

CITY OF VANCOUVER
COMMUNITY SERVICES GROUP

DEVELOPMENT PERMIT STAFF COMMITTEE REPORT
June 22, 2005

FOR THE DEVELOPMENT PERMIT BOARD
July 18, 2005

50 PACIFIC BOULEVARD (COMPLETE APPLICATION)
DE409317 - ZONE BCPED

RRS/JK/VP/LJ

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

R. Michaels (Chair), Development Services
M. Thomson, Engineering Services
L. Gayman, Real Estate Services
R. Whitlock, Housing Centre
R Louie, Development Services
T. Driessen, Vancouver Park Board
V. Morris, Social Planning/Office of Cultural Affairs

Also Present:

R. Segal, Urban Design & Dev. Planning
J. Kujala, Development Services
V. Potter, Development Services
M. Gordon, Central Area Planning
K. Mulji, Engineering Services
A. Di Nozzi, Engineering Services

APPLICANT:

Walter Francl Architects
1684 West 2nd Avenue
Vancouver, BC
V6J 1H4

PROPERTY OWNER:

Concord Pacific Group Inc.
#900 - 1095 West Pender Street
Vancouver, BC
V6E 2M6

EXECUTIVE SUMMARY

- **Proposal:** to locate two temporary presentation centres on this site with associated surface parking and new access from Pacific Boulevard on the Carrall Street ROW with 62 associated parking spaces and 1 loading space.

Note: For purposes of this report, "site" refers to the proposed area of Sub-Area 9 on which the presentation centre and associated parking would be relocated, outlined in black on the context map, page 5. "Overall site" refers to the boundaries of the future Creekside Park Extension.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building

Appendix D Plans and Elevations

Appendix E Applicant's Design Rationale and Site Selection Rationale

Appendix F False Creek North Official Development Plan, Figures 6 & 7

Appendix G BC Place/Expo District (BCPED): Excerpt

• Issues:

1. use
2. site management

• Urban Design Panel:

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DE409317 as submitted, the plans and information forming a part thereof, thereby permitting the construction of two temporary presentation centres on this site with 62 associated surface parking spaces and one loading space, with new access from Pacific Boulevard on the Carrall Street ROW, for a period of three years, 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 provisions of an overall site Management Plan, to the satisfaction of the Director of Planning, that: provides measures, including potentially the use of traffic calming measures to limit vehicular access and thereby limit late night, undesirable activity such as drag racing; ensures proper overall site maintenance, including regular litter clean up on the overall site; and identifies a community liaison contact to respond to neighbourhood concerns on these issues;

Note to Applicant: Clarification is required of the extent and condition of existing fencing around the overall site. The fencing should ensure proper ability to supervise the overall site, while not limiting its appropriate use for special events and recreation.

- 1.2 design development to provide temporary pedestrian lighting, signage and appropriate markings along the seawall walk/bike route to improve safety and security, to the satisfaction of the General Manager of Engineering Services in consultation with the Director of Planning;

- 1.3 design and construction of the Carrall Street site access driveway and the temporary Carrall Street greenway to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: The driveway is to have controlled vehicle access to the site, to prevent unintentional access south of Pacific Boulevard, and is to include unencumbered pedestrian and bicycle access from Pacific Boulevard to the seawall. An encroachment agreement, to the satisfaction of the General Manager of Engineering Services will be required for use of this unopened City street (see condition A.2.10).

- 1.4 deletion of the portion of fence north of the seawall along this site, and widening of the seawall by approximately 5' along the site;

Note to Applicant: Although a wider temporary seawall walkway will not allow for the demarcation of separate bicycle and pedestrian lanes, it will provide additional space for users, and with the proposed installation of signage and "shared use" markings, will improve safety and reduce conflicts.

- 1.5 initiation of design process for the future Creekside Park extension, in consultation with neighbours and to the satisfaction of the General Manager Park Board, in consultation with the Director of Planning and General Manager of Engineering Services;

Note to Applicant: It is expected that public consultation will be initiated in the Fall, 2005.

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:**

There are currently three presentation centre buildings at the existing Homer Mews location, each with time limited approval. For purposes of calculating technical requirements, development permits for the existing presentation centres were reviewed.

