
CITY OF VANCOUVER
COMMUNITY SERVICES GROUP

DEVELOPMENT PERMIT STAFF COMMITTEE REPORT
APRIL 26, 2011

FOR THE DEVELOPMENT PERMIT BOARD
MAY 16, 2011

50 PACIFIC BOULEVARD (COMPLETE APPLICATION)
DE409317 - ZONE BCPED

GP/SB/LH

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
R. Thé, Engineering Services

Also Present:

G. Papers, Urban Design & Development Planning
S. Barker, Development Services
B. Boons, Development Services

APPLICANT:

Walter Franc 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 extend the time limited Development Permit DE409317 for a further period of three (3) years thereby permitting three temporary Presentation Centre buildings on this site with associated surface parking.

See Appendix A Standard Notes and Conditions of Development Permit

Appendix B Site Plan for existing Presentation Centre Buildings

Appendix C Letter from Applicant seeking extension to DE409317

Appendix D Development Permit Staff Committee Report dated June 22, 2005 (original application for DE409317)

Appendix E Minutes from Development Permit Board meeting of July 18, 2005

Appendix F Additional Information/background regarding the future expansion of Creekside Park

- **Issues:** 1. Continued temporary use of this site for Presentation Centre buildings;
2. Public Realm Enhancements consistent with continued temporary use of the site.
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE an extension to Development Application No. DE409317, thereby permitting the three temporary Presentation Centre buildings on this site with associated surface parking, for a further period of three years, expiring on May 16, 2014, or upon the commencement of the implementation of Creekside Park, whichever occurs first, unless extended in writing by the Development Permit Board or Director of Planning, subject to the following conditions:

1.0 Revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:

1.1 Enhancements to the Public Water Edge and Seaside Greenway Enhancement for the entire south edge of the Concord Pacific properties to the satisfaction of the Director of Planning, the General Manager of Engineering Services and the General Manager of Parks and Recreation to include:

- widening of the Seaside Greenway to a standard 28 ft. width (2 - 13 ft. paths for each of cyclists and pedestrians, plus a minimum 2 ft. wide physical separation between);
- addition of seating and/or other waterside rest places, particularly at the Carrall Street Greenway terminus;
- removal of the existing chain link fence along the Seaside Greenway at the existing Presentation Centre (shift the fence returns to the north, into buildings);
- upgrade to the fence along Site 6C south and east of the existing Presentation Centre to Pacific Boulevard; and
- addition of trees and plantings to soften the temporary/industrial character of the existing rip-rap, in consultation with the Burrard Inlet Environmental Action Program (BIEAP);

Note to Applicant: The above landscape enhancements shall include the planting of 12 replacement trees in accordance with the decision of the Provincial Court of British Columbia. The size and species of the replacement trees shall be to the satisfaction of the Director of Planning.

1.2 provision of a separated bicycle path for northbound cyclists to the satisfaction of the Director of Planning and the General Manager of Engineering Services;

Note to Applicant: A direct northbound cycling connection is required to better align the existing bicycle path in the Carrall Street Greenway south of Pacific Boulevard to the portion of Greenway north of Pacific Boulevard. The off-street path must be constructed on the east side of the Carrall Street site access driveway and link to the existing pathway connecting cyclists to the Seaside Greenway. Modifications to this area may require arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services and pursuant to the existing Encroachment Agreement (BA504515-20).

