CITY OF VANCOUVER COMMUNITY SERVICES GROUP

DEVELOPMENT PERMIT STAFF COMMITTEE REPORT FEBRUARY 11, 2009

FOR THE DEVELOPMENT PERMIT BOARD FEBRUARY 23, 2009

1258 WEST BROADWAY (PRELIMINARY APPLICATION) DE412570 - ZONE C3-A

DM/MS/SB/LH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS		
Present:	Also Present:	
R. Michaels (Chair), Development Services	D. Morgan, Urban Design & Development Planning	
P. Storer, Engineering Services	M. So, Development Services	
L. Gayman, Real Estate Services	D. Autiero, Development Services	
C. Tapp, Social Planning		

APPLICANT:	PROPERTY OWNER:
W.T. Leung Architects Inc.	Yuanheng Broadway View Development
300 - 973 West Broadway	608 - 650 West 41st Avenue
Vancouver, BC	Vancouver, BC
V5Z 1K3	V5Z 2M9

EXECUTIVE SUMMARY

T. Driessen, Park Board

• **Proposal**: To develop this site with a 12 storey mixed-use building containing retail, office and residential uses (49 dwelling units) all over two levels of underground parking having vehicular access from the lane. This application seeks additional density by way of a transfer of heritage density to the site.

See Appendix A Standard Conditions

Appendix B Standard Notes to Applicant Appendix C Processing Centre - Building comments Appendix D Plans and Elevations Appendix E Applicant's Design Rationale Appendix F View Analysis

• Issues: No significant issues.

• Urban Design Panel: Support

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE IN PRINCIPLE Development Application No. DE412570 as submitted, the plans and information forming a part thereof, thereby permitting the development of a 12 storey mixed-use building containing retail, office and residential uses (49 dwelling units) all over two levels of underground parking having vehicular access from the lane subject to the following conditions:

- 1.0 The complete development application submission shall include the following:
 - 1.1 design development to the massing of the rooftop penthouse by reducing the length and width to comply with Section 10.11 of the Zoning Development By-law;

Note to Applicant: The massing of the rooftop penthouse appears too big relative to the small floor plate. In order for the rooftop penthouse to be excluded from the calculation of building height, the size should not exceed one third of the width of the building measured on all elevations, and 10% of the roof area on which it is located.

1.2 design development to the west elevation to limit overlook with the neighbouring building and improve solar response by reducing the amount of window area;

Note to Applicant: Consider the alternative use of more coloured spandrel panels to reduce the area of clear glazing without significant altering of the architectural expression.

1.3 design development to the landscape treatment, third floor roof level, east side yard, to mitigate and soften the appearance of the neighbouring blank party wall;

Note to Applicant: Provide planting along the property edge, third floor roof level, maintaining a clear circulation path to the exit stair.

1.4 design development to improve the continuity and quality of the material expression of the entry forecourt with the material treatment along the street frontage;

Note to Applicant: The stone cladding along the street frontage should wrap the corner and continue the length of the entry forecourt. Provide detailed elevations of both east and west elevations.

1.5 clarification of the proposed sustainable features on the drawings;

Note to Applicant: The intent is to define on the final approved permit drawings those features referred to on the LEEDTM checklist to attain minimum Silver level or equivalency and, as discussed with staff and the Urban Design Panel, including a more effective response of the south elevation to its solar orientation, energy modeling studies and opportunities for an extensive green roof.

- 2.0 That the conditions set out in Appendix A be met prior to the submission of a complete Development Application.
- 3.0 That the Notes to Applicant set out in Appendix B be approved by the Board.
- 4.0 That the complete application be dealt with by the Development Permit Board

Technical Analysis:

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size	-	-	99.9 ft. x 125 ft.
Site Area	-	-	12,487.5 sq. ft.
Floor Area ¹	Overall 37,462.5 sq. ft. Heritage Density 3,746.3 sq. ft. Transfer (10%) 3,746.3 sq. ft. Total 41,208.8 sq. ft.	-	Office 2,718.0 sq. ft. Retail 3,282.0 sq. ft. Residential 31,623.7 sq. ft. Heritage Density Transfer (resid) <u>3,746.3 sq. ft.</u> Total 41,370.0 sq. ft.
FSR ¹	Overall3.00 FSRHeritage Density Transfer (10%)0.30 FSRTotal3.30 FSR	-	Office0.22 FSRRetail0.26 FSRResidential2.73 FSRHeritage Density Transfer (resid)0.10 FSRTotal3.31 FSR
Balconies ²	Enclosed 1,414.8 sq. ft. Total 2,829.6 sq. ft.	-	Open 1,656.0 sq. ft. Enclosed 1,245.0 sq. ft. Total 2,901.0 sq. ft.
Height ³	Outright 30.2 ft. Conditional unspecified	-	Top of main roof parapet:126.29 ft.Top of elev. / mech. penthouse:131.76 ft.
Horizontal Angle of Daylight ⁴		Habitable rooms shall have at least one window which is located so that a plane or planes extending from the window formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, shall be unobstructed over a distance of 78.7 ft.	It appears that bedrooms facing the east side yard between levels 3 to 11 do not comply.
Parking		Retail / Office 8 sp Residential <u>46 sp</u> Total 54 sp	Retail / OfficeStandard7 spSmall Car1 spDisability1 spResidential3Small Car7 spDisability2 spTotal58 sp
	Small Car 12 sp (25% max.)	Disability Spaces 2 sp	Small car spaces8 spDisability spaces3 sp
Bicycle Parking⁵	-	Class A Class B Retail 0 sp 0 sp Office 0 sp 0 sp Residential <u>65 sp 6 sp</u> Total 65 sp 6 sp	Class AClass BRetail / Office4 sp0 spResidential62 sp0 spTotal66 sp0 sp
Loading	-	CI ACI BCI CRetail0 sp1 sp0 spOffice0 sp0 sp0 spResidential0 sp0 sp0 spTotal0 sp1 sp0 sp	CI ACI BCI CRetail0 sp1 sp0 spOffice0 sp0 sp0 spResidential0 sp0 sp0 spTotal0 sp1 sp0 sp
Amenity	10,000 sq. ft.	-	1,031 sq. ft.
Unit Type	-	-	Studio1 unitOne-bedroom47 unitsFour-bedroom1 unitTotal49 units

Note: Staff do not carry out detailed technical checks on preliminary applications. The figures shown have been provided by the applicant. Resolution of any discrepancies in these figures will be required once a detailed review is undertaken during the complete application stage.