	PERMITTED/REQUIRED	EXISTING LOCATION		PROPOSED	
Site Size	-	irregular		irregular	
Site Area	-	50,894 sq.ft.		412,114 sq.ft.	
Floor Area	-	Presentation/Annex	9,074 sq.ft.	Presentation/Annex	9,074 sq.ft.
		2G Presentation Centre	3,714 sq.ft.	2G Presentation Centre	3,714 sq.ft.
		Presentation Centre	2,384 sq.ft.		
		Total	15,172 sq.ft.	Total	12,788 sq.ft.
FSR	-	Entire site	0.30	Entire site	0.03
USE ¹	Park and recreational uses and customarily ancillary uses	Presentation Centre		Presentation Centre	
Height ²	-	<u>Presentation/Annex building</u>		<u>Presentation/Annex building</u>	
		Top of Parapet Wall	23.5 ft.	Top of Parapet Wall	23.5 ft.
		Top of pavilion roof	32.8 ft.	Top of pavilion roof	32.8 ft.
		Top of Mast	30.0 ft.	Top of Mast	30.0 ft.
		<u>2G Presentation Centre</u>		<u>2G Presentation Centre</u>	
		Top of Parapet Wall	16.2 ft.	Top of Parapet Wall	16.2 ft.
		<u>Presentation Centre</u>			
		Top of Parapet Wall	17.7 ft.		
Parking ³	Standard 16 sp. Small Car 4 sp. Disability 1 sp. Total 21 sp.	Standard 77 sp. Small Car 0 sp. Disability 1 sp. Total 78 sp.		Standard 60 sp. Small Car 0 sp. Disability 2 sp. Total 62 sp.	
Bicycle Parking ⁴	Class A 2 Class B 6	Class A 0 Class B 0		Class A 0 Class B 0	
Loading ⁵	Class A 0 Class B 2	Class A 0 Class B 1		Class A 0 Class B 0	

¹ **Note on Use:** The BC Place/Expo District (BCPED) zoning permits park and recreational use and customarily ancillary uses, and does not contain an interim use clause. Staff feel it is appropriate for the DPB to consider this application using Section 3.2.4 of the Zoning By-law. See discussion on page 7, "Response to Applicable By-laws and Guidelines."

² **Note on Height:** Existing grade is compatible with the general topography of the area. Height for both previous locations, for current location, and for proposed location has been measured from a surface determined by joining the existing grade at all points around the perimeter of the buildings. See Standard Condition A.1.1. and A.1.2.

³ **Note on Parking:** The False Creek North ODP notes that parking and loading shall be adequate to serve all uses and that their requirements will be determined with each sub-area zoning. The nature or use has been determined to be similar to Retail use when determining the requirements of the Parking By-law for parking, loading, and bicycle parking requirements. See Standard condition A.2.1.

⁴ **Note on Bicycle Parking:** Six (6) Class B bicycle spaces have been requested. See Standard Condition A.2.4.

⁵ **Note on Loading:** Experience with the existing and previous Presentation Centres has confirmed that a single loading space is adequate for the needs that arise. Therefore, staff support requiring a single Class B loading space to satisfy all loading requirements. One Class B Loading space is required and has been proposed, but has not been indicated on plans. See Standard Condition A.2.3.