- 1.3 Enhancements to the property edge of Pacific Boulevard along the full length of the Concord Pacific properties to the satisfaction of the Director of Planning and the General Manager of Engineering Services;
- Note to Applicant:** Upgrades to include regularly spaced trees and buffer landscaping along the entire south edge of Pacific Boulevard, from the Plaza of Nations to approximately Milross Avenue. Upgraded fence shall be black rectangular mesh, or similar; and consideration should be given as to whether the fence should be relocated to inside of the trees.
- 1.4 Enhancement to the portion of the existing Carrall Street Greenway south of Pacific Boulevard to the satisfaction of the Director of Planning, and the General Manager of Engineering Services;
- Note to Applicant:** Upgrades are to include the addition of ground level shrubs/plantings along the existing berms (under existing trees), and upgrade to the fence along both sides of this portion of the Greenway (from the existing galvanized chain link).
- 1.5 Enhancements to the southeast corner area of the overall site, in path and landscape upgrades, near the existing playground and Quebec Street, to the satisfaction to the Director of Planning, the General Manager of Engineering Services, and the General Manager of Parks and Recreation as required; and
- Note to Applicant:** This is to include rounding the fence line at the 90 degree corner at Quebec Street. A second aspect is to improve the uneven surface, signage, visibility and safety for Greenway users at the corner. Resolution of this condition may require further consultation with stakeholders for the adjacent site to the south (Science World).
- 1.6 provision of a Site Management Plan to the satisfaction of the Director of Planning;
- Note to Applicant:** This plan shall reflect the current state of operations on the site, as well as any revisions anticipated as a result of required site enhancements. The plan shall include at minimum the following topics: site security, hours of operations, community contact, and specific descriptions of all current and anticipated uses in the Presentation Centre buildings (including daily functions and special events).
- 2.0 That the information and enhancements set out in 1.0 and approved by the Board shall be addressed by the applicant (Development Permit submittal level drawings and specifications) to the satisfaction of the Director of Planning on, or before June 30, 2011, and that the enhancements approved by the Board shall be provided on, or before, September 30, 2011, unless extended in writing by the Director of Planning, otherwise this extension to DE409317 shall be considered invalid.
- 3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix A be approved by the Board.

• **Technical Analysis:**

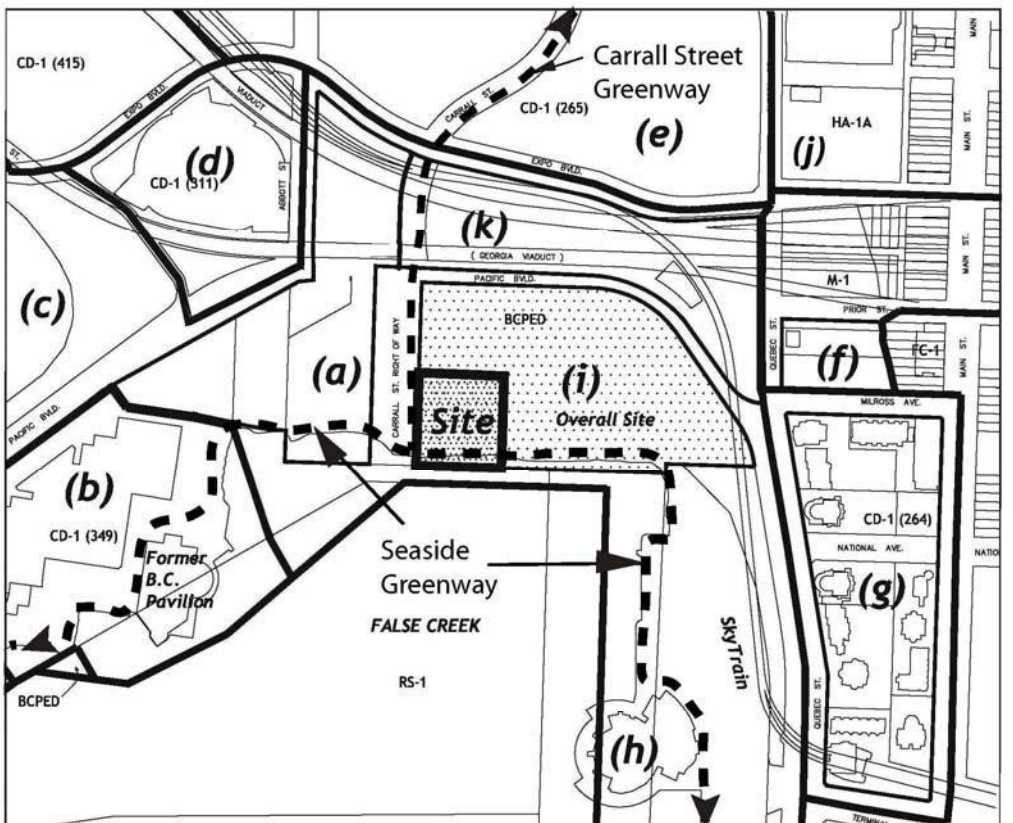
	PERMITTED/REQUIRED	EXISTING
Site Size	-	irregular
Site Area	-	412 114 sq. ft.
Use ¹	Park and Recreational uses and customarily ancillary uses	Presentation Centres
Floor Area ²		Presentation/Annex 8 320 sq.ft. 2G Presentation Centre 3 714 sq.ft. 3G Presentation Centre <u>2 348 sq.ft.</u> Total 14 382 sq.ft.
Parking	24 spaces	63 spaces
Bicycle Parking	6 Class B spaces	6 Class B spaces
Loading ³	1 Class B space	1 Class B space