¹ Note on Floor Area and FSR: Based on the figures provided by the applicant, the Floor Area and FSR exceed the maximum conditionally permitted in the C-3A District Schedule, which includes the 10% Heritage Density Transfer. The proposed floor area figure does not include the overage of open balcony area, nor those bulk storage areas and enclosed balconies that do not comply with the respective Administrative Bulletin and Guidelines. (See Standard Conditions A.1.1 and A.1.4) Standard Condition A.1.1 seeks compliance with the maximum permitted Floor Area and FSR, and Standard Condition A.1.2 seeks the provision of a "Letter A" which identifies the donor site for the proposed heritage density.

² Note on Balconies: The total balcony area proposed slightly exceeds the maximum permitted for exclusion from the computation of FSR. Standard Condition A.1.1 seeks compliance with the maximum permitted FSR. Several of the enclosed balconies as shown do not meet the intent of the Balcony Enclosure Guidelines, and therefore are not eligible for exclusion from FSR (Standard Condition A.1.4).

³ Note on Height: The Development Permit Board may permit an increase in the height of the building beyond 30.2 ft. to an unspecified maximum. The Central Broadway C-3A Guidelines suggest that tower elements have a maximum height of 120 ft. Staff support the proposed building height of 126.29 ft. (see commentary on page 8). Condition 1.1 seeks a reduction to the massing of the mechanical penthouse to comply with Section 10.11 of the Zoning and Development By-law.

⁴ Note on Horizontal Angle of Daylight: It appears that the bedrooms facing the east yard do not meet the Horizontal Angle of Daylight requirements. Standard Condition A.1.3 seeks an analysis of this regulation on the drawings, noting rooms that do not comply. Staff are prepared to support a relaxation to the Horizontal Angle of Daylight Regulation for the bedrooms facing the east side yard (see commentary on page 9)

⁵ Note on Bicycle Spaces: Standard Condition A.1.5 seeks compliance with the minimum number of Class B Bicycle spaces to be located on site, and Standard Condition A.1.6 seeks that the Class A Bicycle spaces meet Section 6 of the Parking By-law.

Central Broadway C-3A Design Guidelines (Fairview Slopes Sub-Area)

	RECOMMENDED	PROPOSED
Section 2.7 Street Trees	This is a priority area in the Broadway Corridor for curb tree planting. Tree characteristics should include one type of deciduous tree, two inch caliper minimum planted every twenty feet.	Street trees and sidewalk upgrades conform to City of Vancouver Standards for commercial streets and are well resolved.
Section 2.8 Parking and Servicing	Lanes should be retained for access and truck parking.	Parking and servicing is accessed from the lane, 8½ ft. higher than Broadway, considered significant earning for this small site. The parking ramp is covered and enclosed by the 3rd level landscaped deck area. Loading area is screened with an overhead trellis.
Section 2.10 Rain Protection	Buildings on both north and south sides of West Broadway should offer rain protection to pedestrians.	Continuous rain protection is provided for along Broadway frontage.
Section 3.1 Street Wall Length and Height	A low-rise element (1-2 storeys) may occupy 100% of the street frontage with a maximum height of 30 ft.	The low-rise element extends along 75% of the Broadway frontage, with a screened residential entry court for the remainder of the site width. Staff support the break in the street wall for the benefits of an enhanced public realm. See discussion page 8.
	A mid-rise element (3-6 storeys) should occupy no more than 75% of the street frontage with a maximum height of 70 ft.	The mid-rise/tower element at its widest, occupies 55% of the Broadway frontage. This narrower massing improves views through the site and reduces shadowing along Broadway.
	Tower elements should have a maximum height of 120 ft. and occupy no more than 67% of the street frontage. Higher buildings should be oriented to maximize sun penetration and views to the north.	The proposed height to the main roof parapet is 126.29 ft. The width of the upper massing is significantly less than the Guideline recommendations and is well resolved. Staff support the extra 6.29 ft. height of the main roof parapet (higher than the 120 ft. Guideline height) for the benefits of thinner massing, smaller footprint and added street presence along Broadway, subject to reducing the massing of the mechanical penthouse to comply with Section 10.11 Relaxations of Limitations on Building Height of the Zoning and Development By-law (Condition 1.1) See discussion and Figure 1 on page 8.
Section 3.4 Tallest Building	The tallest buildings in the sub-area best located between Alder Street and Birch Street to accentuate topography.	The site is located at the topographical high point of the Broadway corridor. Staff consider the proposed building height appropriate for this part of West Broadway. See height discussion on page 8.

Legal Description

Lots: 6 and 7 Block: 353 Plan: 590 District Lot: 526

• History of Application:

- 08 11 14 Preliminary DE submitted
- 08 12 17 Urban Design Panel
- 09 02 11 Development Permit Staff Committee

• Site: The site is located on the south side of the 1200 block of West Broadway, between Alder Street and Birch Street. It has a 100 ft. frontage and a depth of 125 ft. There is a grade difference between the lane and West Broadway of approximately 8½ ft., making vehicle site access from the lane challenging for this relatively small site. The site had an older two storey commercial structure which is now demolished.