- **Legal Description**

Lot: B Rem.
Block: 1
Plan: 18463
District Lot: 2037, 4670, 4677

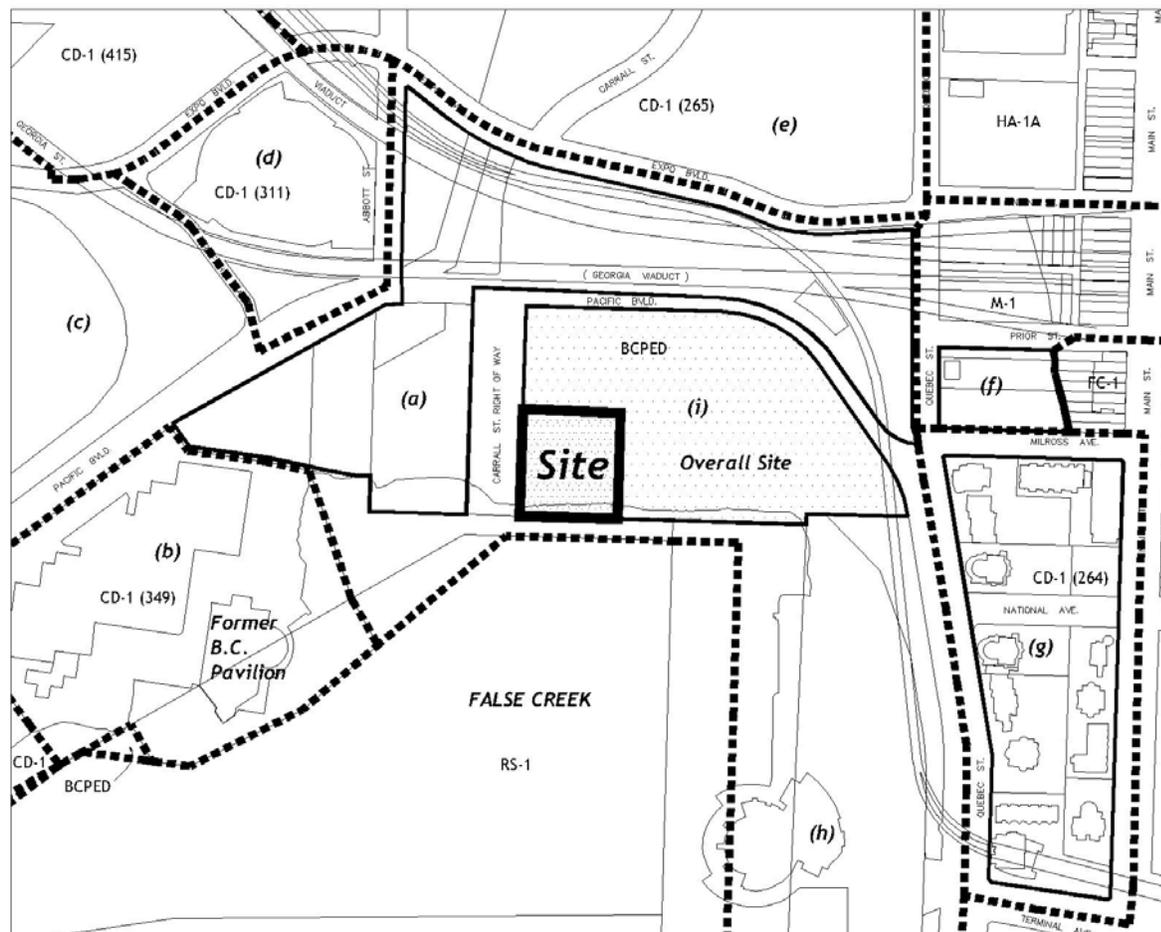
- **History of Application:**

05 04 07 Complete DE submitted
05 06 22 Development Permit Staff Committee

- **Site:** The site is located on the south-west portion of Area 9 of False Creek North (FCN) beside the seawall walk/bike way of False Creek. It is currently used for surface parking. Area 9 is the location of the future Creekside Park Extension

- **Context:** The overall site is adjacent to the Georgia Street Viaduct as well as the Citygate residential neighbourhood, directly east. There is a planned future greenway along the Carrall Street ROW. Area development includes:

- Area 6C False Creek North Official Development Plan (FCN ODP)
- Plaza of Nations, including Edgewater Casino in former BC Pavilion (temporary for 4 years)
- BC Place Stadium
- GM Place
- David Livingstone Park
- 125 Milross Avenue: residential (under construction)
- Citygate: principally residential
- Science World and existing Creekside Park
- Area 9 FCN ODP: future Creekside Park extension



• **Background:**

This site falls within BC Place/Expo District (BCPED) zone, sub-area 9. The BCPED zoning was enacted in 1986 as shell zoning for North False Creek following Expo '86, and was undertaken at a time when the future of North False Creek was still substantially unknown.

In 1988, Concord Pacific purchased the former Expo lands and submitted a development proposal to the City. The False Creek Broadsheets were approved by Council in 1988 to serve as a guide for, among other things, the City's review of Concord Pacific's proposal.

Council enacted the False Creek North Official Development Plan (FCNODP) in 1990, which established the framework for development of properties stretching from the Granville Bridge east to Quebec Street, nearly all of which were owned by Concord Pacific.

