



CITY OF VANCOUVER

P3

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: September 3, 2008
Author: Karen Hoese
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RTS No.: 07321
VanRIMS No.: 08-2000-20
Meeting Date: September 16, 2008

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Text Amendment: 333 East Pender Street

RECOMMENDATION

THAT the application by Y.M. May Lee Architect to amend CD-1 By-law No. 8097 (reference No. 396) for 333 East Pender Street (Lots 24, 25 and 26, Block 71, District Lot 196, Plan 196) to increase the building height from 4 to 5 storeys and increase the floor space ratio (FSR) from 2.54 to 2.72 to permit retention of two rooms in the attic space built without permit and provide for an enclosed amenity space on the roof of the 5th floor, be referred to a Public Hearing, together with:

- (i) draft CD-1 By-law amendments, generally as presented in Appendix A;
- (ii) plans received December 17, 2007, represented in Appendix D; and
- (iii) the recommendation of the Director of Planning to approve the application, subject to approval of conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 amending by-law generally in accordance with Appendix A for consideration at the Public Hearing.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

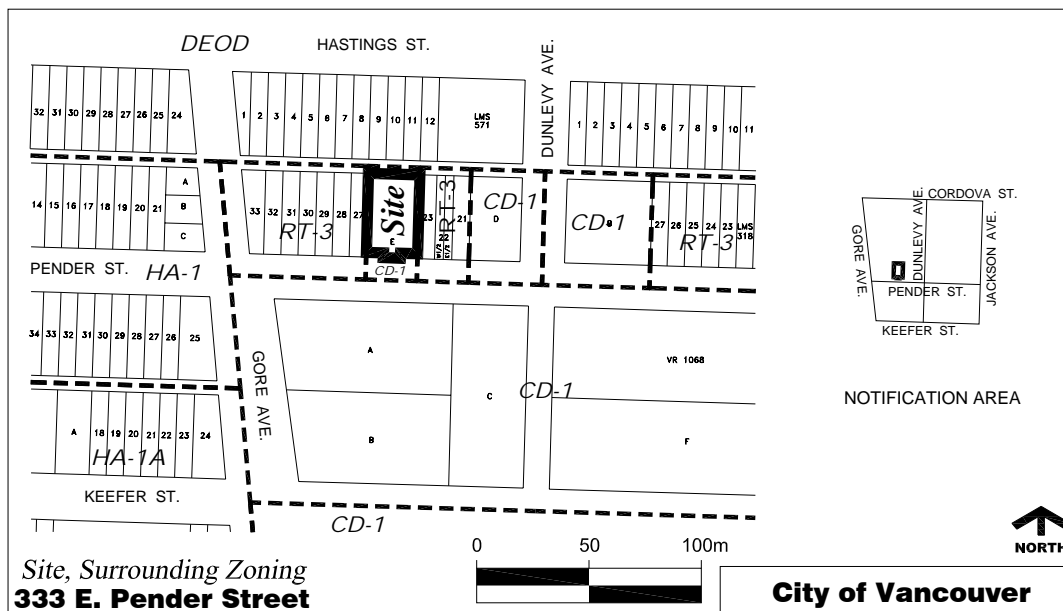
COUNCIL POLICY

CD-1 By-law No. 8097 (#396) for 333 East Pender Street enacted October 19, 1999, and amended April 6, 2004.

PURPOSE AND SUMMARY

This report assesses an application to amend the CD-1 By-law to increase the maximum height from 4 to 5 storeys and to increase the density from 2.54 to 2.72 FSR (floor space ratio) to accommodate unauthorized work (enclosure of attic space into useable floor area) and to add an enclosed amenity space on the roof top of the 5th storey of the building.

Staff recommend that the application be referred to a Public Hearing and be approved, subject to conditions.