The 1200 block between Alder Street and Birch Street represents the topographical high point along the Broadway corridor. There is a significant grade change sloping downwards, north of West Broadway in the Fairview Slopes area, with panoramic views of the city and North Shore Mountains.

- Context: Significant adjacent development includes:
 - (a) 1333 West Broadway 12-storey mixed-use residential/commercial
 - (b) 1285 West Broadway 8-storey mixed-use residential/commercial
 - (c) 1245 West Broadway 4-storey mixed-use residential/commercial
 - (d) 1235 West Broadway 10-storey mixed-use residential/commercial
 - (e) 1201 West Broadway 4-storey mixed-use residential/commercial
 - (f) 1195 West Broadway 5-storey mixed-use residential/commercial
 - (g) 1212 West Broadway 5-storey mixed-use residential/commercial
 - (h) 1268 West Broadway 13-storey mixed-use residential/commercial
 - (i) 1235 West 10th Avenue 3-storey residential
 - (j) 1200 West 10th Avenue 3-storey residential
 - (k) 1333 West 11th Avenue 12-storey residential



• **Background**: The adjacent property west of the subject site has an existing 13 storey mixed-use residential tower (Development Permit issued in 1990) with units facing onto a 17 ft. east side yard. By comparison, more recent towers along the Broadway corridor have established 40 ft. side yards for the benefits of improved livability, light access, and views through the site. The property east of the subject site has a five storey 1970's office building, with a blank party wall on the side property line. It is anticipated that this property will not be redeveloped in the medium to long term future.

Staff advised the applicant that the western side yard be maximized by thinning the building massing and reducing the east side yard to improve the tower relationship with the adjacent tower to the west. Staff also recommended that some extra height above the 120 ft. guideline could be considered subject to view impact studies.

• Applicable By-laws and Guidelines:

- 1. C-3A District Schedule
- 2. Central Broadway C-3A Urban Design Guidelines, Fairview Slopes Sub-area
- 3. Central Area Plan: Goals and Land Use Policy C-3A Central Broadway

1. C-3A District Schedule

Use: Retail and General Office are outright approval uses, and Residential is a conditional approval use.

Density and Height: The outright density permitted is 1.00 FSR with a maximum conditional density of 3.00 FSR in accordance with Section 4.7. A transfer of heritage density up to 10 percent of the maximum permitted density is permitted under Section 4.7.5.

The outright permitted height is 9.2 m (30.2 ft.) The height can be increased to a maximum which is unspecified in the District Schedule through Section 4.3. Increases to density and height may be permitted provided that the Development Permit Board first considers:

- the overall resolution of the building and its effect on the surrounding areas, including existing views;
- the amount of open space, the design and general amenity provided by the proposal;
- traffic, pedestrian amenity and livability of any dwelling uses; and
- submissions of any advisory group, property owner or tenant.

2. Central Broadway C-3A Urban Design Guidelines

In summary, the intent of the Guidelines as they relate to this development, are:

- to encourage residential uses above street-level commercial uses;
- to locate higher buildings on West Broadway in such a way as to emphasize the Alder Street high point, with heights up to 120 ft.;
- to allow private views through thinner mid-rise and tower massing;
- to ensure that parking, loading and services are accessed from the lane system; and
- to provide street trees and continuous pedestrian weather protection on West Broadway.

The suggested Guideline massing is illustrated below in Figure 1:



• Response to Applicable By-laws and Guidelines:

Height, Density and Massing: The requested increase in height from 30.2 ft. to 126.29 ft. to the top of the main roof parapet and 131.76 ft. to the top of the mechanical penthouse, and increase in density from 1.00 FSR to 3.00 FSR (plus a 10 percent transfer of heritage) for a total 3.30 FSR is supported, but must be earned.

The proposed height of 126.29 ft. above the main roof parapet is slightly more than the maximum recommended Guideline height of 120 ft. Because of the small floor plate, the mechanical penthouse is proportionally larger and would normally be included in the height calculation if not reduced in size. Staff consider the proposed height supportable as summarized below, subject to reducing the massing of the rooftop penthouse (Condition 1.1)

- the extra height adds prominence to the topographical high point along Broadway as recommended in the Central Broadway C-3A Urban Design Guidelines;
- liveability is improved for units facing west; the extra height enables a smaller floor plate, with thinner massing and a wider west side yard;
- reduction of the mechanical penthouse massing will further open views at the roof top level;
- the height is compatible with other recent towers along the Broadway corridor, and is equal in height to the tower west of the subject site; and
- the view analysis indicated no significant private view impact (see further discussion on Private Views on page 10)

The requested increase in density, including an additional 10% of transferred heritage density, has been well handled and fits within the suggested massing of the Guidelines. Figure 2 shows a comparison between the proposed building and suggested Guideline massing. The proposed building is significantly thinner in both the mid-rise and high-rise portions of the building than what the Guidelines recommend, with a relatively small typical floor plate of 3,800 sq. ft. The slimmer massing has the positive effect of both reducing shadows on the street, and improving sun access and views through the site.

The Guidelines recommend a continuous base height of 30 ft. along the retail street frontage to give pedestrian scale and a sense of street enclosure. The low-rise massing along Broadway is 30 ft., and continuous for 75% (75 ft) of the Broadway frontage, breaking and stepping down in height to provide a

generous residential entry and transition with the lower street wall of the adjacent development to the west. Opening up the street wall to allow for a generous residential entry with views into a landscaped forecourt is supported by staff for the benefit of the public view amenity, as seen from the street (see also Urban Design Panel minutes on page 12).

The building is 55 ft. at its widest dimension, which is significantly less than the recommended Guideline width of 67% (67 ft.) of the site width, and narrower than the 66 ft. wide adjacent tower. Staff support the proposed massing for its improved urban performance of an increased west side yard, and enhanced views and light access through the site.