Site specific CD-1 zoning has occurred steadily in False Creek North since 1990. Now, there are only three remaining areas that still fall within the original BCPED zoning: Area 5B (under the Cambie Bridgehead north of Pacific Boulevard), Area 6C, and the future Creekside Park extension which includes this subject site (both identified on context map, page 5 - refer also to Appendix D.P.i).

Both the False Creek Broadsheets and the FCNODP specifically anticipated the development of False Creek North to occur over many years, with the development of public amenities, such as parks, being linked concurrently with the residential development they are intended to serve. Discussions related to amenity requirements triggered by rezoning of Areas 5B and 6C will be included in the standard rezoning process.

Development of the Citygate residential neighbourhood on Quebec Street, east of the subject site, was initiated in 1990 and still continues. Residents of this neighbourhood have been active in pursuing completion of the Creekside Park extension, which will be an important amenity not only to the Concord Pacific neighbourhoods to which its development is linked, but to the entire neighbourhood. (See Notification, page 11 and Park Board Comments, pg. 10).

Concord Pacific has indicated an interest in now proceeding to rezone and subsequently obtain development permits for its last sites, Areas 6C and 5B, and, consistent with its practice during the pre-development phase of its other neighbourhoods, seeks to establish its presentation centre nearby the proposed developments. This would be the third move of the presentation centre (currently located in the Beach Neighbourhood, at the foot of Homer Street) in 15 years. Development of the Homer Street site is expected to commence in Fall, 2005. (For further information on the rezoning status of Areas 6C and 5B, refer to page 9, Central Area Planning Comments).

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

(BCPED) B.C. Place/Expo District: By-Law No. 5744 (Refer to Appendix G)

In summary the BCPED states:

"2.1 The area shown outlined in black on the said plan is rezoned to a Comprehensive Development District to be known and described as "B.C. Place/Expo District (BCPED)", and the only uses permitted within the said area and the only uses for which development permits may be issued are:

- (a) residential uses;*
- (b) institutional uses;*
- (c) industrial uses;*
- (d) marinas;*
- (e) commercial uses;*
- (f) commercial-recreational uses;*
- (g) parks and open spaces;"*

however,

“2.2 Despite Section 2.1, uses will be further limited in several of the sub-areas shown in Figure 1, as follows:

(c) sub-area 9 will be limited to park and recreational uses and customarily ancillary uses.

3. *Any person wishing to carry out any development in the said district shall submit such plans and specifications as may be required by the Director of Planning together with a development permit application.*
4. *No development permit shall be issued for any development unless such permit shall have received the approval of the Development Permit Board.”*

False Creek North Official Development Plan (FCNODP) (Adopted by By-law No. 6650, April 10 1990)
(refer to Appendix F)

In summary the FCNODP states:

Section 4 Interim Uses:

The development of False Creek North is expected to occur over many years. Interim uses are appropriate, having regard to the policies set out in the False Creek Policy Broadsheets.”

False Creek North Broadsheets, (approved by Council, August 30, 1988)

Section 11. Interim Uses states:

- *“interim uses should be facilitated provided they are compatible with anticipated permanent uses, the shoreline and water experience, and views across the water.*
- *Interim uses should be moveable, low intensity, or low in capital investment.*
- *Time limits on interim uses should be secured through a legal arrangement satisfactory to the Director of Legal Services.”*

• Response to Applicable By-laws and Guidelines:

The BCPED zoning for Sub-area 9 does not provide for this commercial use, nor does it provide for interim uses. Staff believe it is appropriate for the Board to consider approving this application using Section 3.2.4 of the Zoning and Development By-law, which states:

“The Development Permit Board, in the exercise of its jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship. In granting any relaxation, the Board shall have regard to the intent of this By-law, the regulations and policies of any Official Development Plan, and such other applicable policies and guidelines adopted by Council.”

To establish a hardship, Staff asked the applicant to provide a rationale describing why this is the only feasible site for the Presentation Centre (Appendix E).

Staff assessment of Hardship:

Staff believe it would be an unnecessary hardship to the applicant to deny use of this site, given that there are few other vacant sites in the vicinity, and each would likely trigger a requirement for multiple relocations.