¹ **Use:** The BC Place/Expo District (BCPED) zoning permits Park and Recreational uses and customarily ancillary uses, but does not contain an interim use clause. The Development Permit Board previously considered this temporary use under Section 3.2.4 of the Zoning and Development By-law (See Appendices D and E).

² **Note on Floor Area:** Original approval from the Development Permit Board was for two presentation centre buildings, and a third presentation centre building (3G Presentation Centre) was approved by the Director of Planning on in June 2007, as an amendment to the original approval.

² **Note on Loading:** The Development Permit Board previously accepted the provision of one Class B loading space based on the nature of this use.

- **Legal Description**
Lot 340, District Lots 2037 and 4677
Plan BCP42676
- **History of Application:**
05 07 18 DE409317 Approved by DP Board
06 05 30 DE409317 Issued
- **Site:** The site is located on the southwest portion of Area 9 of False Creek North (FCN) directly adjacent to the Seaside Greenway of False Creek. Area 9 is the location of the future Creekside Park Expansion.
- **Context:** The overall site is adjacent to the Georgia Street Viaduct as well as the Citygate residential neighbourhood directly east. A portion of the “Carrall Street Greenway” is directly west of the site. Area development includes:
 - (a) Area 6C of False Creek North (FCN) Official Development Plan (ODP)
 - (b) Plaza of Nations, including Edgewater Casino in former BC Pavilion
 - (c) BC Place Stadium
 - (d) Rogers Arena
 - (e) David Livingstone Park
 - (f) 125 Milross Avenue (Residential use)
 - (g) “Citygate” (principally Residential use)
 - (h) Science World and existing Creekside Park
 - (i) Area 9 FCN ODP (currently paved and fenced)
 - (j) BC Hydro Substation
 - (k) Streets and Viaducts (City-owned)



50 PACIFIC AVE.
City of Vancouver

Site, Surrounding Zoning and Seaside Greenway



• **Background:**

On July 19, 2005 the Development Permit Board approved DE409317 which permitted Presentation Centre buildings on this site for a period of three years from the date of occupancy (See Development Permit Staff Committee Report dated June 22, 2005, and Minutes of the Development Permit Board meeting of July 18, 2005 in Appendices D and E respectively). Following this approval, staff determined the date of occupancy to be March 2008, and therefore this temporary approval expired in March 2011.

Since approval from the Development Permit Board in 2005, and issuance of DE409317 in 2006, the Director of Planning approved amendments to DE409317 which have included a revised placement of the Presentation Centres, reconfigured parking and landscaping, and the addition of a third Presentation Centre building on the site. The current approved layout is shown in Appendix B.

Northeast False Creek (NEFC) Planning:

Council approved the terms of reference for the NEFC High Level Review (HLR) in 2007 and identified the following key products for the HLR:

- A NEFC Land Use, Structure and Urban Design Plan; and
- A NEFC Public Benefits Strategy.

Throughout this planning initiative, the provision of open space and in particular, the delivery of the Creekside Park Extension, has been a matter of significant interest to the community and Council has, on a number of occasions, advised staff that it is a high priority.