DISCUSSION

Site, Existing Zoning and Development: The site, comprised of one parcel, is located on the north side of East Pender Street and is developed with a 4-storey, special needs residential facility built in 2000. The site has a frontage of 22.9 m (75 ft.) along East Pender Street and an area of 817.5 m² (8,800 sq. ft.).

Lands immediately to the west and east of the site are zoned RT-3 and developed with residential uses. At the northwest corner of Dunlevy Street and East Pender Street, the property is zoned CD-1 and developed with the Chinese Mennonite Church. Lands south of the subject site are also zoned CD-1 and developed with three-storey residential apartments. Properties north of the subject site are zoned DEOD (Downtown-Eastside/Oppenheimer District) and front onto East Hastings Street.

Background: On October 19, 1999, the site was rezoned to CD-1 to permit the development of a four-storey, special needs residential facility. On October 20, 1999, a development permit (DE403909) was issued and the building was constructed in 2000.

On February 5, 2003, the district building inspector identified unauthorized work and initiated enforcement action. Unapproved alterations to the building had occurred by converting approximately 54.7 m² (589 sq. ft.) of former attic space into useable space now used as counselling rooms and a washroom. The work carried out did not meet the requirements of the Vancouver Building By-law. The issue was subsequently addressed through an equivalency process: the applicant applied for two Building By-law equivalencies to accommodate this work and the equivalencies were accepted in principle by the Chief Building Official on December 12, 2002 and August 31, 2007. The applicant is now seeking a CD-1 text amendment for additional density and height (number of storeys) to accommodate proposed changes to the development.

Density: The applicant is requesting that the CD-1 By-law be amended to increase the density from 2.54 to 2.72 FSR. The intent is to partially re-develop the top floor of the building, currently a landscaped roof deck that is infrequently used. The proposal includes the construction of an 145.9 m² (1,571 sq. ft.) enclosed rooftop amenity space to provide additional recreational space for the resident seniors and the conversion of about 37.2 m² (400 sq. ft.) of former attic space for use as counselling rooms and a washroom. The balance of the top floor will remain as a landscaped roof deck area, with planters and a gazebo.

Since the 1999 approved form of development included the maximum floor space exclusion allowed for amenity space 207.6 m² (2,235 sq. ft.) based on 10% of the overall floor space ratio calculation), no further floor area exclusions can be provided for the proposed amendment. The existing exempt amenity spaces are currently provided on each floor of the development either as a multi-purpose rooms or lounges for the residents.

Staff support the increase in density on the basis it will provide much needed year round amenity space for the use of the residents of this special needs residential facility, as well as provide some additional counselling space for the use of the facility.

Height and Form of Development (See plans Appendix D): The current CD-1 By-law permits a maximum height of 15.0 m (49.2 ft.) and 4 storeys. In order to accommodate the enclosed rooftop amenity space, the applicant has requested an amendment to the CD-By-law to increase the number of storeys from four to five. The proposed form will not exceed the 15.0 m (49.2 ft.) maximum height.

While this space may have been better incorporated within the existing four-storey envelope, the roof top development provides a unique opportunity for the resident seniors to enjoy the enclosed rooftop space throughout the year. Building code issues have been successfully dealt with through the acceptance of an equivalency. If the CD-1 By-law text amendment is approved and enacted, the owner will still be required to obtain development and building permits to rectify any deficiencies and avoid enforcement action.

Staff analysis concluded that the proposed additional floor space can be accommodated on a fifth storey while not producing a negative effect on adjacent neighbours, and that the form of development is supported. However, the current form requires further revision to address shadowing, overlook and privacy issues and staff therefore recommend design development

conditions to further improve the development's neighbourliness. The design development conditions are referenced in Appendix B.

PUBLIC INPUT

A notification letter was sent to 72 nearby property owners on February 25, 2008 and a rezoning information sign was posted on February 12, 2008. One response was received from the property owner, immediately to the west of the site. Concerns focussed on the impact of the proposed development's fifth floor addition upon the amount of sunlight available to the adjoining neighbour.