Figure 2

Livability: As previously noted (see Background on page 7) maximizing the spatial separation between the proposed and adjacent tower was a key factor in the siting and shaping of the building. Although there are no side yard requirements in the C-3A District Schedule, except when next to residential districts, recent C-3A tower developments along the Broadway corridor have typically provided 40 ft. side yards where possible. The existing adjacent tower to the west of the subject site has a 17 ft. east side yard increasing to 23 ft. above the 7th floor. The applicant has proposed a 29 ft. west side yard for the building at its widest point, and 36 ft. for the bulk of the remaining massing for a total spatial separation between towers ranging between 46 ft. and 59 ft. (See Figure 3) Staff consider this to be a satisfactory solution subject to reducing overlook of some of the units by limiting the amount of glazing on the west elevation. The Urban Design Panel concurred with this evaluation. This concern is addressed in Condition 1.2. (See also commentary on Sustainability page 11)

The east side yard faces a four storey blank wall, with fifth storey office windows setback 24 ft. from the property line. Some of the bedrooms facing the east side yard do not comply with the horizontal angle of daylight requirement; however staff would recommend relaxation of this provision pending further analysis at the complete application. Staff consider the proposed 15.3 ft. east side yard and 19

ft. setback for the main building massing acceptable, subject to landscape treatment adjacent to the blank party wall, east property line. (See discussion on Public Realm and Landscape Treatment on page 11 and Condition 1.3)

Because of the small floor plate, all units with the exception of the front middle units have corner orientations with good natural light and ventilation. All units have access to private outdoor space with a unit on the top floor having direct stair access to the roof deck. Numerous units have enclosed balconies that do not meet the intent of the Balcony Enclosure Guidelines, and that function essentially as additional rooms. These rooms and the exterior massing and material expression will require modification in order to be eligible for floor area exclusions (Standard Condition A.1.4.).



Figure 3

Private Views: The Guidelines recommend minimizing private view loss where possible, recognizing that some view loss may occur. To the south of the site is an RM-3 district, where building heights can achieve a height comparable to towers along Broadway of up to 120 ft., depending on lot size. Existing lot patterns in this area are relatively small with typical building heights of three to four storeys. In the future, if and when the RM-3 sites to the south are redeveloped, good view potential is possible through the 46 ft. wide spacing between the proposed tower and the existing tower to the west.

Notification results revealed a concern over private views from a 12 storey building located at 1333 West 11th Avenue, in the RM-3 district. (See Context Map, Building "K" on page 6, and Notification section on page 14) Staff met with a particular resident of 1333 Birch Street, and took photographs from their 10th floor northeast corner unit. A view analysis (See Appendix F) concluded that there would be no significant private view loss, as summarized below:

• primary views looking north from 1333 West 11th Avenue of the downtown core, English Bay, Stanley Park and the North Shore Mountains are not affected by the proposed tower located well to the northeast;

- possible future redevelopment of the 1200 and 1300 blocks of West 10th Avenue (located between 1333 West 11th Avenue and the subject site) with heights up to 120 ft. would have far greater view impact, particularly the property located at the northeast corner of Birch Street and West 10th Avenue;
- the proposed tower is partially within the view shadow of the adjacent existing tower which increases for north facing units west of the northeast corner unit.

Materials and Architectural Expression: High quality materials have been proposed and are well resolved. The building is clad predominately in glass; a mix of clear and spandrel glass, brick cladding on the east and south elevations, painted concrete shear walls and stone tile accents at the base. Staff recommend that the material treatment inside the residential entry court is continuous and of the same quality as the street frontage, and confirmation that the brick cladding is real brick with a dimensional thickness (Condition 1.4 Standard Condition A.1.8.).

Public Realm and Landscape Treatment: The public realm treatment is considered well handled for this part of Broadway, the final details of which are subject to the satisfaction of the General Manager of Engineering Services. (Condition A.1.11) The retail store frontage is well resolved and addresses pedestrian scale, interest and comfort with smaller bay sizes, full height glazing, numerous entries accessed directly at sidewalk grade, and continuous weather protection. The residential entry provides a pleasing vista of an internal landscaped courtyard as part of the entry/lobby sequence.

Staff recommend that all parking vents be located on the landscape plan and well integrated with the architecture and landscape treatment. Staff also recommend further landscape development of the 3rd floor podium level along the Broadway frontage, and that detailed sections through the east and west side yard be provided, indicating all proposed landscape treatment, including the neighbouring four storey blank wall as previously noted (Standard Conditions A.1.15 and A.1.18).

Sustainability: This application addresses the Vancouver EcoDensity Charter's commitment to a denser pattern of city development with a form of development located within the city centre on an arterial street with easy access to public transportation, while providing good livability for all units. This application is intended to meet LEED[™] Silver Canada Certified standard. The Urban Design Panel thought the application did not go far enough, and more sustainable features should be pursued to meet LEED[™] Silver standards. It was recommended that the south elevation needed a better response to its solar orientation, and that the horizontal projections on the west elevation would not be very effective, given the late afternoon sun angle and the shadowing of the adjacent tower. The Panel also recommended that energy modelling be undertaken prior to further design development. Staff are seeking confirmation that this application meets LEED[™] Silver Canada Certified standards, and to consider the suggestions by the Urban Design Panel (Condition 1.5).