“The NEFC Policy Directions were approved by Council in 2009 including the following policy:

- Provide the previously committed or approved elements including: the extension of Creekside Park (Area 9); the extension of the walkway-bikeway at the water’s edge in Areas 6B and 6C South; and the extension of the Carrall Street Greenway between False Creek and Expo Boulevard.’

• **Response to Requested Extension of DE409317**

The existing temporary Presentation Centre buildings occupy a very visible waterfront location on an active section of a public seawalk (the “Seaside Greenway”), looking across False Creek to the Olympic Village site. The centres also occupy a largely vacant parcel with an extensive perimeter that is highly visible from users of Pacific Boulevard, the adjacent parcels to the north and east, and large crowds visiting Rogers Arena and BC Place Stadium.

With the completion of the Olympic Village and associated Seaside Greenway, and adjacent newer residential developments to the north and northeast, pedestrian and cycling activity along this part of the Seaside Greenway has increased. In addition, the Carrall Street Greenway is largely completed through “the neck”, providing a continuous loop around the downtown, and inviting additional users to this vicinity. The existing temporary Presentation Centre buildings express a high quality image, and the adjacent public realm edges should be consistent.

Further support for each of the conditions noted above under 1.0 is provided below:

1.1 Enhancements to the public water edge and Seaside Greenway: The existing Seaside Greenway asphalt pathway is 16 - 20 ft. wide, and shared by pedestrians and cyclists for its entire length. This pavement should be widened (28 ft.) to be consistent with the function and safety of other similar Greenways, and provide a basic separation planter/element between the pedestrian and wheeled users. The existing galvanized chain link fence along the entire length of the Seaside

Greenway adjacent to this property, presents an unfriendly “walling in” of the public space; this should be replaced with an upgraded yet transparent fence design, with the elimination of the fence to the south of the Presentation Centre buildings, so they can provide “eyes” on the Seaside Greenway. The existing water edge appears crude and unfinished, without pedestrian amenity or intentional plantings. Adding small seating places on the water-side of the Seaside Greenway provides resting places, and plantings soften those places and the adjacent rip-rap boulders. The 12 replacement trees (replacing those previously removed without permit) should be clustered near these seating places.

- 1.2 Provision of a separated bicycle path for northbound cyclists:** The existing bike path between the Seaside Greenway and Pacific Boulevard consists of one shared two-way segment, which then blends into a vehicle travel lane, before the Pacific Boulevard intersection. There are separate northbound and southbound bike lanes on each side of the vehicle lanes north of Pacific Boulevard, as part of the Carrall Street Greenway design. Condition 1.2 seeks a new dedicated northbound cycle lane to be consistent with the Greenway standard, rationalize cycle movements, and improve overall safety. See also Engineering Services commentary on page 9.
- 1.3 Enhancements to the entire Pacific Boulevard property edge:** There is an existing narrow concrete sidewalk and 6 ft. fence along Pacific Boulevard, however no trees or plantings exist along the entire length of the property edge (approximately 600 m or 2,000 ft.) Regularly spaced canopy trees and linear buffer plantings will provide pedestrian amenity, screen views of extensive adjacent paving, and soften the continuously hardscaped environment. An upgraded fence (not necessarily of the same quality level as along the Seaside Greenway) will also improve the pedestrian atmosphere, and might be located on the inboard side of the tree/planting strip, to increase the pedestrian sidewalk zone.
- 1.4 Enhancement to the existing Carrall Street Greenway:** The existing low grass berms appear barren and the existing linear trees are small and thin. Linear ground level shrubs should be provided to animate and help screen the extensive and un-finished paving areas from pedestrian views along the Greenway. The adjacent fences should be upgraded to correlate with the quality of a heavily used Greenway link.
- 1.5 Enhancements to the southeast corner area of the site:** The existing shared pedestrian/cyclist path from the Quebec Street parking area is minimal. The sharp corner fencing at Quebec Street has poor pedestrian desire lines, and presents a potentially hazardous turn for cyclists using the designated off-street bike path along the west side of Quebec Street. The waterfront turn in the seawalk is unfriendly and confusing for users, because of existing signs, brambles, unlevel surfaces, and rusted fencing. Resolution of this item will depend on the exact location of the property line defining the Concord Pacific site, and may require coordination with adjacent land owners and other stakeholders.
- 1.6 Site Management Plan:** The conditions surrounding the Presentation Centre buildings have changed over the past six years, and the uses and operations within the buildings will need to be confirmed. In addition, the security measures for the overall site should be documented, including hours, responsibilities and authority.

