
1022 SEYMOUR (COMPLETE APPLICATION)
DE409843 - ZONE DD

MBR/JK/JG/DK

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

B. Boons (Chair), Development Services
M. Thomson, Engineering Services
L. Gayman, Real Estate Services
D. Naundorf, Social Planning
D. Jantzen, Vancouver Coastal Health Authority
T. Driessen, Vancouver Park Board

Also Present:

M.B. Rondeau, Urban Design & Development Planning
J. Kujala, Development Services
J. Greer, Development Services

APPLICANT:

GBL Architect Group Inc.
140-2034 West 11th Avenue
Vancouver, BC
V6J 2c8

PROPERTY OWNER:

Onni Development Group
550-858 Beatty Street
Vancouver, BC
V6B 1C1

EXECUTIVE SUMMARY

- **Proposal:** To develop this site with a mixed-use building containing retail on the ground floor, office on the ground, 2nd and 3rd floors and 18 storeys of residential all over 3 levels of underground parking. Further, the project includes the transfer of approximately 10,879.5 sq. ft. (6.2 %) to this site, from a donor site at 526 Beatty Street, for a total FSR of 5.33.

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 Letter A - Heritage Transfer of Density

Appendix G Applicant's Sustainability Overview

● **Issues:**

1. Simplification of architectural expression
2. Podium height above 70 ft.
3. Rear lane setback and interface
4. Lobby entrance facing the lane and improved lane landscaping

- **Urban Design Panel: SUPPORT**
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE409843 as submitted, the plans and information forming a part thereof, thereby permitting the development of this site with a mixed-use building containing retail on the ground floor, office on the ground, 2nd and 3rd floors and 18 storeys of residential all over 3 levels of underground parking. Further, the project includes the transfer of approximately 10,879.5 sq. ft. (6.2 %) to this site, from a donor site at 526 Beatty Street, for a total FSR of 5.33, subject to the following conditions:

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

- 1.1 design development to simplify architectural expression and to increase the amount of brick masonry;

Note to Applicant: On the southerly Seymour Street elevation, the masonry element should be extended to the 5 storey podium while retaining an identifiable 2 storey townhouse expression. This will compliment the 5 storey brick podium on the adjacent site. On the northerly side of the tower on Seymour Street, the architectural concrete element should be extended from the 5th to the 7th floor (the 8th floor of this side of the podium to be deleted under Condition 1.2). The dark glass for the office component should be reconsidered with a lighter colour. The retail base element on Nelson Street should be reconsidered to be part of the office glassy element with modernist vocabulary rather than traditional brick vocabulary. The retail storefront glass should extend along Nelson Street and wrap at the lane. The ground level building treatment for the retail and office frontage should be studied to ensure optimal street interest and quality of materials and details are provided with larger scale elevations provided to illustrate these features. The brick should be extended along the lane to replace the area shown as painted concrete.

- 1.2 design development to reduce the northerly podium to a maximum height of 70 ft.;

Note to Applicant: This will necessitate the reduction of 1 floor level. This floor area may be redistributed to the top floor of the tower where 2 storey units will comply with the view cone requirements. See also Standard Conditions A.1.2 regarding floor area and A.1.4 regarding building height.

- 1.3 design development to reduce the scale and massing of the amenity/office portion of the building facing the lane;

Note to Applicant: A 2 ft. landscaped building setback should be provided at grade from Nelson Street, along the lane. Beyond 110 ft. length, the building massing should step into a 10 ft. at grade landscaped setback, with an additional building setback at the amenity room level to provide an opportunity for an outdoor deck overlooking the lane associated with the indoor amenity facility. This floor area of amenity space and 2 levels of office above, is not likely recoverable and therefore, will likely result in a reduction of the overall FSR.

- 1.4 design development to improve the residential lobby on the lane by providing clearer identity and incorporating recessed exit stairs and alcoves;

- 1.5 design development to improve the landscaping at the lane and improve the usability of the porte cochere driveway and residential loading;

Note to Applicant: The in-ground planter at the lane edge should be enlarged and incorporate trees. The westerly edge adjacent to the property line should provide a landscape screen to the wall of the adjacent development with the adjacent building to be shown on all plans and elevations. The amenity room and floor level above should be setback to allow a wider sidewalk adjacent to the driveway and loading area where a second row of in-ground trees could be introduced. Specialty paving, curbs and furnishings should be provided within this setback area.

