

5. TEXT AMENDMENT: 333 East Pender Street

Summary: To amend existing Comprehensive Development District (CD-1) to increase the maximum permitted height and density to allow conversion of attic space to habitable floor area and to add an enclosed amenity space on the roof top of this seniors care facility.

Applicant: May Lee, Y.M. May Lee Architect.

Recommended Approval: By the Director of Planning, subject to the following conditions as proposed for adoption by resolution of Council:

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, generally as presented in Appendix A to policy report "CD-1 Text Amendment: 333 East Pender Street" dated September 3, 2008 be approved subject to the following conditions:

PROPOSED FORM OF DEVELOPMENT CONDITIONS OF APPROVAL

- (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.

(RZ. 673/2007 - 333 East Pender Street)