FINANCIAL IMPLICATIONS

There are no financial implications with respect to the City's operating expenditures, fees or staffing.

CONCLUSION

Staff support the height and changes to the approved form of development proposed in this application, and to retain and add to the amenity space for the residents. The Director of Planning recommends that the application be referred to Public Hearing and be approved, subject to conditions presented in Appendix B.

* * * * *

DRAFT AMENDMENTS TO CD-1 BY-LAW NO. 8097

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

CD-1 Bylaw No. 8047 for 333 East Pender is amended as follows:

- Amendment to Section 5.1 Height, to require that the building must not extend beyond 5 storeys (currently 4 storeys).
- Amendment to Section 4.1 Floor Space to require that the floor space ratio must not exceed 2.72 (currently 2.54).

PROPOSED FORM OF DEVELOPMENT CONDITIONS OF APPROVAL

Note: Recommended approved conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Y.M. Lee Architect and stamped "Received City Planning Department, December 17, 2007" provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development

- (i) design development to ensure that conditions of shadowing, overlook and privacy to neighbouring properties remains equitable to current conditions.

Note to Applicant: The proposed addition will add a significant amount of shadowing to the west neighbour during morning hours. Overlook and shadows cast by the addition should be minimized by setting back the western wall from the west side property line and also by limiting the height of the west wall. This strategy may result in a reduction of floor area. Reducing the amount of glazing to the west wall of the addition is suggested. Furthermore, the roof garden should be carefully landscaped to prevent direct overlook into neighbouring rear yards.

ADDITIONAL INFORMATION

Comments of the General Manager of Engineering Services: The General Manager of Engineering Services has no objection to the proposed rezoning.

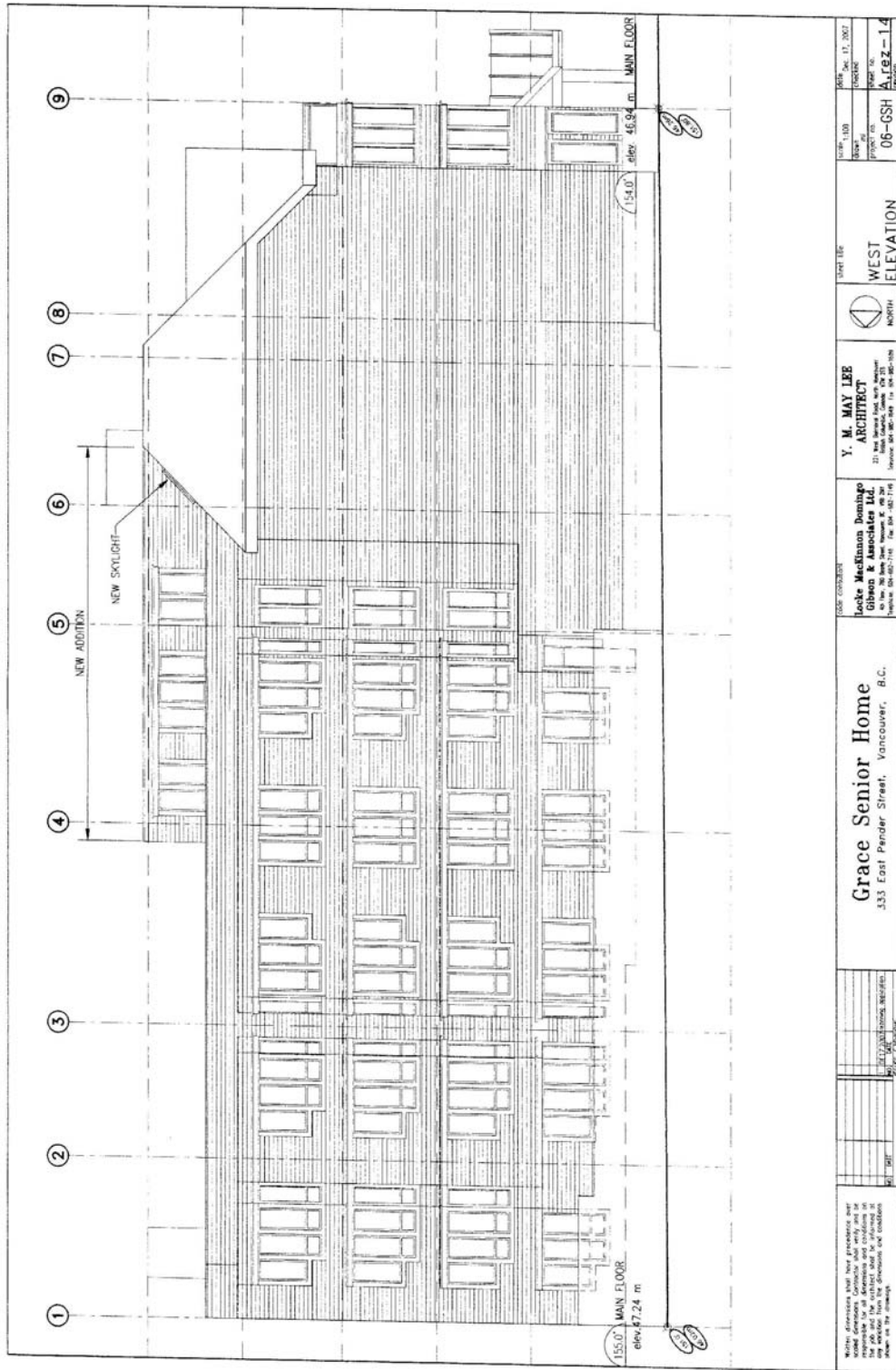
Processing Centre - Building: Staff have reviewed the architectural drawings prepared by Y. M. May Lee Architect submitted on December 17, 2007. The applicant has received preliminary review comments regarding project conformance to the requirements of the Vancouver Building By-law, and is aware of issues to be resolved at the building permit stage.