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

• **Technical Analysis:**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size			120.0 ft. x 275.0 ft.
Site Area			33,000.0 sq.ft.
FSR ¹	Overall for site (Area L1) 5.00 (which may include Office Use to a max. of 1.0) Heritage Density (10%) <u>0.50</u> Total 5.50		Retail 0.07 Office 0.87 Residential <u>4.39</u> Total 5.33
Floor Area ¹	Overall for site (Area L1) 165,000 sq.ft. Heritage Density (10%) <u>16,500</u> sq.ft. Total 181,500 sq.ft. Ground floor Retail, Retail-Commercial and Service uses 2,500 sq.ft.		Retail 2,490.0 sq.ft. Office 28,608.0 sq.ft. Residential <u>144,781.5</u> sq.ft. Total 175,879.5 sq.ft. Includes 10,879.5 sq.ft. of heritage density transfer to be confirmed.
Balconies ²	Enclosed (max. 50% of total) 7,035.2 sq.ft. Total (8 %) 14, 070.4 sq.ft.		Open 8,440 sq.ft. Enclosed <u>346</u> sq.ft. Total 8,786 sq.ft.
Height ³	Overall (Area B) 300.0 ft. View Cones 177.0 ft.		Top of Parapet Wall 171.2 ft. Top of Elevator Mach. Room 169.8 ft.
Parking ⁴	Commercial 31 sp. Residential <u>248</u> sp. Total 279 sp. Small Car (25% max.) 70 sp.	Commercial 29 sp. Residential <u>124</u> sp. Total 153 sp. Disability Spaces 7 sp.	Commercial Standard 35 sp. Small Car 17 sp. Disability <u>1</u> sp. Sub-total 53 sp. Residential Standard 176 sp. Small Car 22 sp. Disability <u>6</u> sp. Sub-total 204 sp. Total spaces 257 sp. Total Small car spaces 38 sp. Total Disability spaces 7 sp.
Bicycle Parking ⁵		Class A Class B Retail 0 sp. 0 sp. Office 4 sp. 6 sp. Residential <u>236</u> sp. <u>6</u> sp. Total 240 sp. 12 sp.	Class A Class B Retail 0 sp. 0 sp. Office 0 sp. 0 sp. Residential <u>244</u> sp. <u>0</u> sp. Total 244 sp. 0 sp.
Loading ⁶		Class A Class B Retail 0 sp. 1 sp. Office 1 sp. 1 sp. Residential <u>0</u> sp. <u>1</u> sp. Total 1 sp. 3 sp.	Class A Class B Retail 0 sp. 1 sp. Office 1 sp. 1 sp. Residential <u>0</u> sp. <u>1</u> sp. Total 1 sp. 3 sp.
Amenity ⁷	10,000 sq.ft. (max.)		8,710.2 sq.ft.
Unit Type			Studio 7 One-bedroom 135 One-bedroom+den 25 Two-bedroom 16 Two-bedroom+den (TH) <u>6</u> Total 189

¹ **Note on FSR/Floor Area:** The Development Permit Board may permit a maximum residential floor space ratio of 5.00 for a corner site with a minimum frontage of 175 ft. and a minimum site area of 21,000 sq. ft., and may also permit a transfer of heritage density (up to 10%) under subsection 12 of Section 3 (Density) of the Downtown Official Development Plan. The proposal is seeking an approximately 6.2 % (10,879.5 sq. ft.) Heritage Density Transfer with the donor site being identified as 526 Beatty Street. Purchase of the heritage density must be finalized in order to achieve the proposed FSR/Floor Area (see Standard Condition A.1.13). Also, this corner site may contain up to 2,500 sq. ft. of ground level Retail, Retail-Commercial and Service uses. Standard Condition A.1.2 seeks confirmation of floor areas proposed (see also Condition 1.1), and Standard Condition A.1.12 seeks confirmation that the correct amount of heritage density will be purchased from the donor site.

² **Note on Balconies:** Standard Condition A.1.8 seeks design development to provide more usable balconies.

³ **Note on Height:** Technical analysis indicates the current tower proposal is below the view cone height requirements. However, design development to the northern portion of the podium per Condition 1.2 may necessitate alterations to the tower height; Standard Condition A.1.4 seeks confirmation of the compliance with view cone height requirements.

⁴ **Note on Parking:** While the total number of parking spaces meets the combined by-law requirements for all uses, too many spaces are proposed for commercial uses (per Section 4.3 of the Parking By-law). Standard Condition A.1.10 seeks confirmation of the number of parking spaces proposed for each use.

⁵ **Note on Bicycles:** Four (4) commercial Class A bicycle spaces office uses, six (6) Residential Class B bicycle spaces and six (6) commercial Class B bicycle spaces must be provided, see Standard Condition A.1.11

⁶ **Note on Loading:** Standard Condition A.2.7 seeks design development to the loading spaces.

⁷ **Note on Amenity:** Additional information is required regarding use of amenity spaces, see Standard Condition A.1.6.

• Guideline Technical Analysis - Downtown South Guidelines (excluding Granville Street):

