for the music school and rehearsal hall;

Note to Applicant: The number of employees and students is required to determine the bicycle parking requirements.

- A.1.9 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.1.10 provide new street trees along Seymour Street in order to fill gaps in existing street tree colonnade;

Note to Applicant: New street trees should be spaced 8 m o.c. and noted: "Final species, quantity and spacing to the approval of City Engineer and Park Board.". Contact Eileen Curran of Engineering Streets Division, at (604) 871-6131, regarding street tree spacing and quantity. Contact Bill Stephen of Park Board, at (604) 257-8587, regarding tree species.

- A.1.12 clarify provision of an irrigation system for roof decks;

Note to Applicant: Hose bibs are to be provided and noted on the drawings. The irrigation system design and installation shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

Crime Prevention Through Environmental Design (CPTED)

- A.1.13 provide a comprehensive report by a licensed security professional having particular regard for secure separation between the many different users of the proposed building;

Cultural Services

A.1.14 design development to the shell space for the expansion of the Orpheum stage, to the satisfaction of the Managing Director of Cultural Services, Director of Planning and Director of Facilities Development & Management;

Note to Applicant: The applicant shall have particular regard to:

- the new structure which should be structurally attached to the existing Orpheum and any seismic ramifications for the Orpheum determined;
- the stage extension which should be acoustically separated and isolated from the rest of the new development and from external noise;
- the functionality of the various access points and associated stairs, ramps and elevators; and
- the stage extension and basement level with adequate servicing for the spaces to be occupied.

A.1.15 design development to the cultural amenity space (rehearsal hall/studio and music school), to the satisfaction of the Managing Director of Cultural Services, Director of Planning and Director of Facilities Development & Management;

Note to Applicant: The applicant shall have particular regard with respect to the rehearsal hall/studio space for acoustic performance characteristics including isolation from noise sources such as electrical and mechanical equipment and elevators, floors, walls, doors, sound and light locks, corridors, HVAC operating criteria, lighting fixtures and dimming equipment, locations and finishing of support rooms and stage technical services (sound and lighting), security, the interconnections with the music school spaces and public access from the street.

Note to Applicant: The applicant is advised to consult with the Director of Civic Theatres and the VSO in their design development regarding the music school. The applicant will have particular regard for:

- acoustic performance characteristics of practice rooms and the recital hall; and
- acoustic isolation from noise sources such as electrical and mechanical equipment and elevators, finishes, lighting fixtures and dimming equipment, HVAC operating criteria and associated plenums and ducts, public access and interconnections and internal traffic and security.

A.1.16 design development to separate elevator access at grade for the non-residential space from the Orpheum and music school, to the satisfaction of the Managing Director of Cultural Services, Director of Planning and Director of Facilities Development & Management;

Sustainability

A.1.17 commitment to achieving all of the 29 credits identified as "yes" and consideration to a minimum of the 4 of the 14 credits currently identified as "question marks" on the LEED BC Project Check List attached to the submitted materials (see Appendix G - Sustainability Chart);

A.1.18 give consideration to achieving the additional credits in the Energy & Atmosphere and Water efficiency Categories of the LEED BC Project Check List; (see Appendix G - Sustainability Chart)

Social Planning/Housing Centre

A.1.19 provide resilient flooring, a handicapped accessible washroom and kitchenette within the indoor residential amenity area on Level 8.

A.2 Standard Engineering Conditions

A.2.1 design development to modify the parking access ramp system and drive aisles as follows:

- modify the exit drive aisle at the north side of the tower core to reduce the slope to a maximum 15%, and provide a minimum 4 m transition zone of 7.5% to 10% slope between it and the 4.6% parking drive aisle into which it leads;

Note to Applicant: The maximum allowable slope for drive aisles which provide access into parking spaces is 5%.

- modify the parking drive aisle layout as follows:
 - provide a standard right side drive for vehicles below the P1 parking level and provide adequate turn radius;

Note to Applicant: Relocation of the electrical room and extension of the drive aisle will be required.