Staff assessment of intent of BCPED zoning, regulations and policies of the FCODP, and other applicable policies and guidelines adopted by Council:

The BCPED zoning was put in place to establish immediate control over BC Place lands in preparation for Expo '86. Staff believe this zoning was intended to be interim, to be replaced by subsequent CD-1

zones following Expo. In fact, such CD-1's have been created throughout most of False Creek North, and each provides for interim uses. In addition, the FCNODP, established several years after the BCPED zoning, could be considered the more contemporary and pertinent policy document in this case. Noting the background bylaws of FCNODP and the Policy Broadsheets, staff believe that interim uses such as that proposed were intended throughout North False Creek, not only on those sites that were subsequently rezoned to CD-1.

Staff believe this proposal, taken together with the recommended conditions of approval, meets the criteria established in the Policy Broadsheets, namely:

- 1) compatibility with anticipated permanent uses, the shoreline and water experience, and views across the water. (See "Design Review" section below);
The presentation centre has twice been similarly situated on other waterfront sites in North False Creek without unduly compromising the shoreline, water experience or views across the water.
- 2) moveable, low intensity, low capital;
The buildings are moveable and are considered low to moderate intensity in use.
- 3) time-limited.
The applicant seeks a 5-year temporary permit. Staff recommend limiting this to 3 years, with renewal subject to Director of Planning consideration. The reduced time-limit over what is sought by the applicant is to ensure that this project in no way compromises development of the future Creekside Park extension, should its delivery be accelerated beyond what is currently expected. (See condition B.2.1. and Park Board Comments, pg. 10). In addition, should a renewal be sought after three years, the Director of Planning would give regard to the applicant's successful management of impacts on the site, as well as the status of rezoning of Areas 6C and 5B.

• **Design Review:**

Building Location: the two buildings (existing terrace) are setback from the seawall by approximately 3 m (10 ft.). Review of their current location at the foot of Homer Street indicates a slightly smaller setback of approximately 2 m (6.6 ft.). Staff consider the setback proposed adequate.

Landscape: the proposed landscape plan is unsubstantial in its extent. The buildings are likely to be on this site for some time and the landscape plan should reflect this. Staff recommend three landscape changes. First, there should be more trees around the periphery of the site, particularly on the northerly, easterly and westerly site edges. Second, provision of pedestrian pathways from the seawall to the Presentation Centre's and parking areas will assist pedestrian circulation. Third, the addition of landscape islands in the site surface parking area will serve to break up the hard surface. See conditions A.1.4 and A.2.1.

Staff recognize that any tree planting may be restricted to being in planters due to the contaminated soil conditions on the site. Condition A.2.9 seeks clarification of special soils requirements.

CPTED: Noting neighbours' concerns about current unauthorized activities on this site, including late night motorcycle and vehicle racing, staff recommend the applicant provide additional surveillance of the overall site (Condition 1.1). In addition, staff recommend provision of temporary lighting on portions of the seawall between Science World and Area 6C, to allow safer access. (condition1.2)

• **Conclusion:**

Considering the temporary nature of the proposal, staff consider the use and general design appropriate. Staff believe Council policy clearly provides for interim uses, and that City practice has been to regularly allow presentation centres as part of development activity. Equally important, Staff believe that relocation of the presentation centre signifies a first step in development of the Area 6C

neighbourhood, the development that will trigger delivery of the Creekside Park extension, which should be welcomed by adjacent residents. Finally, this application presents an opportunity to address long-standing neighbourhood concerns related to site management. The Site Management Plan (Condition 1.1), seawall lighting and width improvements (conditions 1.2 and 1.4); and initiation of park design development (condition 1.5), are community benefits that would be achieved through the approval of this application. Staff support this application's approval, with the recommended conditions.

URBAN DESIGN PANEL (not required)

Because the two buildings are existing, although on another site, and temporary in nature staff considered review by the Urban Design Panel unnecessary.

CENTRAL AREA PLANNING

Some neighbours have expressed concerns that the relocation of Concord Pacific's presentation centre to this site will result in a delay in the delivery of the future Creekside Park extension. This is not the case. According to the False Creek North Overall Development Plan (FCNODP), the Creekside Park Extension is linked to development of area 6A located immediately west of the Plaza of Nations and area 6C located immediately east of the Plaza of Nations. (See Appendix F). Area 6A has been rezoned and is currently under development. Therefore, the timing and obligations for delivery of the Park will be established at the time Area 6C is rezoned, which is not anticipated until 2006. Work on the Park will likely not start until the soils from area 6C have been excavated, sorted and possibly relocated to the future park site, due to soils remediation requirements.

