

Date: Monday, December 16, 2013  
Time: 3:00 p.m.  
Place: Town Hall Meeting Room, City Hall

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**PRESENT:****Board**

V. Potter Director of Development Services (Chair)  
B. Jackson General Manager of Planning and Development  
S. Johnston Deputy City Manager  
J. Dobrovlny Director of Transportation

**Advisory Panel**

N. Shearing Representative of the Design Professions (Urban Design Panel)  
F. Rafii Representative of the Design Professions  
S. Chandler Representative of the Development Industry  
J. Stovell Representative of the Development Industry  
K. Chen Representative of the General Public  
J. Miletic-Prelovac Representative of the General Public  
D. Wlodarczak Representative of the General Public

**Regrets**

K. Busby Representative of the General Public  
K. Maust Representative of the Vancouver Heritage Commission

**ALSO PRESENT:****City Staff:**

J. Greer Assistant Director of Processing Centre - Development  
P. Storer Engineering Services - Projects Branch  
P. Cheng Development Planner  
A. Molaro Development Planner  
M. So Project Facilitator  
P. Huber Planner - Central Area Planning Branch  
D. Anderson Eng Senior Social Planner  
T. Phan Social Planner  
T. Hammel Assistant Director & Deputy Chief License Inspector - Licenses

**5515 BOUNDARY ROAD - DE415742 - ZONE CD-1**

M. Bruckner IBI/HB Architects  
C. Phillips Phillips Farevaag Smallenberg  
J. Cahill Paragon Gaming  
B. Hawkey 360VOX

Recording Secretary: L. Harvey

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1. **39 SMITHE STREET - DE417276 - ZONE CD-1 (519)  
(PRELIMINARY APPLICATION)**

Applicant: IBI/HB Architects

Request: To develop this site with a mixed-use building comprising of two hotel towers of 15 and 25-storeys, commercial (CRU) and casino over five levels of underground parking with vehicular access from Smithe Street, Expo boulevard and Pacific Boulevard. The casino area includes up to 600 slot machines and 75 gaming tables.

**The Chair's Opening Statement**

Vicki Potter, Director, Development Services, mentioned that the Development Permit Board's role is to apply existing Council regulations, policies and guidelines. The Board doesn't create new policy or new regulations. With respect to the application, she noted that Council has already approved the uses sought including casino, hotel, retail, restaurant and some ancillary uses. They have already approved the maximum number of slot machines and gaming tables. They have already approved the maximum floor area that can be allocated to the building and have approved the maximum height and they have given a review of the preliminary form of development (how the buildings relate to each other on site and in the surrounding context).

Ms. Potter added that a summary can be found on page 6 in the Staff Committee Report. She also mentioned that the Board would be looking for comments on the form of development which includes the size, shape, the design of the towers, the public realm, pedestrian, bicycle and auto circulation and any impacts.

Ms. Potter explained that the development is a preliminary application which means that staff doesn't expect the application will be as resolved in detail as it will be in the next stage.

**Development Planner's Opening Comments**

Mr. Cheng, Development Planner, presented the proposal and summarized the recommendations contained in the Staff Committee Report. The recommendation was for support of the application, subject to the conditions noted. This included an addendum to the recommendation submitted by staff dated December 16, 2013 by memo.

Mr. Cheng took questions from the Board and Panel members.

**Applicant's Comments**

Martin Bruckner, Architect, said that they generally agreed with the conditions in the Staff Committee Report. He mentioned that they have committed to LEED™ Gold and since they made the application they have worked on developing the design. One of Council's requirements was to make the ground floor and podium transparent and Mr. Bruckner said he thought they had achieved that with the design. On the second and third floor they have located lounge and restaurant space around the perimeter which will be used to screen the gaming areas.

Mr. Cahill read a letter that was written by Denis Amerine, Vice President of Compliance for Paragon Gaming, regarding one of the conditions with respect to Dr. Kendall's report. He mentioned that the proposed size of the gaming floor will offer a higher level of presentation for their guests.

The applicant team took questions from the Board and Panel members.

**Comments from other Speakers**

Members of the community expressed concerns regarding the following:

The application is not consistent with the City's probation with the expansion of gambling;

- the application promotes gambling to addicts;
- the application by design is intended to create more time at the tables for the gambler;
- need a public health strategy;
- the board should wait to approve the application until the provincial health report from Dr. Kendall has been concluded;
- the architecture is not appropriate for the City of Vancouver and is at odds with the city's skyline;
- the application doubles the current floor space of the Edgewater casino;
- there are serious public health issues with the increase in gambling space;
- casinos increase criminal activity such as money laundering, suicide, loan sharking and can have serious policing issues;
- council doesn't seem to be listening to the citizens;
- the board should confine the new floor space to the same square footage as presently in the Edgewater casino;
- it is obvious that the intention of the developer is to increase the amount of slots and tables at some future date;
- the application should be referred back to council;
- need protections put in place for public safety;
- need provisions in the report to safeguard jobs in the hotel and casino;
- the applicant should be required to build to LEED™ platinum;
- need to ensure that the owner can't double the amount of gambling space that could occur on the site in the future.

