

Date: Monday, August 16, 2004  
Time: 3.00 p.m.  
Place: Committee Room No. 1, City Hall

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**PRESENT:****Board**

F. Scobie Director of Development Services (Chair)  
L. Beasley Co-Director of Planning  
B. MacGregor Deputy City Manager  
T. Timm Deputy City Engineer

**Advisory Panel**

B. Haden Representative of the Design Professions (Urban Design Panel)  
J. McLean Representative of the Development Industry  
E. Mah Representative of the Development Industry  
D. Chung Representative of the General Public (present for *2772 Laurel* only)  
K. McNaney Representative of the General Public (present for *2772 Laurel* only)  
C. Henschel Representative of the General Public  
G. Chung Representative of the General Public

**Regrets**

J. Hancock Representative of the Design Professions

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

R. Segal Development Planner  
A. Higginson Project Facilitator  
J. Barrett Development Planner  
M. Thomson City Surveyor  
P. Pinsker Parking & Development Engineer  
G. Jaggs Landscape Architectural Technician  
M. Lee Social Planner

**2775 Laurel Street**

R. Henriquez Henriquez Partners Architects  
I. Taller Henriquez Partners Architects  
D. Vaughan Vaughan Landscape Planning & Design

**760 Pacific Boulevard, 10 Terry Fox Way and 750 Pacific Boulevard**

P. Cotter Patrick Cotter Architect Inc.  
C. Phillips PWL Partnership Landscape Architects Inc.

Clerk to the Board: C. Hubbard

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## 1. MINUTES

The following amendments were made:

p.1: Mike Thomson to be noted as being present;

p.2, Development Planner's Comments:

-Amend first paragraph, last sentence, to read: *...and a grocery store of approximately 22,000 square feet on the westerly end of the site;*

-Amend second paragraph, last sentence, to read: *... and also making an exception to the retail limit for this development application in accordance with Council's resolution which states:*

*THAT the "Broadway-Arbutus Proposed Policies" be amended to limit individual store sizes to a maximum of 10,000 square feet (929 m<sup>2</sup>), except for grocery or drug stores which are limited to 30,000 square feet (2,787 m<sup>2</sup>), except that the project at Broadway and Vine (2256 West Broadway) may be considered as currently proposed; and*

*THAT the "Broadway-Arbutus C-3A and 2000 Block West 10th Avenue (North Side) Guidelines" be amended to limit the single unit or strata lot size for retail and other commercial uses to a maximum of 10,000 square feet (929 m<sup>2</sup>), except for grocery or drug stores which are limited to 30,000 square feet (2,787 m<sup>2</sup>).*

p.3, Questions/Discussion

-Amend first list item to add *north-south* between "the" and "lane";

-Amend 10th list item to delete "to the east" in favour of *in an easterly direction, to Yew Street;*

P.4, Questions/Answers

Amend first paragraph, last sentence to read: *It was clarified that the By-law would require one Class B space to accommodate residential moving uses, but that the project would be providing Class A spaces adjacent each elevator as an alternative to that requirement.*

p.6

Amend the last paragraph to indicate 100 and 200 *individuals;*

p.11:

-Amend Note to Applicant in 1.7 to read: *further consideration of the scale of the open space vis-à-vis appropriate pattern of tables, chairs and other seating;*

-Amend Condition 1.12 to read: *.... General Manager of Engineering Services;*

It was moved by Mr. Beasley, seconded by Mr. Timm, and was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of July 19, 2004 be approved as amended.

## 2. BUSINESS ARISING FROM THE MINUTES

None.

3. 2775 LAUREL STREET - DE408536 - ZONE CD-1  
(COMPLETE APPLICATION)

Applicant: PCL Construction Westcoast Inc.

Request: To construct an 11-storey hospital (Academic and Ambulatory Care Centre) facility, containing ancillary retail, pharmacy and food service uses at grade, all over five levels of below-grade parking accessed from Laurel Street, providing parking for 596 vehicles.