Soils remediation requirements are specified in a tripartite agreement that was created in 1990. This Agreement, the "Utility Design Agreement for the Eastern Lands of Concord Pacific Place," between the City, the Province, and Pacific Place Holdings Ltd., deals with a number of servicing and contaminated soils issues on the eastern section of the former Expo lands. In 2000, this agreement was modified to allow soils from both areas 6A and 6C to be stockpiled, sorted and relocated to the future Creekside Park Extension site. Although it now appears that the future park site will not be required for the sorting or relocation of soils from area 6A, it is still required for sorting and relocating soils from area 6C. Therefore, given the current rezoning and development timeline for area 6C, it is unlikely that the Park could be delivered before the five year term of the proposed presentation centre. However, condition B.2.1 is provided in the event that Park delivery could be achieved sooner. (See also Park Board comments, page 10).

ENGINEERING SERVICES

Conditions 1.3 and A.2.7 seek improvements to the temporary Carrall Street Greenway. The City did receive funding from the Edgewater Casino, as part of the Plaza of Nations Casino development, to complete a bike actuated signal at Carrall and Pacific Boulevard, and a basic temporary greenway along the Carrall Street alignment. Concord's obligation therefore would be to cover the incremental cost due to the Presentation Centre proposal, (which includes the development of vehicular access along the Carrall Street alignment), for:

- upgrading the Carrall Street signal to a semi-actuated signal; (condition A.2.7) and
- completing the design and construction of a revised temporary greenway alongside the proposed roadway (Condition 1.3).

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

PARK BOARD

The proposed site for the presentation centre is the future extension of Creekside Park. The timeline for building this park is tied to the development of Areas 6A and 6C. Park Board staff want to ensure that the delivery of the park is not delayed by the presence of the presentation centre, and, therefore support the condition of restricting the permit as a time-limited permit. (See condition B.2.1)

Park Board staff have begun the process to prepare a new concept plan for the future park, to integrate new information about the volume of contaminated soil to be incorporated into the future park, based on a condition of the rezoning of Area 6A in May 2004. Given that the rezoning condition did not specify a timeline, Park Board staff support a more defined timeline for the preparation of the concept plan, which would lead to a public consultation process in the fall of 2005. (See condition 1.5)

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

Staff have identified no concerns with the proposed presentation centre itself, but support measures to improve security on and around the site as recommended in Conditions 1.1 & 1.2.

ENVIRONMENTAL PROTECTION BRANCH

The development application has been approved by this branch, however, a sediment control plan must be submitted to the Environmental Protection Branch for review and approval prior to excavation and (2) a qualified environmental consultant must 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. (See conditions B.2.2)

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 that the garbage storage area is to be designed to minimize nuisances.

FIRE & RESCUE SERVICES

Fire and Rescue Services staff have reviewed this application and provide approval in principle, based on the plans received May 5, 2005.

NOTIFICATION

A site sign was posted near the seawall on this site on May 18, 2005 and on May 19, 2005, 748 neighbouring property owners were notified of the application. In addition, on June 15, 2005 staff and

the applicant attended a meeting of strata owners from the nearby Citygate neighbourhood to discuss this application and to provide information about timing and requirements of Creekside Park development.

Seventy-four people signed in at the June 15, 2005 meeting. In addition, staff received written responses from 24 neighbours, 22 of which were opposed to the application, 2 of which were in support. Respondents cited the following:

- Delay in development of Creekside Park

Most who wrote in opposition to the proposal were from the Citygate neighbourhood to the east of the site. They believe that putting the presentation centre on the future Creekside Park extension site would further delay development of the Park. Neighbours have been waiting for this park to be developed for over a decade. They believe green space is inadequate in the neighbourhood to accommodate existing and future growth. At the June 15, 2005 meeting with Citygate neighbours, many felt that even if the entire Park could not be developed, due to soil remediation issues, phased development should be considered, or the site could be temporarily sodded, to provide a more aesthetically pleasing space, and to limit inappropriate use of the site. The residents of 63 Keefer Street, 'Europa', also expressed similar concerns.