- chamfer the northwest corner of the building core, or provide other design changes to increase the width of the drive lane on the P1 level, to the satisfaction of the General Manager of Engineering Services;
- provide signage and pavement paint markings, including a painted diverter, to clearly indicate separation of the exit lane and the route to all lower parking levels;
- provide signage and/or pavement paint markings to cause outbound vehicles to stop and to delete the stop bar notation for inbound vehicles thereby assigning the right-of-way to inbound vehicles;

Note to Applicant: The crossover of inbound and outbound vehicles would otherwise be unacceptable.

- modify column placement or space width to comply with the Parking and Loading Design supplement.

A.2.2 clarify ownership/subdivision arrangements, including arrangements, to the satisfaction of the Director of Legal Services, for creation and conveyance to the City of an airspace parcel for the portions of the Orpheum expansion;

Note to Applicant: The clarification should address any cross-boundary issues including the need for development permits for the Orpheum site. Consolidation of the Orpheum lands will be required. Strata titling could be at risk unless the clarification sought is carefully outlined.

A.2.3 clarify provision and arrangements for the knockout panel which is intended to provide access to the site to the north for parking purposes should an opportunity arise;

A.2.4 clarify arrangements for the relocation or removal of wooden H-Poles which obstruct access to loading or garbage areas at the rear of the site, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: Written confirmation that all poles can be moved must be provided from all utilities that have jurisdiction of the poles. Further, the applicant should note that the development site will be required to have its own independent public utility services (Hydro, Telus, Shaw Cable) with all services to be underground. All services, in particular electrical transformers to accommodate a primary service, must be located on private property. The

development site is not to rely on secondary voltage from the existing overhead network in the lane. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged. The applicant is further encouraged to pursue opportunities for undergrounding the existing overhead plant in the lane. The Utilities Management Branch can provide guidance in this regard.

Contact Bill Moloney of Utilities Management Branch, at 873-7373, for additional information.

A.2.5 make arrangements, to the satisfaction of the General Manager of Engineering Services, for the consolidation of the site (see also Standard Condition A.2.2);

A.2.6 make arrangements, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for conveyance of Airspace Parcel 1 to the City;

Note to Applicant: Council approval of the conveyance is required. Air Space Parcel 1 contained the now decommissioned former Capital 6 bridge.

A.2.7 make arrangements, to the satisfaction of the General Manager of Engineering Services, for the following:

i) provide confirmation that a 3.8 m unobstructed vertical clearance to the underside of all raised overhead security gates is provided for the loading spaces;

ii) make arrangements, to the satisfaction of the General Manager of Engineering Services, to permit northbound vehicular entry into the lane at Smithe Street;

Note to Applicant: There is currently a "Do Not Enter" sign located at the Smithe Street entrance to the lane. Please contact Elizabeth Ballard, P.Eng., Traffic Management Engineer, at 604-873-7393 to discuss.

iii) provide a modified driveway crossing on Seymour Street required to ensure vehicle separation;

Note to Applicant: A crossing application and design approval are required prior to the issuance of the complete development permit. The crossing is to have standard 6 inch score marks throughout, the sidewalk treatments are not to pass through the crossing area.

iv) delete specialty sidewalk treatments on Seymour Street, this area is within the Downtown South treatment area and should provide full Downtown South treatment;

Note to Applicant: Please submit a copy of the landscape plan directly to Engineering Services for review.

v) correct two building grades;

Note to Applicant: The building grade of 91.31 ft. on Seymour Street should be revised to 90.35 ft. and building grade of 91.75 ft. in the lane should be revised to 91.57 ft. Additional design grades are also required at all entrances throughout the loading areas and on both sides of all breakpoints of the parkade ramps, clearly indicating slope and crossfall.

vi) remove notation regarding bridge over the lane as it has been demolished;

vii) provide notations to lane improvements for reference only;

Note to Applicant: Lane improvements are not part of this development application. A separate application to the General Manager of Engineering Services is required for proposed lane improvements and lane lighting.

- viii) clarify provision of garbage removal based on uses; and

Note to Applicant: Residential and commercial garbage and recycling areas should be fully separated. Access to each garbage area should also be clarified.

- ix) make arrangements, to the satisfaction of the General Manager of Engineering Services, for a canopy application.

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies must also respect all existing street trees and provide adequate clearance from them.