Fire Department Comments: The Fire Department has reviewed the rezoning proposal and has the following comments:

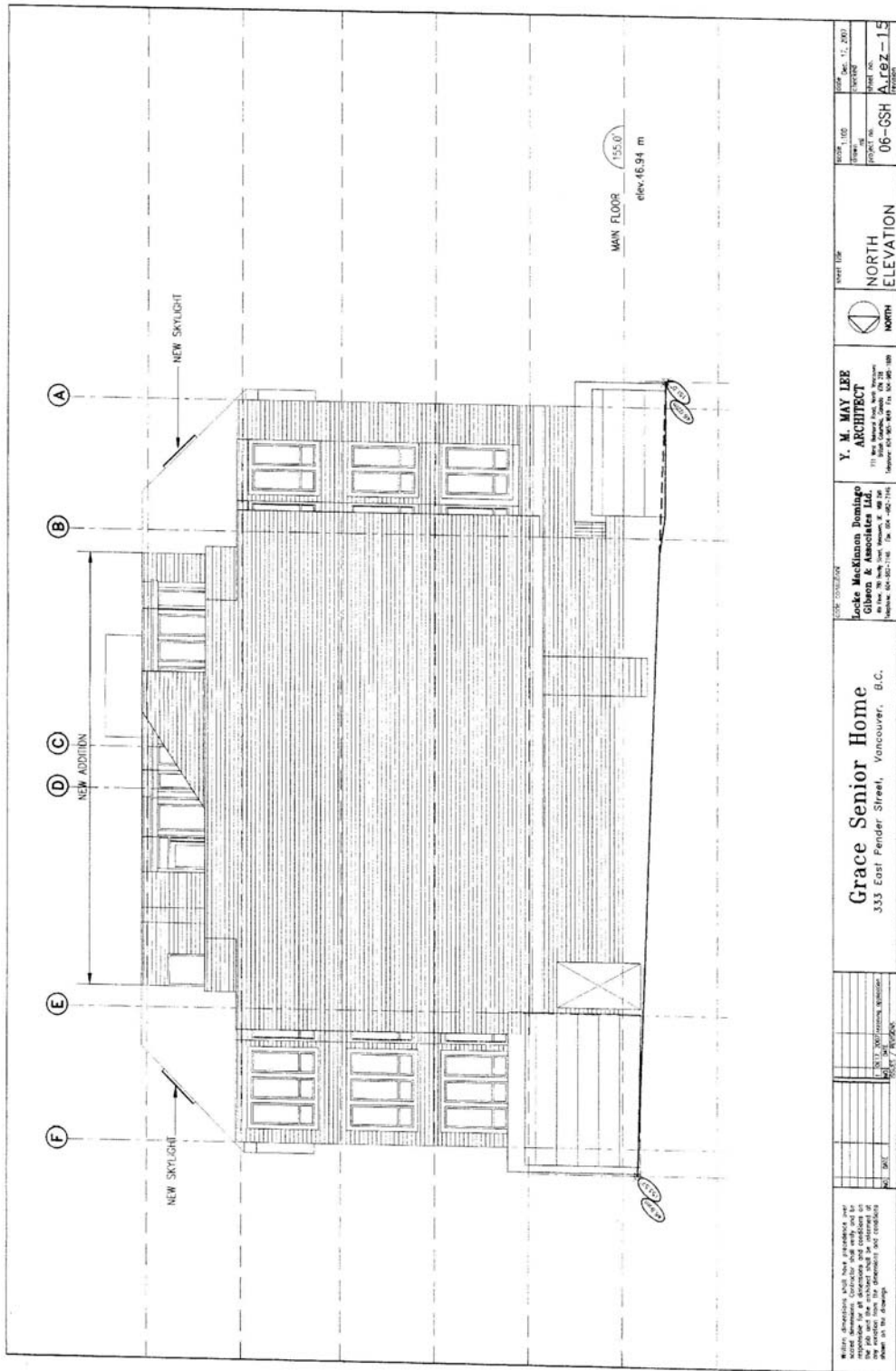
"This application appears to meet all parts of Article 3.2.5.5. of the Vancouver Building By-law in regards to Fire Department access. There are parts of Subsection 3.2.5. of the Vancouver Building By-law that should be discussed with the Fire Department and the applicant in regard to Fire Department provisions. Special Needs Facilities involve a somewhat complex and unique concern for fire services in that they will have a larger amount of evacuees with mobility problems. These challenges are dealt with at the planning stage with the supervisors and staff in regards to a safe and viable evacuation procedure and other fire safety issues. The applicant should meet with this office prior to issuance of the building (BU) permit in regards to all fire safety issues."

Comments of the Director of the Housing Centre: The Director of the Housing Centre supports this rezoning.