Staff Response

City Council has determined that development of the Creekside Park extension will be triggered by rezoning of areas 6A and 6C, whichever comes last. Area 6A has been rezoned and is under development. An application for rezoning of Area 6C will likely not be considered until 2006. At that time, a detailed Parks Work agreement obligating Concord to complete the Creekside Park extension will be required.

Contaminated soils from the eventual excavation of Area 6C will be placed at the Creekside Park extension site. Therefore, it will likely not be until after Area 6C obtains rezoning permission, development permits, and excavation permits, that full Park development can get underway. However, design development should be promptly initiated, with phasing considered if possible, and is recommended in Condition 1.5 (See also comments from Central Area Planning, Engineering, and Park Board, pg. 9-10).

Staff do not believe that permitting this interim use for a presentation centre will impact development of the park.

- This is an inappropriate use of the site

Several respondents felt the listed zoning uses for parks and recreation should be respected, and that this commercial use represented what could be the first of many "other" uses in the Park. Some commented that soil remediation is not an appropriate use of the future Creekside Park extension site.

Staff Response

Staff acknowledge neighbours' concerns that approval of this application might lead to other unlisted uses in the future. Staff believe that for this present application, an unnecessary hardship has been demonstrated by the applicant, and that Council Policy through the False Creek North Official Development Plan and False Creek North Broadsheets clearly anticipated interim uses of this kind.

This application does not propose soil remediation. That Agreement was reached between Concord Pacific, the City and the Province some years ago. However, in response to requests for more information at the meeting with Citygate residents on June 15, 2005, staff offered to provide an information sheet on soils issues, including outlining responsibilities, requirements and estimated time frames. This will be sent to neighbours in the coming weeks who signed in at that meeting.

- Proposed 5-year time frame too long

Some felt that the proposed 5-year permit for the presentation centre was too long, and might limit opportunities for Park development during that time-frame. Some believed Concord Pacific should be required to post a bond to ensure it develops the park after 5 years.

Staff Response: Staff have recommended only a 3-year permit, consistent with time limits established for other interim uses, including the existing Presentation Centre, renewable by the Director of Planning should Park development not be imminently expected. Concord is obligated to develop this site for a park as part of the FCN ODP, and therefore staff do not believe an additional bond is required.

- The parking lot is used for drag racing and other noisy activities, and is not well maintained

Some neighbours noted that the site, which is covered with asphalt, is used for many noisy, dangerous activities and that it is poorly maintained, with fencing in disrepair and garbage allowed to pile up. Some saw this application as possibly beneficial, as having a presence on the site might lead to increased surveillance of the adjacent parking area.

Staff Response: Staff are aware that a variety of daytime and nighttime activities occur on the site, not all of which are undesirable. The hard surface provides recreational space for cyclists, in-line skaters, skateboarders, etc., training space for the Vancouver Police Department, and space for special events. Staff feel these are appropriate and intended activities for the overall site. However, staff agree that the late night, undesirable uses such as drag racing could be reduced through increased surveillance, and that improved maintenance of the site should be expected. This is sought in Condition 1.1. through submission of a Site Management Plan.

- Other

- Location near the seawall

One respondent felt the presentation centres were going to be located too close to the seawall.

Staff Response

Staff are comfortable with the proposed setback, which is slightly greater than at the existing Homer Street location.

Community Use of Presentation Centre Buildings

One neighbour raised the possibility that the buildings could be used by the community, particularly after this permit expired.

Staff Response

Staff suggest this may be an appropriate discussion for Concord Pacific and its neighbours, but do not feel it would be appropriate to require it as a conditions of this application.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

Staff Committee believes consideration of this application using Section 3.2.4 of the Zoning and Development By-law is appropriate for the reasons set forth in the report.

The Committee believes approval of this interim use application does not affect delivery of the Creekside Park extension. Rather, it understands that development of the Park is linked to Council decisions on future rezonings, specifically for Area 6C.

While Staff Committee supports establishment of an overall site management plan to deal with the nuisance issues brought forth by area residents, it in no way intends for this management plan to limit the appropriate uses of this site for special events and day to day recreation.

The Committee supports efforts to initiate design development of the Park, in consultation with the community, noting that this was a condition of the Area 6A rezoning approved by Council in April, 2004. Preliminary efforts to achieve this have been made, and Condition 1.5 is recommended to encourage an expansion of these efforts.