	RECOMMENDED	PROPOSED
Section 2.8 Noise	(b) A development permit application for dwelling uses in Downtown South should provide evidence in the form of a report... (Acoustical Report)	(b) An acoustical report has not yet been submitted in support of the development application. See Standard Condition A.3.1
Section 2.12 Heritage	Other character buildings and artifacts... although not listed on the Registry, should also be considered for retention and/or integration into new developments.	An older character house exists on the southern end of the site adjacent to the 5 storey podium of the adjacent development. This house was one of 2 that existed; the other was on the adjacent development site (now under construction). Early discussion at the enquiry stage took retention or relocation of this house into consideration but was found not to be feasible given adjacent high podium. No other location on the site was considered viable given the character of Nelson Street which does not have small scale land patterns or character houses. Therefore, staff supported non-retention of this house.
Section 4.1.1 Low Rise Street Enclosure	Low-rise street enclosure buildings (should provide) a minimum 30 ft. in height with active uses along the street frontage.	Low-rise street enclosure building (5 storeys) of approximately 50 ft. in height have been provided. Active uses have been proposed along the streets: residential townhouses, office and retail use.
Section 4.1.2 Tower Height	The maximum discretionary height in Downtown South is 300 ft., and where applicable, respect Council-approved view corridors (in this case, 177 ft height)	The proposed building is approximately 6 ft below the height requirements but confirmation of view cone compliance is requested under condition A.1.4
Section 4.1.3 Tower Width and Floor Plate Size ¹	Floor plates above 70 ft. will be guided by the following principles: (a) The maximum horizontal tower width or depth dimension is 90 ft.. (b) The maximum floor plate of any tower will be limited to 6,500 square feet.	Level 8 has a height of approximately 76.1 ft. - 79.0 ft. (measured to top of parapet) and has a floor plate of 11,905.6 square feet. Staff recommend reducing the easterly podium to a maximum height of 70 ft under condition 1.2 (a) Floor plates for Level 9 and above have a horizontal tower width of 90 ft. plus a small 2 ft. bay extension on levels 7-17, and a tower depth of 77 ft. Staff support these tower dimensions as discussed on page 9. (b) The floor plate of the typical tower floor level (Levels 9-17) are at 6,434.5 square feet.
Section 4.1.4 Floor-to-Floor Height	The floor-to-floor dimension (should be) 8.5 ft. to 9.0 ft. The overall building height should be limited by a calculation of 10.0 ft. multiplied by the number of floors proposed in the development.	The majority of floors have a floor to floor dimension of 8.63 ft. and meet the 10 ft overall multiplier.
Section 4.2 Front Yard and Setbacks	Front setbacks should be as follows: Min. 12 ft. Max.20 ft.	Minimum 12 ft. setbacks have been provided on both streets.
Section 4.2.3 Rear Yard and Setbacks	(a) Rear yard and setbacks should be as follows (for corners see sentence (c)): Height Setback 0 - 35 ft. 10 ft. over 35ft 30 ft. (b) The purpose of the rear yard setback area is	Rear yard and setback is as follows: Height Proposed 0 - 35 ft. 0 - 30 ft. over 35ft. 0 - 37 ft. (b) Significant improvements to the lane

	<p>to provide space for the required planting of trees and landscaping.</p> <p>(c) On a corner site, to ensure street definition and continuation of the streetscape, a building element ... should extend along the flanking street (Nelson Street) to the rear property line a min distance of 40 feet and a max of 110 feet.</p> <p>(d) The extension of the building element to the rear property line on corner sites creates a portal to the landscaped edges of the lane. High Quality street façade treatment materials should be extended around to the lane façade and continued along the length of the lane-abutting building element to enhance the lane environment.</p>	<p>setback and landscaping are recommended under conditions 1.3 - 1.5.</p> <p>(c) At the corner where the lane meets Nelson St. the building extends 138 ft. along the lane. Staff recommend this be reduced to meet the guideline length of 110 ft. under condition 1.3</p> <p>Improved building materials are recommended under condition 1.1.</p>
Section 4.4 Horizontal Angle of Daylight	Habitable rooms to have at least one window with unobstructed view of 50° or sum of 70° over a distance of 80 ft.	Several interior areas/room do not have access to natural daylight, Standard Condition A.1.9 seeks compliance.
Section 5.5 Lower Floors of Buildings	(b) Richer materials, more intensive decorative details and lighting should be used to enhance the "close up" view for the pedestrian.	More extensive brick is recommended under Condition 1.1
Section 5.5.3 Lane Edges	Architectural treatment and landscaping of the lane facades should receive comparable detailing and attention as other façades of the project.	Significant design development of the architectural expression is recommended under condition 1.1.
Section 7.2 Semi-Private Open Space	Residential developments should provide semi-private open space of ... an aggregate of 50 sq.ft. per unit or more.	6 th floor roof deck = 4,260 sq. ft. 9 th floor roof deck = 4,897 sq. ft. Approximately 48 sq. ft. of semi-private open space has been provided per unit, which includes a podium swimming pool. A child's play area is requested to be incorporated into the 9 th floor roof deck under condition A.1.21. Staff consider this to be well resolved.
Section 7.3 Private Open Space	(a) Residential units should have access to a private outdoor space with a minimum single horizontal dimension of 6 ft. to allow for adequate useable space.	Balconies (open and enclosed) should maintain a minimum 6 ft. dimension and open balconies may not be located in front of enclosed balconies as noted under conditions A.1.8

¹ Note on Tower Width or Depth and Floor Plate: Floor plates include elevator cores, storage, stairs, enclosed balconies, etc. but exclude open balconies.