• **Conclusion**: This is a well resolved development proposal that exceeds expectations for a preliminary application in regards to detailed design development. It meets the intent of the Guidelines with regard to building form, and surpasses them in terms of providing benefits beyond the Guidelines through thinner building massing. The building height reinforces the intended urban design for this part of Broadway and has minimal view impact. Staff consider the building well resolved and an important addition to the 1200 block Broadway streetscape. Earning the requested increases in density and height has been provided primarily through:

- slimmer massing at both the mid-rise and tower sections, to allow views and sunlight access through the site, reducing shadow impact on the street;
- high quality retail frontage and street treatment, including an expanded residential entry court visible from the street;

- providing vehicular access from the lane (approx. 8 ½ ft. higher than the street); and
- the use of high quality materials, including natural stone cladding, brick, and glass.

On that basis, staff consider that the requested increases to density and height have been earned and recommend approval of this application.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on December 17, 2008, and provided the following comments:

EVALUATION: SUPPORT (5-0)

• Introduction: Dale Morgan, Development Planner, introduced the proposal for a new development between Alder and Birch Streets. The applicant is seeking a conditional density of 3.00 FSR plus 10% heritage density transfer for a total of 3.30 FSR. It will be a 12-storey mixed-use development with commercial at grade and a small office component on the second floor with residential on the remaining floors. Mr. Morgan briefly reviewed the area context and the zoning guidelines.

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

<u>Density & Massing</u>: The applicant is proposing a density of 3.30 FSR, importing 10% additional density through a density transfer. Can the site handle this extra density? Should more density be relocated at the base, noting the number of "void spaces" and the limited second floor area? Does stepping the massing to allow south facing units a view to the north, negatively impact the adjacent building to the west?

<u>Streetscape Massing</u>: The guidelines require a continuous 30 feet high street wall with continuous weather protection. The residential entry breaks the continuity. Does the Panel feel the entry is perhaps too wide? Could it be pulled back further from the street with retail space wrapping the corner?

<u>Building Separation</u>: The building proposes a west side yard of just under 30 feet. The mid-rise massing of the adjacent building has a side yard of 17 ft. for a total distance between buildings of approximately 47 feet, which increases to 61 ft. as the building narrows towards Broadway. Does the Panel consider this building separation adequate?

<u>Materials</u>: The Panel's advice is requested on the material, colour choice and application.

Mr. Morgan took questions from the Panel.

• Applicant's Introductory Comments: Mr. Leung further described the proposal noting the residential apartment lobby entrance is through a glazed canopy and landscaped courtyard. The tower has been sculpted to provide a wider setback from the westerly neighbour. Mr. Leung noted that the building has been designed with LEED[™] Silver sustainable measures. All four facades have been designed to respond to their orientation, view and solar gain considerations. Mr. Leung described the materials that will be used noting the natural stone for the commercial floors.

Darren Swift, Landscape Architect, described the landscape plans stating that they tried to be as generous as possible with the landscaping on the patios. Mr. Swift described the plans for the courtyards, including the screening element and water efficient plant material.

The applicant team took questions from the Panel.

- Panel's Consensus on Key Aspects Needing Improvement:
 - Design development to the west façade to reduce the amount of vision windows facing the neighbouring project;
 - Additional sustainable features should be considered including a passive design response for the south facade; and
 - Consider design development to the entry courtyard and entry pavilion.
- Related Commentary: The Panel supported the proposal and felt the site could carry the additional 10% density being proposed.

The Panel thought the massing of the building was successful and liked the horizontal and vertical stepping of the massing. They also thought the massing would provide interest and some interesting views to the north. The Panel liked the narrow profile and thought the position of the building on the site was optimal. Moving the tower further to the east would negatively impact the east roof garden and neighbouring site. They also supported the proposed height of the building. The Panel thought the building separation was adequate. The Panel supported the Broadway streetscape; several Panel members noted that the entry courtyard element should not be much narrower as it will become compromised. One Panel member stated that the landscape response at that entry seemed a little reserved and suggested upgrading the proposed materials. Another member would like to see more detail on the commercial patio area on the north side of the building. The Panel generally supported the materials and colour choices for the proposal, but recommended the material on both sides of the Broadway residential entry be the same stone material.

A couple of Panel members were concerned that there was a lot of glass on the bedrooms looking west and suggested the applicant look at the ratio between the vision glazing and spandrel glazing. One panel member suggested that the proposed building should not show more windows to the neighbouring building than the neighbouring building shows to it.

The Panel suggested more refinement in terms of elevation although they thought the general direction was great. The panel also suggested adding more landscaping to the lower roof elements, particularly the entry pavilion. Several Panel members were not convinced that all the street trees could be accommodated and suggested simplifying of some of the planters.

The Panel thought the sustainability strategy was a little weak especially on the south façade. A couple of Panel members noted that on the west elevation the horizontal concrete projects were not required because they would be creating heat loss and noted the neighbouring building would provide adequate shading from the afternoon sun. They thought it was more important to take care of the south side façade where there is potential for more solar heat gain. It was also suggested that the applicant do energy modeling for the building before they come back to the Panel with the complete application.

• Applicant's Response: W.T. Leung thanked the panel for their comments and good points.

ENGINEERING SERVICES

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

SOCIAL DEVELOPMENT

The proposed application includes an amenity meeting room on the ground floor and a large multipurpose amenity room on the second level (which is directly adjacent to an extensive amenity patio area). Design development is required for both the indoor amenity room on the second level, as well as the outdoor amenity patio (Standard Conditions A.1.20 to A.1.23)

ENVIRONMENTAL PROTECTION BRANCH

The Phase One Environmental Site Investigation indicates there are no potential environmental concerns on site. There is the potential for an underground storage tank to be on site. A qualified environmental consultant shall be available to identify, characterize and appropriately manage any soil and/or water of suspect environmental quality encountered during any excavation work at the site. (Standard Note to Applicant B.1.9)

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.

NOTIFICATION

A development application sign was erected on the site on December 10, 2008. On December 11, 2008, 514 notification postcards were sent to neighbouring property owners advising them of the application, and offering additional information on the city's website.