Rick Michaels
Chair, Development Permit Staff Committee

Ralph Segal MAIBC
Senior Development Planner

Jorma Kujala
Project Coordinator

Project Facilitator: Vicki Potter

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 floor plans, including a foundation/crawl space plan, all four building elevations; and detailed floor and roof elevations for each floor and roof level and telecommunications mast in the building, as related to the existing grades on site;

Note to Applicant: Ensure dimensions are consistently indicated in either Imperial or Metric. Also, clarify any proposed alterations and additions on the floor plans and elevations.

- A.1.2 existing and finished grades to be shown on the site plan including around the perimeter of all principal and accessory buildings;

- A.1.3 delete all references to signage;

Note to Applicant: Signage is regulated by the Sign By-law and requires separate approvals.

Standard Landscape Conditions

- A.1.4 design development to provide more landscaping around the site and pedestrian pathways from the seawall to the Presentation Centre's and parking areas;

Note to Applicant: in particular, provide more trees on the northerly, easterly and westerly site edges and landscape islands in the site surface parking area.

- A.1.5 clarification of dotted areas (assumed to be sod) surrounding the structures and treatment of this edge with the perimeter asphalt;

- A.1.6 rectification of the differences between the submitted site plan and landscape plan.

A.2 Standard Engineering Conditions

- A.2.1 redesign of the parking lot, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: The layout should minimize conflicts between pedestrians and vehicles, and incorporate more generous landscape islands. Review stall spaces adjacent to the landscaped areas to allow easier access to vehicles. In addition, the design should provide curb ramps at designated access areas leading from the parking area centers and bulges within the parking area to narrow pedestrian crossing distances. Parking plan drawings scale is to be 1/8"=1'. Disability stall dimensions are 13'1½"x18'. See also Standard Condition A.1.4 for landscaping requirements.

- A.2.2 clearly indicate a maximum slope and crossfall of 5% for the parking areas;

- A.2.3 provision of one required Class B loading space;

Note to Applicant: This loading space has been indicated on the site and project data, but is not indicated on plans.

A.2.4 provision of 6 Class B bicycle parking spaces;

Note to Applicant: It is recommended that these spaces be located in front of the 'Presentation Centre and Annex' building.

A.2.5 City Building Grades that meet future road design grades, to the satisfaction of the General Manager of Engineering Services;

A.2.6 clarify sewer and water provision for the site;

Note to Applicant: There is no sewer available to the site. Arrangements must be made for storm discharge and sanitary connections if washroom facilities are to be provided.

A.2.7 arrangements to the satisfaction of the General Manager of Engineering Services for upgrading of the signal at Carrall and Pacific Blvd to a semi-actuated signal;

A.2.8 crossing application is required (for crossing from Carrall St. onto the site.);

A.2.9 clarify if any of the construction required for the project (digging of footings, excavation for grading, excavation for planting of trees or installation of lamp standards etc....) will trigger any of the soils remediation requirements for the site;

A.2.10 arrangements to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services for an "Encroachment Agreement" to allow for the construction and maintenance of the Carrall Street access and the temporary Carrall Greenway. (See also condition 1.3).

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 June 22, 2005. 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 **January 20, 2005**, 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 This is a time limited permit for a period of three years from the date of Occupancy, or required development of Creekside Park, whichever comes first, and may be extended by the Director of Planning.
- B.2.2 A qualified environmental consultant must 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.2.3 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.2.4 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.2.5 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.
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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 Walter Francl submitted on April 7, 2005 for a Development Permit application to move and place 2 temporary presentation centres on an existing vacant site. This is a preliminary review in order to identify aspects of the proposed building design which may not conform with the requirements of Vancouver Building By-Law #8057.

1. Temporary buildings

- “Temporary buildings” are treated in the same manner as “permanent buildings” and would be expected to conform with the current building bylaw with respect to sprinklering, spatial separation exiting etc.
- The provisions for the disabled are also applicable. Eg. access, H.C. water closets etc.
Note: the Building Bylaw definition of “temporary” as used in 1A.7.7. Permit for a Temporary Building “means a period not exceeding twelve months.”

2. Structural Considerations

- -The structural capacity for gravity and seismic loads for the buildings should be verified to conform with the requirements of Part 4 of the VBBL.

3. Building Permit Issuance Requirements ***

- The issuance of a building permit for construction or in this case the relocation of the buildings 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 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.