● **Conclusion:** The increased visibility, public activity, and proximity of adjacent developments have changed the context around the Presentation Centre site since 2005. Appropriate upgrades to the public edges of the site are warranted, to be consistent with the public realm quality level expected by the visitors, residents, pedestrians, cyclists and motorists who routinely encounter the property. Staff support the request to extend DE409317 for a further period of three years, or upon the commencement of the implementation of Creekside Park, subject to the enhancements as described as conditions contained in this report.

URBAN DESIGN PANEL (not required)**CENTRAL AREA PLANNING**

Soil Relocation and Timing of Creekside Park Expansion: The phasing of parks in False Creek North has always been linked to the management of contaminated soils in the area. Existing parks such as George Wainborn Park, Andy Livingstone Park and David Lam Park are located above properly sealed, contaminated soil, and owned by the Province, with a surface use agreement for the Park Board. The Province is responsible for the remediation of soils in the Pacific Place Project and their remedial plan is that the contaminated soils from Area 6C are to be contained in the future Creekside Park Extension using a risk-based approach. Concord Pacific, the Province and the City have agreed (through the Utility Design Agreement) that this risk-based approach is acceptable for the Creekside Park Extension. The existing Presentation Centres are located above contaminated soils, and in a location that is to become future park.

The 2000 Amended Utility Design Agreement (UDA) provides as follows:

- a. City, Province and Concord agree that Province can relocate contaminated soils from Areas 6A, 6C and the Abbott Street Outfall Site to areas within Creekside Park as jointly designated by City, Concord and Province;
- b. Relocation of soils onto Creekside Park will occur in conjunction with the excavation and development of each of Area 6A, 6C and Abbott Street Outfall;
- c. City, Concord and Province agreed to work cooperatively to finalize Creekside Park Soils Relocation Plan as soon as commercially practicable. Relocation of contaminated soils onto Creekside Park would be done in accordance with this soils relocation plan, including base elevation and designated soils relocation zones. The Creekside Park Soils Relocation Plan has not been prepared;
- d. Soil relocation is to be permanent and integrated into the design and construction of all approved park facilities within Creekside Park;
- e. Province is to ensure that all contaminants deposited within Creekside Park Extension are effectively contained within park such that the environmental condition is maintained without any material degradation to Creekside Park or the surrounding environment; and
- f. Provided that the relocated soils are deposited by the Province in accordance with the Creekside Park Soils Relocation Plan (yet to be prepared), such deposits will be permanent and will be integrated with the design and construction of all approved park facilities.

By adopting risk assessment and risk management techniques, consistent with current Provincial risk-based standards, for areas where the site does not need to be excavated for buildings or sub-surface parking, the overall risk and cost to the Province is reduced as less contaminated soil requires relocation. See Appendix F for further background and information regarding the delivery of the Creekside Park expansion.

ENGINEERING SERVICES

Engineering Services staff support the enhancements to the Seaside Greenway and upgrades to the southeast corner area of the site improving overall pedestrian and cyclist connectivity and experience (see Conditions 1.1 and 1.5)

Construction of the portion of the Carrall Street Greenway directly north of Pacific Boulevard was completed in early 2011. As part of this construction, off-street cycling facilities were installed in both directions, separating cyclists from vehicles. Staff note that the bicycle path to the south should be improved and that a more direct and separated northbound connection to the Greenway is warranted (Condition 1.2)

NOTIFICATION

On February 4, 2011, a total of 5354 notification postcards were mailed to surrounding property owners advising of the requested renewal to DE409317, and offering additional information on the city's website. In addition to these property owners, members of the North East False Creek (NEFC) Community Group were notified of this application by e-mail, and at a regular meeting with this group on February 3, 2011.