To date, a total of 6 written responses have been received. A total of 5 respondents object to the proposal in its current form, and one respondent expressed a site concern unrelated to this specific development proposal.

Of the 5 letters received objecting to this development, 4 were from property owners within the existing 12 storey building located at West 11th Avenue and Birch Street. This includes a letter of objection from the Strata Council for the building. The other letter was received from a neighbour located across the lane to the south of this proposal. Specific objections raised in these letters include:

- that discretionary increases for height and density on this site do not serve to improve the neighbourhood;
- that this development would contribute to the creation of a high-rise corridor along Broadway that serves to separate the neighbourhood south of Broadway from that north of Broadway. Some wondered whether the city has considered a longer term density plan for this area;

- that the addition of residential units and commercial space to this site will add to traffic in the area, which would include the increased use of Birch Street between 10th Avenue and 12th Avenue. There is a suggestion that further traffic calming may be needed at the intersection of West 11th Avenue and Birch Street as a result;
- that this development would increase traffic, noise and pollution for neighbours in the immediate vicinity (particularly for users of the south lane);
- that a residential development is not the best use for the site at this time; and
- that this development would result in a loss of existing views to the east and north. Some residents of 1333 Birch Street believed that this area (including the subject development site) is affected by a moratorium on development which affected existing views and sight lines.

Staff Response:

This C-3A District Schedule allows discretionary increases in density up to 3.00 FSR and additional transfer of 10% heritage density for a total of 3.30 FSR. The Guidelines encourage taller building forms for this part of Broadway. The taller heights allow for a thinner building mass in an east/west direction that enables views through looking north, improved daylight access and reduces shadow impacts on the street and adjacent properties. Mixed-use development with high quality retail at grade and residential above is considered optimal uses for this part of Broadway. A view analysis concluded this proposed development would not cause significant private view loss. (See Private Views on page 10). There is no moratorium on building heights along the Broadway corridor.

Engineering Services staff have reviewed the traffic demand for this development and anticipate that it will have minimal impact on the local street network, including Birch and Alder Streets. Staff do not believe that additional measures, such as traffic calming, will be required.

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, it requires decisions by both the Development Permit Board and the Director of Planning.

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 pursuant to Section 5.2 of the C-3A District Schedule (Horizontal Angle of Daylight)

The Staff Committee supports the application, subject to the conditions contained in the report, and has concluded that the development has earned the requested discretionary increases to height and density (which includes a transfer of heritage density to the site). The Staff Committee is prepared to support a relaxation of the Horizontal Angle of Daylight at the complete application stage as noted in the report.

The Staff Committee notes that this comprehensive preliminary submission has facilitated the staff review and the development of specific and detailed recommendations. This should assist staff with the processing of the subsequent complete development permit application.

R. Michaels Chair, Development Permit Staff Committee

D. Morgan, MRAIC Development Planner

M. So Project Coordinator

Project Facilitator: S. Barker

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to the submission of a complete Development Application.

A.1 Standard Conditions

A.1.1 compliance with Section 4.7.1 – Floor Space Ratio, of the C-3A District Schedule of the Zoning and Development By-law;

Note to Applicant: Based on the submitted figures, the overall Floor Space Ratio slightly exceeds the maximum conditionally permitted, which includes the 10% Heritage Density Transfer. The total area of proposed balconies slightly exceeds the maximum eligible for exclusion from FSR. Floor areas that have been labeled bulk storage, but are used as clothes closets or linen closets, are not eligible for FSR exclusion. Any overage of the maximum balcony area and non-bulk storage areas shall be included in the computation of FSR.

- A.1.2 provision of a "Letter A" which identifies the donor site for the Heritage Density Transfer to this site;
- A.1.3 submission of detailed, accurate, complete and fully dimensioned floor plans;

Note to Applicant: Dimensions used to calculate the floor areas should be reflected on the floor plans. The dimensions confirming floor areas for the various proposed uses should be provided. Tracing overlays are required showing details of all calculations which are to be tabulated, totaled and summarized. Refer to Area Calculations and Tracing Overlays Requirement Administration Bulletin. The calculations should include all balcony areas (both open and enclosed), storage areas, amenity spaces, etc. To qualify as exclusions, ensuite storage rooms must have a minimum clear dimension of four feet in any direction and all bulk storage must meet the requirements set out in the Planning Department's By-law Administration Bulletin for "Bulk Storage - Residential Development". Provide a detailed layout for the common storage areas. The method used to calculate the floor areas should be the largest polygon around the floor plan with exclusions deducted from it. Provide individual unit floor plans for all units to verify each of the unit floor area. Analysis of Section 4.10 - Horizontal Angle of Daylight - should be provided on the drawings, noting rooms which do not comply.

A.1.4 design development to the enclosed balconies to meet the intent of the Balcony Enclosure Guidelines;

Note to Applicant: There are numerous enclosed balconies that do not meet the intent of these Guidelines. To qualify for an exclusion from floor space ratio [FSR] calculations, an enclosed balcony must be a distinct space separated from the remainder of the dwelling unit by walls, glass, and glazed doors [hinged or sliding], have an impervious floor surface, a flush threshold at the bottom of the door [for disabled access], large, openable windows for ventilation, and distinct exterior architectural expression. In addition, each dwelling unit should have no more than one enclosed balcony, and all balconies, both open and enclosed, should be clearly identified on the floor plans. Notation should also be made on the plans stating: "All enclosed balconies shall be designed and constructed in accordance with the Council-approved Balcony Enclosure Guidelines." Limitations on the amount of exclusions and enclosures permitted are described within the regulations of the respective District Schedule or Official Development Plan that apply to the specific site. For further details and specifications on enclosure requirements, refer to the Council-approved Balcony Enclosure Guidelines.