**Panel Opinion**

Panel members offered a range of comments on the proposal, including:

- the architecture needs to go through further design development;
- the applicant should be required to build to LEED™ gold certified;
- the design would be inappropriate in any other area of the city but being up against the stadium the site is appropriate for this kind of scale;
- the report ensures that the number of gambling tables and slots can't be increased without public input;
- fine grain design development needs to occur facing BC Place in the public spaces.

**Board Discussion**

Mr. Jackson thanked the members of the public for attending the meeting and speaking about the gambling addiction problem that is prevalent in our society. The building design was supported by the Urban Design Panel and although a monolithic looking building, the design suits the use. Mr. Jackson agreed that the issues are horrific in terms of gambling on people's lives and said that he felt the recommendations didn't go far enough in terms of responding to the Kendall report and made a motion to amend Condition A.1.38.

Mr. Jackson added that the Board needs to make a decision based on the facts and that the application is entirely consistent with the zoning bylaw that was adopted by Council in terms of size, use, and the amount of tables and slots. He noted that Council adopts zoning bylaws and the Board approves or not approves designs of buildings that are either in conformance with the zoning bylaw or not. He added that it is his belief that the application is in conformance with the zoning bylaw that was adopted by Council. Mr. Jackson moved the recommendation of staff with the addendum and his revision of Condition A.1.38.

Mr. Dobrovolny said he appreciated the number of speakers who had taken time to speak on the issue and shared personal experiences. He noted that Council had made the decision and although the people in the room may have wished for a difference decision, the Board is working within policy and bylaws that has been clarified. The size of the proposal falls within the square footage permitted, the number of tables and slots are clearly limited and Staff have made assurances that those limits will be adhered to. He mentioned that staff have done a good job of establishing clear conditions on how this development can move forward and he said he heard assurances from the proponent that they will adhere to those conditions. For those reasons he added that he was prepared to support the motion.

Mr. Johnston also thanked the speakers as well the Advisory Panel's for their comments. With respect to the condition regarding LEED™, Mr. Johnston put forth an amendment to Condition A.1.6 in Appendix A, to require LEED™ Gold certification. When asked about the impact, the applicant advised the Board that they could achieve this.

### Motion

It was moved by Mr. Jackson and seconded by Mr. Dobrovolny and was the decision of the Board:

THAT the Board APPROVE Development Application No. DE417276, in accordance with the Staff Committee Report dated November 20, 2013, with the following amendments:

Amend Condition 1.1 a) as follows:

to replace the reference to "Pacific Boulevard" to "*Expo Boulevard*";

Amend Condition 1.1 a) i) as follows:

an increase in the overall amount of public plaza space by providing *up to* an additional 3 m (10 ft.) setback to the western elevation at the ground floor level;

Amend Condition 1.2 g) by deleting the second part of the Note to Application section so it reads as follows:

provision of an overall concept plan that illustrates how the exiting requirements of both BC Place Stadium and this proposed building will be met; and

**Note to Applicant:** This general condition works in conjunction with the above sub-conditions in Conditions 1.2. There are several factors currently being considered, including the removal and addition of external stairs, possible removal of an existing pedestrian bridge leading from Gate "F", and policy requirements for vertical circulation to Gates "F" and "G". As such, an overall concept plan will aid staff in assessing the final design response during the Complete Development Permit Application.

Add a new Condition 1.4 to read as follows:

*Provision of an Operational Management Plan, which shall include hours of operation and hours of liquor service to the satisfaction of the Director of Planning, Director of Licenses and Inspections, and the Director of Social Policy.*

Amend Condition 3.0 to read as follows:

That the complete application be dealt with by the *Director of Planning*.

Amend Condition A.1.6. to read as follows:

Identification on the plans and elevations of the build elements contributing to the buildings sustainability performance in achieving a minimum of LEED™ *Gold certification*, including at least *six* optimizing energy performance points, one water efficiency point, and one storm water point.

Amend Condition A.1.38 to read as follows:

*Submission of a formal response, prepared by a certified professional with experience in gambling addiction, to the recommendations contained in the Provincial health Officer's report entitled "Lowering the Stakes: A Public Health Approach to Gambling in British Columbia", in consultation with the Social Policy Staff of the City of Vancouver and the Chief Medical Officer of Vancouver Coastal Health, including examining such specific issues as:*

- *The number of ATMs that should be permitted;*
  - *The hours of operation;*
  - *The hours of liquor service;*
  - *Signage and contact information on the slot machines regarding the dangers of gambling addiction and a telephone number to contact;*
  - *Creating a harm reduction strategy;*
  - *A review of existing risk mitigating activities at the Edgewater Casino;*
- all to the satisfaction of the General Manager of Community Services and the City Manager.*

#### 4. OTHER BUSINESS

None.

#### 5. ADJOURNMENT

There being no further business, the meeting adjourned at 6:05 PM

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L. Harvey  
Assistant to the Board

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V. Potter  
Chair