• **Legal Description**

Lot: A to H, K, & 4 - 11
 Block: 84
 Plan: 844, 953 & 210
 District Lot: 541

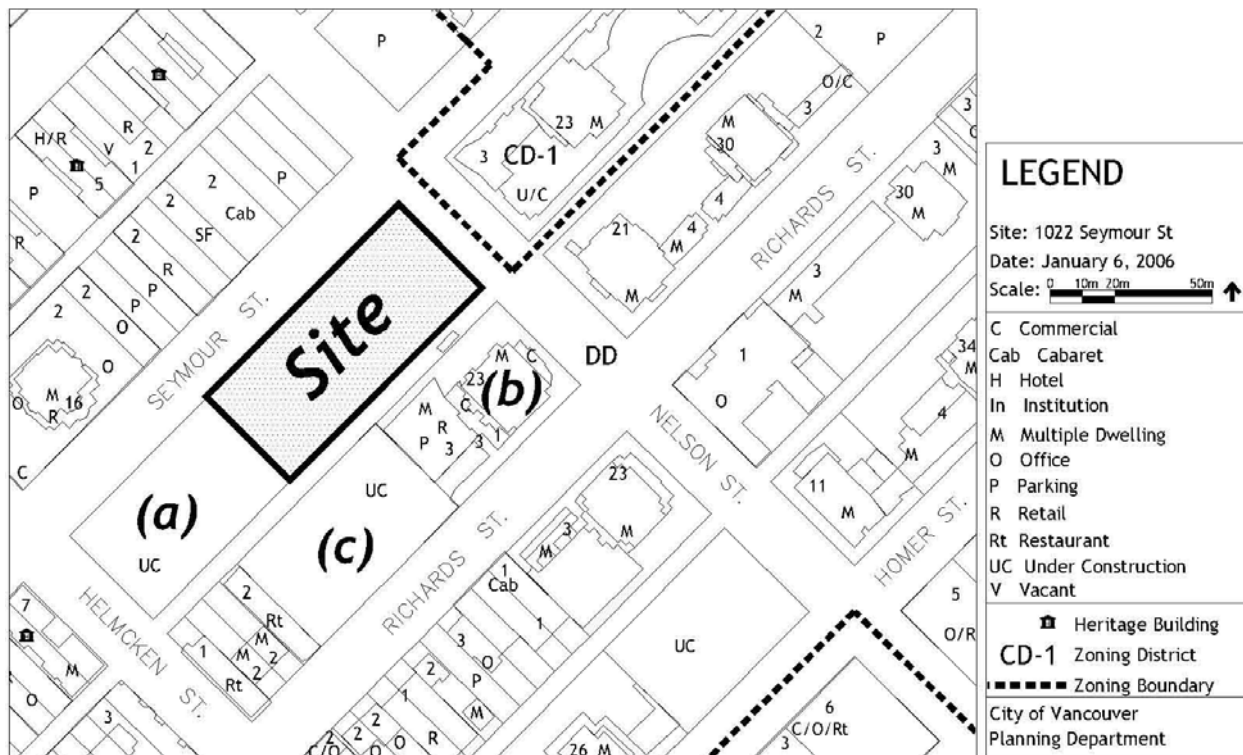
• **History of Application:**

05 10 31 Complete DE Submitted
 05 11 23 Urban Design Panel
 06 01 18 Development Permit Staff Committee

• **Site:** The site is located at the corner of Nelson Street and Seymour Street with 275 ft. frontage on Seymour Street. A 2 storey office building, a 1 storey office building, surface parking lots and an older character house exist on the site presently. The site slopes approximately 6 ft. from Seymour Street down to the lane.

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

- (a) 1082 Seymour St, Freesia, 19 storey residential tower, under construction
- (b) 1001 Richards St, Miro, 23 storey residential tower
- (c) 1055 Richards St, recently approved 18 storey residential tower



● **Background:** Staff and the development team met several times prior to submission of the development application to discuss various aspects of the development and the design response. Generally, staff indicated support for the proposal.

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

1. Downtown Official Development Plan (DODP)

The DODP sets out the uses, density (up to 5.0 FSR) and height (up to 300 ft.) for this site with noted height reductions on sites with views cones.

2. Downtown South Design Guidelines

The Guidelines provide qualitative parameters for built form, public realm and open space, livability, architectural treatment, etc.

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

This proposed development will complete this block and will complete the towers for the full block. Therefore, the placement and location of the tower element has been considered with respect to the existing towers and one recently approved tower across the lane.

1. DODP

The retail, office and residential uses meets the intent of creating a neighbourhood primarily while allowing limited retail use, up to 2500 sq. ft. on corner sites and office uses up to a maximum of 1.0 FSR in this New Yaletown L-1 sub area of DD. In terms of density, staff support the maximum 5.0 FSR, however, noting that additional floor area requested through transfer of heritage density may not be achievable given the required lower heights due to the view cone.

2. Downtown South Design Guidelines

Height, Built Form and Massing: The proposed form and massing are generally well resolved. The location of the tower was adjusted to meet the setbacks from both the existing tower at 1001 Richards and the recently approved 1055 Richards to ensure 80 ft. separations are provided. The upper massing generally meets the guidelines in terms of floor plate dimensions and size. However, the easterly podium at Nelson Street is significantly above the 70 ft. maximum and staff suggest that the 8th floor shoulder be deleted under condition 1.2.

The scale and massing of the proposed building at the lane is well beyond that suggested in the guidelines. Staff suggest significant design development to reduce the scale of the building and increase the amount of landscaping and improve the building materials under condition 1.3.

Staff recommend that a more identifiable residential lobby be provided off the lane under condition 1.4 and to increase the amount and quality of landscaping and improve the usability of the porte cochere driveway in this area under condition 1.5.