A.1.5 provision of a minimum of 6 Class B Bicycle spaces, in accordance with the Parking By-law, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: The Class B Bicycle spaces shall be provided on site.

A.1.6 compliance with Section 6.3 - Class A Bicycle Spaces, of the Parking By-law;

Note to Applicant: Modification to the design of the proposed Class A Bicycle spaces as follows:

- a minimum of 50 percent of the required Class A bicycle spaces shall provide for the bicycles to be placed horizontally on the floor or the ground (Section 6.3.13);
- at least 20 percent of the Class A bicycle spaces must be bicycle lockers (Section 6.3.13A);
- the bicycle room, compound, or lockers shall be located no lower than the first complete parking level below grade and shall have direct access to outside, except that a location more than one level below grade may be permitted where an elevator is supplied offering direct access to outside; (Section 6.3.6); and
- each two Class A bicycle spaces must have an electrical outlet (Section 6.3.21)
- A.1.7 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;
- A.1.8 clarification on the drawings that the proposed brick is authentic brick masonry units;

Note to Applicant: Provide specifications on brick type and a typical detail of the brick on the drawings.

- A.1.9 an acoustical consultant's report shall be submitted which assesses noise impacts on the site by the development and recommends noise mitigation measures in order to achieve noise criteria;
- A.1.10 provision of written confirmation on the drawings that:
 - the acoustical measures will be incorporated into the final design, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer);
 - effective acoustic separation will be provided between the commercial/office and residential portions of the building; and,
 - mechanical (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact on the neighbourhood and to comply with Noise By-law #6555

Standard Landscape Conditions

A.1.11 notation on the landscape plan, "all public realm details including street trees and sidewalk banding to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: The final treatment of the public realm shall be to the satisfaction of the General Manager of Engineering Services, and shall include items from the building edge to the curb (outdoor surface/paving materials, site furniture, lighting, trees, lamp posts, and fire hydrants). The final location of street trees and public realm surface treatment should coordinate with adjacent buildings, and may be subject to further review. (See also Condition A.1.17) A streetscape context plan should be provided in order to show the public realm treatment for adjacent sites.

A.1.12 indication of the upper floor patios on the landscape plan, and design development to provide permanent planters on these upper level patios;

Note to Applicant: Particularly on upper roofs and the south side patios (levels 3 to 6).

A.1.13 exploration of opportunities for garden plots/urban agriculture and integration of edible plants within the planting scheme wherever possible;

Note to Applicant: Intensified gardening will require the associated amenities, such as storage, compost, hose bibs and seating. (See also Condition A.1.23)

A.1.14 provision of a fully detailed, landscape plan/planting plan;

Note to Applicant: Additional information and details will be required for further review. Provide detailed notation for all hard and softscape elements, including a plant list, spot elevations and full labeling of hardscape materials, color and heights.

A.1.15 provision of large scale detailed elevations and sections through the outdoor amenity spaces on site;

Note to Applicant: Include a north-south section from the front entrance courtyard to the rear lane, and an east-west section through the rear landscape area. Provide typical sections through planters, retaining walls, patios, railings, fences and gates. Elevations should be provided to illustrate exterior landscape structures, pergola structures and trellises.

A.1.16 provision of efficient irrigation for all planted areas, and hose bibs for all patios greater than 100 sq.ft.;

Note to Applicant: Provide appropriate notations on the landscape plans.

A.1.17 provision of new street trees adjacent to the development site, to be confirmed prior to the issuance of the building permit;

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide the following notation on the plan: "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 ft. long and 18 in. deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

A.1.18 identification of all parking level intake and exhaust vents on the site and landscape plans;

Note to Applicant: All vents to be well integrated with the architecture and landscape treatment.

Crime Prevention Through Environmental Design (CPTED)

- A.1.19 design development to consider the principles of Crime Prevention through Environmental Design (CPTED) having particular regards for:
 - provision of a gated entrance off the lane;
 - reducing opportunities to theft in the underground by providing secure separation between uses and by the location of perimeter exit stairs;
 - reducing opportunities for graffiti on blank walls and skateboarding on planter walls adjacent to the residential uses; and
 - reducing opportunities for mischief by deleting alcoves.

Note to Applicant: The transformer alcove along the lane needs to be completely screened, preventing public access to this semi-enclosed space.

Social Development

- A.1.20 demonstration that the washroom in the multi-purpose amenity room on level 2 is fully accessible;
- A.1.21 design development to provide a kitchenette and storage area in the amenity room on level 2;
- A.1.22 design development to provide direct access from the amenity room onto the south facing section of the outdoor amenity patio to make this portion of the patio universally accessible;
- A.1.23 design development to the south and southwest areas of the outdoor amenity patio to incorporate a more flexible design that can accommodate a range of activities, including providing soft surface areas (e.g. a small lawn) and opportunities for urban agriculture;

Note to Applicant: The urban agriculture areas should be designed in accordance with the Urban Agriculture Design Guidelines for the Private Realm.

A.2 Standard Engineering Conditions

- A.2.1 arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 6 and 7, Block 353, District Lot 526, Plan 590 into a single parcel;
- A.2.2 provision of section drawings in either 3/32 in. = 1 ft. or 1/16 in. = 1 ft. scale;

Note to Applicant: 1/32 in. = 1 ft. scale drawings cannot be verified.

A.2.3 modification to the parking ramp design to provide additional width through the curved section to enable two-way traffic flow;

Note to Applicant: A width of 24 ft. is recommended.

- A.2.4 provision of a parking ramp slope which does not exceed 10% for the first 20 ft. from the property line, and notation of design elevations on both sides of the parking ramp at all break points and located 2 ft. off of the wall through the inside radius of the ramp;
- A.2.5 provision of a cross section drawing through the commercial loading space;

Note to Applicant: The section must show the clearance to the underside of the trellis and to the underside of the raised security gate at the rear of the space.