- x) make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the provision of co-op vehicles and parking spaces.

A.3 Standard Vancouver Coastal Health Authority Conditions

- A.3.1 an acoustical consultant's report shall be submitted which assesses noise impacts on the site (and by the development) and recommends noise mitigation measures in order to achieve noise criteria;

- A.3.2 a letter from an acoustic consultant shall be submitted confirming that the development application drawings show a minimum STC 55 construction between the commercial and residential components of the building, or a minimum 6 ft. 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 STC 60 construction between the commercial and residential components and advising the required control of music levels to satisfy the requirements of the City of Vancouver Noise Control By-law No. 6555;

- A.3.3 notation on plans stating: "The acoustical measures will be incorporated into the final design and construction based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer)"; and

- A.3.4 notation on plans stating: "Mechanical equipment (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact and to comply with Noise By-law #6555."

Note to Applicant: Mechanical equipment to be designed and located to reduce adverse air quality on the neighbourhood.

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of Processing Centre - Building, Vancouver Coastal Health Authority and Fire & Rescue Services contained in the Staff Committee Report dated May 10, 2006. 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 If a complete application is not submitted on or before **November 24, 2006**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the by-law or regulations can be issued.
- B.1.4 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.1.5 This site is affected by the Development Cost Levy By-law No. 6924. Levies will be required to be paid prior to issuance of Building Permits.**
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Processing Centre - Building comments

The following comments are based on the architectural drawings prepared by Howard Bingham Hill dated Feb. 27/06 which have been submitted for the Preliminary Development Application, DE410152. This is a cursory review in order to identify issues which do not comply with Vancouver Building by-law #8057.

1. Cross-over floors are required for the below grade parkade.
2. P7 Level: Disabled access is required to bike storage rooms - clearances required beside the latches (typical on all parkade levels).
- *3. P2 Level: Two exits are required from both sides of the overhead gate, independent of the two exits for other storeys.
4. P1 Level:
 - a) water closets, showers, etc. to be provided for the bicyclists per Vancouver Building By-law 3.7.4.10.
 - b) a legal agreement and equivalency will be required for closures on property lines at grade and other cross property line conditions on other floors.
5. Level 1:
 - a) exit discharge from SE exit stair to be in direction of exit travel.
 - b) max. travel distance through exit lobby is 15 m.
 - c) door swings must not reduce exit corridor widths to less than 3'-8" (Level 5 as well)
 - d) min. 4'-0" + door swing between doors in series (typical on other floors as well)
 - e) exit corridor from core to accommodate occupant load for cumulative exiting
 - f) require disabled access to the residential garbage area (may be provided already)
 - g) exits from garage to be restricted to servicing only the storage garage per 3.3.6.7.(4)
6. Level 2: provide grooming stations per 3.7.4.10
7. Level 3: interconnected floors to comply with 3.2.8
8. Level 5:
 - a) max dead end corridor length is 6 m (res. corridor)

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.

Processing Centre - Fire Comments

The following comments are based on the architectural drawings prepared by Howard Bingham Hill dated Feb. 27/06 which have been submitted for the Preliminary Development Application, DE410152. This is a cursory review in order to identify Fire related issues which do not comply with Vancouver Building by-law #8057.

1. Ensure adequate space in the scissor stairs for shafting of the standpipe.
 2. As this is a very high building, the following should be considered:
 - high-level water storage with additional pumping equipment per NFPA 14, 7-4.3
 - two 3/8" stainless steel risers (one as a back-up) with outlets at every 2nd floor to recharge fire fighter's SCBA apparatus via the VFRS' Air/Support Truck (mobile air compressor). The outlets are to be in the stair adjacent to the fire fighter's entrance and which accesses the top storey. The risers need to be a shaft so as not to penetrate between scissor stairs per VBBL 3.4.4.4.(3).
 - when pressures from the Pumper Truck to the Siamese exceed 200 psi, provide six 15 m (50 ft) high pressure hoses located near the FDC. They may be in padlocked cabinet(s).
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- provide building-wide, internal re-radiating system (IRS), i.e., distributed antenna systems (DAS) and/or leaky-coax, installed for fire fighter's radio communication; fire protected.

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.