Architectural Treatment:

The overall character and material treatment of the proposal is supported. However, the Urban Design Panel had a number of concerns with the resolution of the architectural expression and suggested simplifying the "separate elements" design vocabulary. While staff support the "separate elements" concept, a number of areas of improvement are recommended under condition 1.1 as follows:

- reducing the number of elements by incorporating a single 5 storey brick podium on the westerly side on Nelson Street while maintaining the a more subtle 2 storey townhouse expression, and by incorporating the easterly upper podium (to be reduced by 1 storey) into the architectural concrete expression,
- lightening the colour of the office glass and adjusting the heavy brick vocabulary of the retail within the office element, and
- improving the retail interface and provide details and sections, and
- improving material treatment on the lane façade.

Public Realm/Open Space: Public realm treatment has generally been proposed as prescribed in the Downtown South Guidelines with setbacks and double row of trees. The details of the sidewalk treatments, furnishings and landscape have not been provided and are requested under condition A.1.14. Staff recommend that the continuous canopy over the display gardens in front of the office on Seymour be placed only over the office entrances to allow rain access to the gardens under condition A.1.16.

Livability: Overall, with the exception of a few residential units (condition A.1.9) a high degree of livability has been provided for the residential units with plenty of daylight access to rooms, extensive amenity spaces including a podium level swimming pool. Staff request the amenity rooms be programmed with furniture layouts under condition A.1.6. Minor adjustments to units to provide a minimum 6 ft. balcony dimension be provided as noted under condition A.1.8

Sustainability: A sustainability overview has been provided by the applicant, see Appendix G.

● **Conclusion:** Although the form and resolution of the proposal is generally well resolved, there are several significant moves to be made to bring this proposal up to the standard of conditional development in the Downtown South neighbourhood. Staff have recommended a number of improvements under the conditions noted which have been developed in consultation with the development team. On that basis, staff are confident that these extensive changes can be achieved and recommend approval of this development application.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on November 23, 2005, and provided the following comments:

EVALUATION: SUPPORT (4-2)

- **Introduction:** Mary Beth Rondeau, Development Planner, presented this application in Area 1L of the DD zone (Downtown South). At a width of 275 ft., this site meets the necessary criteria for a tower development but the height is restricted by a view cone to a maximum of 166 ft. (since established at 177 ft.) The maximum overall tower dimension is 90 ft. The application seeks the maximum permitted density of 5.0 FSR, plus 0.3 FSR heritage density transfer, noting the full ten percent is difficult to achieve given the height restriction.

The application proposes retail use on the ground floor on Nelson Street, wrapping around onto Seymour Street. Office use is proposed on the first three floors on Seymour Street. The remainder of the building is residential use, including six townhouses on Seymour Street.

Areas in which the advice of the Panel is sought relate to the lane elevation and the relationship of the development to the residential building across the lane and the massing of the office space in relation to Nelson Street and the lane.

- **Applicant's Introductory Comments:** Stuart Lyon, Architect, briefly reviewed the design rationale, noting the tower location is largely fixed on this site and the intent is to achieve an asymmetrical tower form. He noted that the developer intends to accommodate its offices in the building. He said they have no concerns about the width of the retail space and think it will work. Mr. Lyon explained that the amenity space will be programmed for the use of both residents and commercial occupants of the building and will include fitness rooms. Chris Evans, Landscape Architect, briefly reviewed the landscape plan and the design team responded to questions from the Panel.
- **Panel's Consensus on Key Aspects Needing Improvement:**
 - Design development to the lane elevation is recommended to address concerns about the setback of the office from the lane; improvements to the drop-off area including stronger integration into the building and possibly adding a canopy;
 - Stronger integration of the office building into the building is recommended;
 - A sustainability strategy should be investigated, noting that having the owner's business office in the building presents a unique opportunity to pursue some interesting sustainability measures;
 - Consider simplifying the building by reducing the number of materials;
 - The tinted glass as shown should be reconsidered;
 - The location of the amenity and its glazing should be revisited to investigate raising it to provide more eyes on the lane.
- **Related Commentary:**

The Panel supported this application with a number of suggestions for further design development.

In general, the Panel found the building skillfully massed and expressed and supported the "big moves" of the scheme. The challenges of a view cone site were acknowledged and the Panel generally found the project a good fit with its neighbours.

The inclusion of office use was strongly supported although its massing creates problems, particularly at the lane where it is very unfriendly to the neighbours. There was a suggestion that the second and third storey office space should be reduced to make it livable. The expression of the office component was also thought to be unproven, with concerns expressed about the need for it to be better integrated into the building. The proposed dark glass was also seriously questioned.

One Panel member was disappointed by the static nature of the tower and suggested the balconies should be of equal size to strengthen the form. With respect to the base, the single storey expression of the retail and the way it wraps onto the lane was questioned.

There were concerns about the brick expression and in general the Panel thought it could be put to better use on the building. The Panel generally thought the building needed to be simplified and the number of materials reduced from four to three.

The Panel was disappointed with the lack of response to the drop-off and thought it should be strengthened in some way, perhaps adding a canopy and bringing it closer to grade. There was also a recommendation to create a setback at the lane and soften it with landscaping. Treating the amenity to present eyes on the lane would also be helpful.

There were no concerns about the depth of the retail at 20 ft.

With respect to the amenity it was stressed that it will be important to get some assurance regarding its shared use, otherwise it will be necessary to include some good common outdoor space for the residents, possibly on the 9th floor.