A.2.6 confirmation that activation of the overhead gates will be by remote control;

Note to Applicant: A centre mounted card reader would require additional ramp widths.

A.2.7 provision of a canopy application to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: Canopies must be fully demountable and drained to the internal drainage system of the building.

- A.2.8 provision of property lines to be clearly identified on all plans;
- A.2.9 provision of a separate application to the General Manager of Engineering Services for street tress and reconstructed sidewalks;

Note to Applicant: A copy of the final approved landscape plan shall be forwarded directly to Engineering Services.

A.2.10 arrangements shall be made to the satisfaction of the General Manager of Engineering Services confirming that all services (including telephone, cable and electricity) shall be completely underground;

Note to Applicant: The development site is required to have its own independent public utility services (Hydro, Telus; Shaw Cable) with all services to be underground. All services and 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. Any alterations to the existing underground / overhead utility network to accommodate the development will require review and approval by the City's Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged. Resolution of these matters prior-to application for a full building permit is recommended.

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Processing Centre Building Department contained in the Staff Committee Report dated February 11, 2009. 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 24, 2009, 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.1.6 During the period of January 1, 2010 to March 31, 2010, while the City of Vancouver prepares for, and hosts the Olympic and Paralympic Winter Games, the "private" use of city streets, sidewalks, and lanes in many areas of the city may be limited. You may not be permitted construction access to your site from City property. This is necessary to ensure that these areas are available for the safe and reliable movement of pedestrians and vehicles during the Games period. For more information and to determine if your project may be impacted, please contact Engineering Services at 604.871.6730.
- B.1.7 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.1.8 This site will require an interconnected water service. Please contact Water Design office in Engineering Services at 604.873.7325 for further details.
- B.1.9 A qualified environmental consultant shall be available to identify, characterize and appropriately manage any soil and/or water of suspect environmental quality encountered during any excavation work at the site.
- B.1.10 This site is affected by a Development Cost Levy By-law and 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 and are based on the architectural drawings received on November 14, 2008 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law.

- 1. P2: Disabled access is required from the elevator lobby to the floor area to provide access to the bicycle rooms.
- 2. P2 & P1: Where there is no vestibule, the maximum area of glass permitted in exit walls is 0.0645 m^2 .
- 3. P1: Disabled person door clearances are required between the elevator and the floor area.
- 4.* P1: Adequate remoteness of exits for the residential parking area is required.
- 5. Ground Floor:
 - *a) Above and below grade stairs are required to have a separation.
 - *b) Maximum travel through an exit lobby is 15 m.
 - *c) Maximum distance from the curb to the principal entrance is 15 m.
 - d) Minimum 1200 mm plus the door swing is required between doors in a series (i.e. garbage room and the office).
 - e) Handicap access is required to the residential garbage area.
 - *f) An exit is not permitted to exit through a loading bay.
- 6. 2nd Floor: Handicap access is required to the southwest corner amenity landscaped courtyard (sheet L1 of 1).





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## W. T. LEUNG ARCHITECTS INC.



## DE 412570

DESIGN RATIONAL 1236 -1240 West Broadway

This now vacant 100 ft. site, is located two and one half blocks East of Granville Street on the South side of Broadway, and is currently zoned C-3A. Previously, the site consisted of two adjoining wood-frame buildings both occupied by a nightclub but were vacant for the last couple of years except for vintage clothing sales in a portion of the larger building. The 2 story building on the East end was constructed in the 1930's and the one storey building on the West portion of the site was constructed in the 1940s.

The 1200 Block of W. Broadway has a varied form of mixed-use developments ranging from single storey commercial buildings to 13 storey high rises. To the west of the site, is a 13 storey mixed-use retail and residential high rise development and a 1 storey restaurant. Continuing across Birch Street are 2 storey and 4 storey commercial developments. To the East, is a terraced 5 storey commercial office development and further East across Alder Street is a 1 storey commercial development with roof top parking. Directly across the street on the North side of Broadway starting from the West there is an 8 storey commercial high rise, a 4 storey commercial development, a 10 storey mixed use Residential high rise and a 3 storey commercial development at Alder Street. To the South across the lane are older 3 and 4 storey apartment developments in a RM-3 zone.

The proposed design is for a 13 storey mixed-use development with commercial retail and offices on the 1<sup>st</sup> and 2<sup>nd</sup> floor. The residential apartments occupy the upper floors with lobby entrances through a glazed canopied landscaped courtyard accessible from Broadway.

The slim 13 storey tower has been designed with a small floor plate resulting in a building width of 55 ft. which is far below the maximum allowable of 67 ft. in the Council adopted C3A design guidelines. The tower has also been sculpted and strategically placed to provide for a wider setback of 29 ft. 3 in. from the Westerly neighbour. The building form and placement coupled with the glazing pattern and glazed panels allows for view sharing and privacy for the 2 buildings. The wider side yard setback also provides for a through site Northerly view corridor for the 3 and 4 storey RM3 apartments to the South.

The building has been designed with LEED Silver sustainable measures and indoor air quality considerations in mind through the use and selection of environmentally sustainable building materials and construction methodology. All four elevations have been designed to respond to orientation, view and solar heat gain considerations. The West elevation has been designed with wide projecting horizontal concrete fins at the floor levels to serve as sun shades while the South and East elevations are provided with smaller punched windows in brick masonry walls. Natural stone cladding is proposed for the lower commercial floors while brick masonry and double glazed low-e glass aluminum window system is proposed for the upper residential apartment floors.

The residential apartment entry courtyard level is fully landscaped while a row of trees is also proposed along the South property line at the rear lane. The units have been designed to achieve natural cross-ventilation where possible.



## Appendix F; page / of /