On March 11, 2011 a second notification postcard was sent to all of the above contacts advising of a change to the Development Permit Board date, while continuing to invite comments from the public

To date, a total of 23 responses have been received from individual members of the public. Included in these responses are comments on behalf of the Chair of Citygate Inter-tower Community Group, and the co-chair of the False Creek Residents Association (FCRA).

Each of the responses received express an objection to the request from Concord Pacific to extend the temporary use of this site for the existing Presentation Centre buildings. Specific objections can be grouped into the following general categories:

1. That the Development Permit Board should not grant an extension for the existing Presentation Centre buildings, but instead, should insist that the site be converted into the Creekside Park expansion as previously intended.

Staff Response: The timing of the delivery of the Creekside Park expansion is complex and cannot occur immediately. (See Central Area Planning commentary on page 8, and Appendix F) In summary, a permanent park cannot be constructed until the contaminated soil contained within Concord Pacific's future 6C developments are deposited under the future park site. Concord Pacific has not initiated the first rezoning stage on 6C. The recommended extension to this temporary development permit shall expire upon the commencement of the implementation of Creekside Park, and therefore this approval would in no way contribute to a delay of the park delivery.

2. That the zoning of the site is for park/public use, and that it continues to be inappropriate to use this site for commercial activities. This includes use of the site for other temporary commercial uses in the past. There is also a feeling that if the Presentation Centre buildings are to continue to exist at this location, that it shall be operated exclusively to market developments in the area (rather than for developments outside of Vancouver or other unrelated commercial uses), and that Property Tax assessments should reflect commercial use of the site;

Staff Response: The authority and rationale for the Development Permit Board to consider a temporary use on this site was incorporated in the original approval by the Development Permit Board in 2005 (see Appendix D, page 6 to 8, and Appendix E.) The use and building designs have not significantly changed since the previous approval from the Development Permit Board, but staff are seeking enhancements to the site in order for the extension to be approved. It is not in the purview of the Board to make decision(s) related to property tax assessments.

3. That the Development Permit Board's original approval in 2005 was for two Presentation Centre buildings, and that it is wrong that three Presentation Centres now exist on the site;

Staff Response: The Director of Planning has approved amendments to DE409317, and a separate permit for a third Presentation Centre since the Board's previous approval. (See Background Section on page 6). Note that this third approved structure includes a link to what some perceive to be a fourth structure.

4. That trees ordered by the Courts to be replaced on the site have not yet been replanted. Other examples are cited by the public with respect to a history of unauthorized work on the site.

Staff Response: The trees previously removed from the site without permit are to be replaced as part of the enhancements sought as conditions of approval for this extension (See Condition 1.1)

5. That work shall be undertaken to complete the demarcation of pedestrian/cyclist lanes on the Seaside Greenway from Quebec Street to the Plaza of nations, and that Concord Pacific temporarily 'green' the unused portions of Lot 9;

Staff Response: Enhancement to the pedestrian/cyclist lanes on the Seaside Greenway has been recommended as a condition of this requested extension. (See Condition 1.1) The recommended enhancements by staff intentionally emphasize the perimeter of the Presentation Centre and the overall site, where public views and use are heaviest. Staff do not believe the work associated with temporarily greening the hard surface was as valuable as enhancing the perimeter for public benefit.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

Staff Committee supports the continued temporary use of this site for the existing Presentation Centre buildings subject to the enhancements noted in this report. The Staff Committee believes these enhancements to be appropriate given the change to the context and public activity surrounding the site since the previous approval from the Board in 2005. The Staff Committee is comfortable that an approval to extend this Development Permit does not in any way delay the delivery of the expansion to Creekside Park.

J. Greer
Chair, Development Permit Staff Committee

G. Papers
Senior Development Planner

Project Facilitator: S. Barker