With respect to sustainability, it was noted that the project would benefit from considering how the building will operate in the long term. The lack of consideration for sustainability issues at the early stage of the design is disappointing although opportunities still remain, noting the mixed use and presence of the developer offer advantages for shared energy. The need for attention to glass detailing was stressed to ensure livability of the residential units. Thermal bridging might also be considered.

Applicant's Response: Stuart Lyon thanked the Panel for its suggestions which he said they will consider incorporating into the scheme.

ENGINEERING SERVICES

The applicant should note that all utility services are to be underground and all transformers are to be located on site. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

HOUSING CENTRE/SOCIAL PLANNING/CULTURAL AFFAIRS

The proposed building contains a total of 40 units (or 13.5%) with two or more bedrooms that are suitable for families with children.

The current plans show no children's play area. This site is constrained and providing an outdoor play space next to the ground floor amenity room is problematic. However, the northern podium roof deck offers an opportunity to provide a children's play area. Staff recommend that an equipped outdoor children's play area with a resilient play surface area be located on the northern podium roof deck, in accordance with the City's High Density Housing for Families with Children Guidelines. See condition A.1.21.

The current plans show no washroom off the amenity room located on the main floor. Staff recommend design development to include an accessible washroom at this location in accordance with the City's High Density Housing for Families with Children Guidelines. See condition A.1.22.

ENVIRONMENTAL PROTECTION BRANCH

A site profile has been submitted for the site. There was a schedule 2 activity use (dry cleaning) on the site as noted in the site profile, however, the answers to questions in section IV to IX inclusive were all "No". Information was found that an underground storage tank was removed from 1010 Seymour Street. A site profile will be forwarded to the Ministry Of Environment for review for clearance.

An erosion and sediment control plan is required for our review and approval at a 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) Details of swimming pools/hot tubs to be submitted to the Environmental Health Division and Provincial Health Engineer prior to construction;
- (iii) The garbage storage area is to be designed to minimize nuisances;
- (iv) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases;
- (v) 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; and
- (vi) 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

Two signs were erected on the site on November 28, 2005. On December 2, 2005, 1,996 letters were sent to neighbouring property owners advising them of the application. The applicant has confirmed that they do not have any pre-purchasers in the notification area. To date 1 response has been received. Their comments are as follows:

- The building should have a greater setback at the rear near Nelson Street close to the retail and loading zone to ensure pedestrian safety
- A drop-off area should be located on the property for commercial vehicles
- The podium height of 8 storeys is excessive

Staff Response: Increased setbacks, improvements to the rear lane interface and loading area and reduction of the podium have been requested as a condition of approval.

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.

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it does not seek a relaxation of the By-law provisions.

The Staff Committee recognize that the extensive conditions proposed in this report might normally lead to this application being downgraded to a preliminary application, however staff have assured the Staff Committee that they are working with, and have the cooperation of the applicant, to address the concerns which are reflected in the conditions of this report.

B. Boons
Chair, Development Permit Staff Committee

M.B. Rondeau
Development Planner

J. Kujala
Project Coordinator

Project Facilitator: J. Greer

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 complete and fully-dimensioned plans; including all exterior recesses of the building, interior dimensions of rooms, storage lockers;

Note to Applicant: Ensure all plans and elevations match, including landscape plans. Correctly indicate all section lines. Indicate all trellises, arbours, pool level "cubicles" on elevations and sections. Ensure floor plans and elevations include floor and roof elevations for each floor and roof level in the building, as related to the existing grades on site.

- A.1.2 confirmation of the FSR for this site;

Note to Applicant: Ensure overlays correctly match the floor plans. Indicate all balconies and area calculations on overlays. Also, ensure statistics sheet is updated, and includes storage room floor areas for each floor in addition to residential floor areas.

- A.1.3 provide detailed grades around building, in particular adjacent to the P1 level amenity room;

- A.1.4 confirmation that the building height does not exceed the maximum permitted;

Note to Applicant: Provide calculations at the four main corners of the tower, confirming compliance with the Heather Bay to the Lions View Cone.

- A.1.5 notation/clarification of the uses of all rooms/spaces, and including clarification of the "services room" at the rear of the main floor;

- A.1.6 additional details regarding the proposed amenity spaces, including the provision on the plans of washroom facilities and clarification regarding type, finishing, equipment and/or furnishings;

Note to Applicant: A letter of undertaking, signed by the owners at the development application stage, is to be submitted regarding the furnishing and availability for use of the amenity areas by all occupants of the building, refer to Administration Bulletin "Amenity Areas - Excluded From Floor Space Ratio" for further information. Written clarification is also required confirming the extensive floor area for both large rooms.

- A.1.7 provision of in-suite residential storage access which is in compliance with the Administration Bulletin "Bulk Storage - Residential Developments";

Note to Applicant: Access should not be part of, or adjacent to, any other closet in the unit, and must be provided from a common corridor.