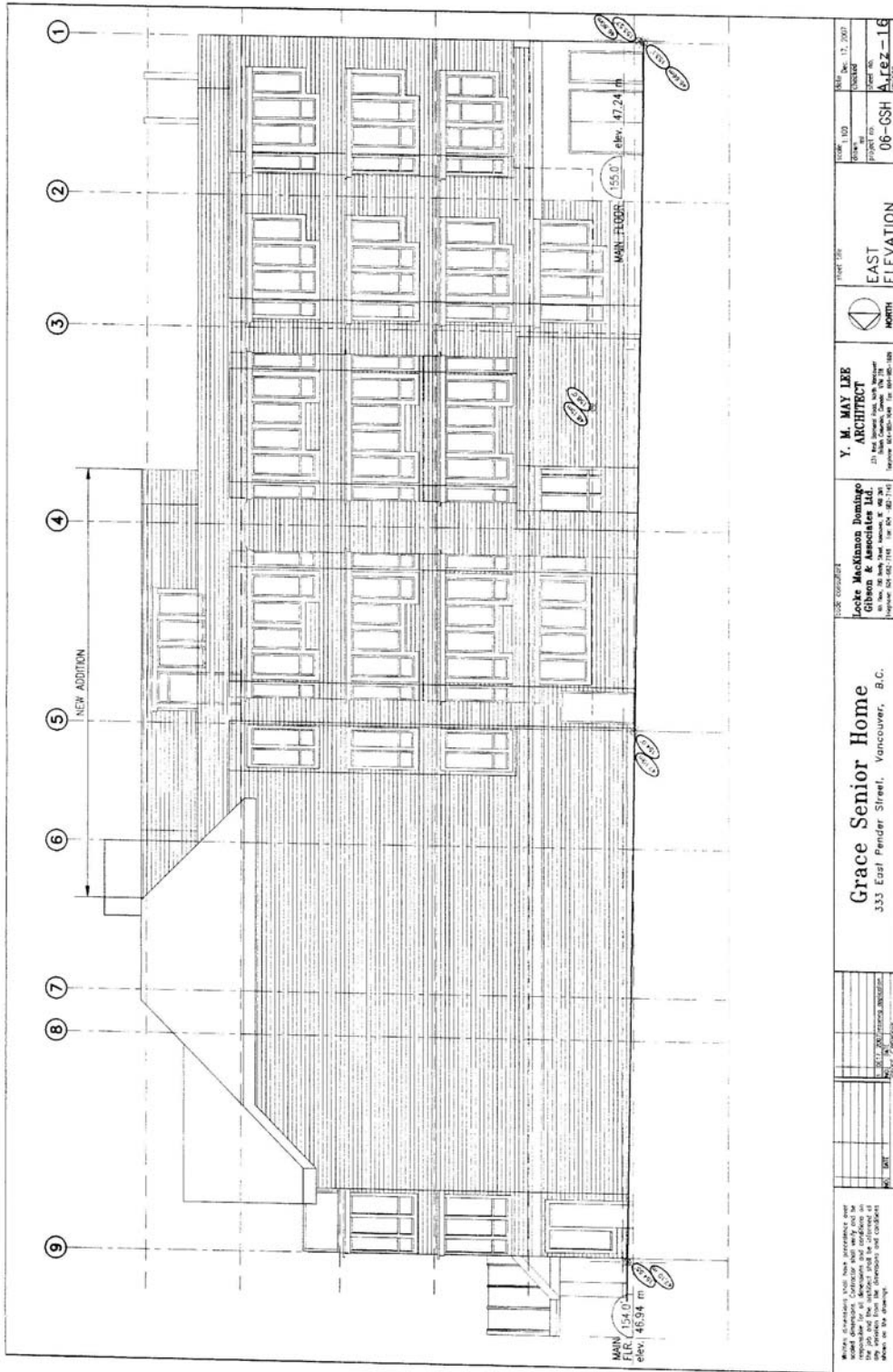
Comments of the Applicant: The applicant was provided with a copy of this report and has no comments.



<p>Notes: Dimensions shall show projections, and include all accessories and conditions of work unless otherwise specified. All dimensions are in millimeters unless otherwise specified. All dimensions are to the center of the member unless otherwise specified.</p>	<p>DATE: 06/24/2017 DRAWN BY: Y. M. LEE CHECKED BY: Y. M. LEE PROJECT NO: 06-GSH DRAWING NO: A-LBZ-14</p>
<p>Y. M. MAY LEE ARCHITECT 27 Main Street, Suite 200, West Vancouver, B.C. V8V 2T7 Telephone: 604-682-7148 Fax: 604-682-7149</p>	
<p>Y. M. MAY LEE ARCHITECT NORTH</p>	
<p>WEST ELEVATION</p>	
<p>GRACE SENIOR HOME 1333 East Percher Street, Vancouver, B.C.</p>	
<p>DATE: 06/24/2017 DRAWN BY: Y. M. LEE CHECKED BY: Y. M. LEE PROJECT NO: 06-GSH DRAWING NO: A-LBZ-14</p>	