- A.1.8 design development to provide a minimum balcony (open or enclosed) dimension of 6 ft., and provision of additional details of balcony enclosures, including confirmation of the floor surface for both the dwelling unit and the enclosed balconies, and that windows are openable;

Note to Applicant: 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 (note, plans indicate some dwelling unit balconies on floors 8 and higher are missing guard rails or privacy screens between balconies) . 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.1.9 compliance with Horizontal Angle of Daylight requirements, including for the bedrooms of two rear facing dwelling units on the Main Floor;

A.1.10 reduction of the off-street commercial parking provided;

Note to Applicant: Technical analysis confirms a maximum of thirty-one (31) spaces are permitted for commercial uses, less than the fifty-three (53) spaces proposed (excess spaces may be incorporated into residential parking). Ensure all parking spaces are clearly identified and correctly numbered.

A.1.11 provision of four (4) Class A bicycle spaces for commercial (office) use, six (6) Residential Class B bicycle spaces and six (6) commercial Class B bicycle spaces, including the provision of shower and change facilities in accordance with 6.5.1 of Parking By-law;

Note to Applicant: Number Class A bicycle storage spaces, clearly indicating whether spaces are horizontal or vertical in orientation.

A.1.12 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.1.13 submission of a letter B (sample attached), completed by the owner of the "donor" site, confirming that the correct amount of heritage density (10,879.5 sq.ft. according to current proposal) has been sold to the developer of the "receiver" site, and also confirming the balance of transferable heritage density remaining on the donor site;

Standard Landscape Conditions

A.1.14 provision of downtown south sidewalk treatment around site and details and specifications confirming public realm reflects Downtown South Design Guidelines in regards to tree grates, paving and street furniture. Forward a copy of the landscape plan directly to Engineering for review;

Note to Applicant: All utility services to be underground and all transformers to be located on site. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch

A.1.15 provision of one new street tree along Seymour Street in order to fill the gap in existing street tree colonnade. New street trees should be spaced 8m o/c and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Bill Stephen (257-8587) of Park Board regarding tree species;

- A.1.16 design development to provide rain protection canopies over the office entrances on Nelson Street and remove canopies over the display gardens such that irrigation is not necessary;
- A.1.17 provide sections (min. scale 1/4"=1'-0")- thru the street level underground parking Garage ensuring slab at property line has been notched to allow a minimum 48" in soil depth for root ball of the inside row of trees;

Note to Applicant: Show dotted on P1 plan that a continuous trench is provided between street trees.

- A.1.18 indication on the P1 (Parking Level Floor Plan) the location of all trees proposed above, confirming minimum 36" soil depth in order to support healthy growth of trees to intended mature size;

Note to Applicant: A minimum of 36" soil depth is required on top of a slab where the depth of the soil has a direct effect on planter wall height, where as, soil depth for the inside row of street trees (planted in ground and not located on top of a structure) is required to have a minimum soil depth of 48"

Crime Prevention Through Environmental Design (CPTED)

- A.1.19 design development to increase the openness on parking garage to provide open visibility at the at stairs between parking levels;
- A.1.20 design development to separate the exit stairs from elevator lobby in underground;

Social Planning/Housing Centre/ Cultural Affairs

- A.1.21 provision of a secure (fenced) outdoor equipped children's play area with a resilient play surface located to maximize sun access and visual surveillance on the northern podium (refer to section 3.3 of the City's High Density Housing for Families with Children Guidelines) to the satisfaction of the Director of Social Planning;

Note to applicant: Outdoor play structures should be located on resilient surfacing. Particular care should be given to avoid the use of toxic plants and landscaping materials in and around the outdoor play area (a list of toxic plants is available as an appendix to the City's Childcare Design Guidelines and is available on line at <http://vancouver.ca/commsvcs/Guidelines/C017.pdf>).

- A.1.22 design development to provide an accessible washroom located off the amenity room on the main floor;

A.2 Standard Engineering Conditions

- A.2.1 site consolidation is required;
 - A.2.2 arrangements to be made for the release of Easement and Indemnity charge H16121 (for existing building encroachment onto Nelson Street) prior to any construction above grade;
 - A.2.3 provision of relocation and gated separation of visitor and residential parking;
 - A.2.4 provision of a ramp slope not to exceed 12.5% between parking levels;
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A.2.5 provision of design elevations at all ramp break points and throughout the parking areas and note the length of the ramp at the specified slope;

A.2.6 provision of a section drawing through the loading spaces;

Note to Applicant: a minimum 3.8m (12' 6") unobstructed vertical clearance is required.

A.2.7 provision of loading space design in compliance with the requirements of the Parking By-Law and the Engineering Parking and Loading Design Supplement;

Note to Applicant: provision of a loading bay throat, design elevations at the front and back of the loading area and on the raised dock, an overhead security gate and a communications device on the building exterior all noted on plans are required. Provide dimensions of all loading spaces.

A.2.8 clarify the dimensions of the commercial garbage area located within the loading bays and the number and type of container intended to be stored here;

A.2.9 residential garbage and recycling provision appear inadequate. The residential requirement is 5 garbage containers and 16 to 20 recycling carts. Confirmation required from a disposal company that they can service proposed storage locations;

A.2.10 clarify the operation of the residential overhead security gate and show the location of any activation device;

Note to Applicant: if a remote control device is to be used, this must be noted on plans.

A.2.11 provision of corner cuts at the top and bottom of parking ramps where 200 or more vehicles are being served, and provision of view portals, mirrors or other measures to ensure visibility of oncoming traffic where less than 200 cars are served;

A.2.12 provision of separation of the parking ramp serving bicycles to the upper level of office parking and the lower level of residential and visitor parking;

Note to Applicant: this will enable the provision of corner cuts as necessary.

A.2.13 provision of a wheel ramp serving bicycles on the stair leading from the upper office level parking area to the lower parking area;

A.2.14 indicate all building grades (1 missing on Nelson Street) and design elevations at all entrances, both sides of loading bay and drop off area;

A.3 Standard Vancouver Coastal Health Authority Conditions

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

A.3.2 a letter from an acoustical consultant shall be submitted confirming that the development permit drawings show a minimum STC 55 construction between the commercial and residential components of the building, or a minimum 6" 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 required on plans 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);

 - A.3.4 notation required on plans that mechanical equipment (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.
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B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Processing Centre-Building, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated January 18, 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 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **August 14, 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 Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Conditions of Development Permit:

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.4 Amenity areas/common residential storage spaces, excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or commercial tenants of the building;

AND

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

- B.2.5 The enclosed balconies are to be maintained at all times in accordance with the balcony enclosure details on the approved plans and are not to be used as an integral part of the interior space of the building.
 - B.2.6 All approved street trees shall be planted in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
 - B.2.7 Treatment of the Seymour and Nelson Street setback is to be in accordance with the Downtown South public realm treatment, the details of which are to be determined to the satisfaction of the Director of Planning.
 - B.2.8 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 have been made by the Processing Centre - Building and are based on the architectural drawings prepared by Gomberoff Bell Lyon Architects Group submitted on October 31, 2005 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, including aspects related to fire safety issues.

1. Storage Garage Security

-Provisions for visual security in underground parking garages (3.3.6.7) require that maximum unobstructed visual access possible by means of clear wired glass in steel frames be provided in elevator vestibules, and exit vestibules and exit shafts. This appears non-existent for some of the exit stairs on all 3 Parking Levels.

2. Provisions for the Disabled

a) Areas of Refuge

-Areas of refuge conforming to the requirements of 3.8.3.19 should be designated on the plans for those floor areas providing disabled access. This is applicable for the exits serving the office occupancies on Levels 2 and 3 to the second floor amenity level.

-the area of refuge shown in the exit on the P1 Level adjacent to the office lobby obstructs the path of travel within the exit stairs.

b) Parking Spaces

The provisions of 4.8.4 (Parking By-law No.6059) relating to the required number of disability parking spaces are applicable.

c) Enhanced Accessibility Requirements

The provisions of 3.8.2.27.4 for enhanced accessibility requirements for residential occupancies are applicable. It appears that the suite door clearances in many units do not meet the 450 mm clearance requirements of 3.8.2.27.4(f).

3. Exits ***:

a) Lobby used as Exit

-The provisions of 3.4.4.2. are applicable for the lobby used for exiting purposes of other floor areas. This prohibits the main floor residential occupancies from opening directly into this lobby.

b) Access to Exit

-The two dwelling units at the west end of the floor are located in a dead ended corridor which exceeds the maximum travel distance as prescribed in 3.3.1.9.7

c) Exposure of Exits

-The exit pathway from grade level exit on the west property line at the lane is exposed to potential hazards of the parking garage. The exit should extend to the building face.

4. Egress

-Handrails have not been indicated in various locations. (eg. the exterior stairs adjacent to the amenity room at elevation 58.45').

-Handrails are required on both sides of stairs exceeding 3 feet in width such as in the exit corridor leading to the lane on the main floor level.

-Rooms exceeding an occupant load of 60 are required to have 2 means of egress. As well, the doors are required to swing in the direction of exit travel. This may apply to the amenity room located on the main floor level.

5. Functionality Conflict

-It is noted that one of the exit stairs serving the upper floor office levels exits through the residential lobby. This may conflict with the maintaining the security of the residential component of this development.

6. Interconnected Floor space

-The multi storey space of the residential lobby is an interconnected floor space requiring compliance with the provisions of 3.2.9.

7. High Rise Measures

-The provisions of 3.2.6. in the Building Bylaw for Additional Measures for High Buildings are applicable for the entire project including the townhouse units.

-The smoke venting provisions by natural means may be difficult to achieve for the stairs opening into the Lobby on the Main Floor.

-Cross over floors complying to the provisions of 3.4.6.17 should be designated.

8. Building Permit Issuance Requirements ***

-The issuance of a building permit for construction is contingent on all legal covenants and equivalents (if necessary) being accepted and in place.

For this reason, a code conforming back up solution should be shown on the drawings submitted for construction otherwise delays in approval or refusals may disrupt the construction approval process. Notwithstanding the above, code conforming (including Planning, Engineering regulations etc.) back-up solutions shown on the building application drawings are also acceptable for the issuance of building permits.

-Projects submitted under the Certified Professional Program are also required to demonstrate conformance with the Building Bylaw. In the case of phased construction, the comments above regarding equivalents/covenant approval would apply to each phase of the work proposed.

Notes:

1. Items marked with asterisks have been identified as serious non-conforming Building By-law issues.
 2. All code references unless noted otherwise refer to Vancouver Building Bylaw #8057.
 3. 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.
 4. The applicant may wish to retain the services of a 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.
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