<p>NOTES:</p> <p>1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.</p> <p>2. ALL MATERIALS AND FINISHES TO BE AS SHOWN ON THE DRAWINGS UNLESS OTHERWISE NOTED.</p> <p>3. ALL WORK TO BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS.</p> <p>4. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.</p> <p>5. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED BUDGET.</p>	<p>DATE: 11.20.2010</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 06-GSH</p> <p>PROJECT NAME: GRACE SENIOR HOME</p>
	<p>PROJECT NO: 06-GSH</p> <p>PROJECT NAME: GRACE SENIOR HOME</p>
<p>Y. M. MAY LEE ARCHITECT</p> <p>111 West Georgia Street, Suite 200 Vancouver, BC V6E 2R3 Tel: 604-681-7111 Fax: 604-681-7112</p>	<p>Y. M. MAY LEE ARCHITECT</p> <p>111 West Georgia Street, Suite 200 Vancouver, BC V6E 2R3 Tel: 604-681-7111 Fax: 604-681-7112</p>
<p>LOCKE, MCKELVIE, DOMINGO, GIBSON & ASSOCIATES LTD.</p> <p>111 West Georgia Street, Suite 200 Vancouver, BC V6E 2R3 Tel: 604-681-7111 Fax: 604-681-7112</p>	<p>LOCKE, MCKELVIE, DOMINGO, GIBSON & ASSOCIATES LTD.</p> <p>111 West Georgia Street, Suite 200 Vancouver, BC V6E 2R3 Tel: 604-681-7111 Fax: 604-681-7112</p>
<p>Grace Senior Home</p> <p>333 East Pender Street, Vancouver, B.C.</p>	<p>Grace Senior Home</p> <p>333 East Pender Street, Vancouver, B.C.</p>
<p>06-GSH</p> <p>06-GSH</p>	<p>06-GSH</p> <p>06-GSH</p>



<p>Scale: 1/32 Date: 17, 2007</p> <p>PROJECT NO: 06-GSH</p> <p>PROJECT NAME: Grace Senior Home</p> <p>PROJECT ADDRESS: 333 East Pender Street, Vancouver, B.C.</p>	<p>PROJECT NO: 06-GSH</p> <p>PROJECT NAME: EAST ELEVATION</p> <p>PROJECT ADDRESS: 333 East Pender Street, Vancouver, B.C.</p>	<p>Y. M. MAY LEE ARCHITECT</p> <p>27 West Cordova Street, Suite 202 Vancouver, BC V6C 3K8 Tel: 604-681-1111 Fax: 604-681-1112</p>	<p>Y. M. MAY LEE ARCHITECT</p> <p>27 West Cordova Street, Suite 202 Vancouver, BC V6C 3K8 Tel: 604-681-1111 Fax: 604-681-1112</p>

APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	333 East Pender Street
Legal Description	Lots 24, 25, 26, Block 7, D.L. 196, Plan 196
Applicant	Y.M. Lee, Architect
Architect	Y.M. Lee, Architect
Property Owner	Mennonite Church of B. C. (Vancouver Chinese Mennonite Church)
Developer	Mennonite Church of B. C. (Vancouver Chinese Mennonite Church)

SITE STATISTICS

	Gross	Dedications	Net
Site Area	817.5 m ² (8,800 sq. ft.)	n/a	817.5 m ² (8,800 sq. ft.)

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT	RECOMMENDED DEVELOPMENT (if different than proposed)
Zoning	CD-1	CD-1 (amended)	
Max. Floor Space Ratio	2.54	2.72	
Maximum Height	15.0 m (49.2 ft.) and no more than 4 storeys	15.0 m (49.2 ft.) and no more than 5 storeys	