**Development Planner's Opening Comments**

The Development Planner, Ralph Segal, presented this application, referring to a context model and a scale model of the proposal. In 1991, the Board approved in principle an earlier proposal for an ambulatory care facility on this site which did not proceed. Comparative study diagrams were referred to, comparing the massing outline of the current proposal with the earlier scheme. While the current proposal is wider in its east-west dimension and of similar height to the earlier scheme, in its north-south dimension the mass is considerably less. The current proposal contains approximately 65,000 sq.ft. more floor area than the 1991 proposal.

Mr. Segal noted that the applicant has attempted to mitigate the scale of this large building by breaking down the massing components into a series of discrete elements. Referring to the Development Permit Staff Committee Report dated July 21, 2004, Mr. Segal briefly reviewed the recommended conditions of approval. He also noted that this application is proceeding in advance of a preliminary submission for the whole VGH Precinct, expected to be before the Board this fall. However, the subject portion of the precinct will not be the primary focus of the Master Plan submission which will centre largely on the Heather Pavilion and the precinct open space.

In general, Staff are satisfied with the submission, provided the approach to breaking down the scale of the mass is pursued through to construction. Parking and traffic issues remain to be resolved. In 2002, a 2 m strip was dedicated as road for widening of Oak Street. Staff are satisfied that the primary public realm objectives are being met, including the existing double row of trees on West 12th Avenue that will be maintained and enhanced. The existing single row of trees on Oak Street will be maintained, with the insertion of some smaller trees to further "green" this edge of the site.

Mr. Segal tabled some amendments to the approval preamble, to note that Council approval of the final form of development is required, and to replace "non-ambulatory" with "disabled" in condition 1.3. Subject to satisfactory resolution of the conditions contained in the report, the Staff Committee recommendation is for approval of the application.

**Questions/Discussion**

Mr. Beasley sought clarification regarding the width of the required retail frontages (condition A.1.1). Mr. Segal explained the CD-1 By-law requires that the retail frontages are broken down into segments no greater than 7.7 m, to reduce the scale on the street. The Board cannot relax this by-law requirement.

Referring to letters from Kim Sinclair (2777 Oak Street) and Mona Hamill and Douglas Cruikshank (2808 Oak Street), Mr. Beasley sought clarification regarding the public consultation process. Alison Higginson, Project Facilitator, advised the application has followed the standard public consultation process. Two site signs have been posted on the site since early

June 2004 and a notification letter was sent to about 450 neighbouring property owners. The applicant also held a public meeting on July 8 which was advertised in the neighbourhood.

Mr. Beasley sought clarification regarding Ms. Sinclair's understanding that the height was to be six storeys. Mr. Segal said he was not aware of any such limitation. The precinct guidelines indicate four to ten storeys, although slightly higher has been previously entertained.

In response to a question from Mr. Beasley regarding a construction management plan, Mr. Segal explained that this would normally occur when the application is further advanced.

Responding to a request for clarification as to why the proposal is stepped on all sides except Oak Street, Mr. Segal explained the architectural resolution relates largely to the efficiency of the floor plan as well as a desire to generate an internalized atrium on 12th Avenue where there is significant stepping of the building.

With respect to the extent of the proposed retail use in the building, Mr. Segal explained it is limited to the ground floor and will create a pedestrian scale to the building. The tenancies will be directly related to the hospital, including a pharmacy, florist and food outlets. 24-hour operations are not anticipated.

In response to a question from Mr. Beasley concerning the existing tennis courts, Mr. Segal explained the CD-1 zoning requires the open space on this site to be replaced and it will occur as part of the phasing of the overall Master Plan. A very large open space (Heritage Common) is to be created at 12th and Heather, the programming of which is to be determined by the Park Board and may or may not include tennis courts.

Mr. MacGregor sought clarification regarding the extent of design development being sought in the conditions, noting this is a complete development application. Mr. Segal advised the detail provided is typical for a complete application. However, in this particular project and the desire to break down the scale of the building, staff are recommending submission of drawings to a higher level, specifying materials and details.

Mr. MacGregor questioned what public realm requirements were applied to the earlier proposal for this site. Mr. Segal noted the VGH Precinct CD-1 Guidelines were adopted in 2002 and there was no public realm plan in place in 1991.

In response to questions from Mr. MacGregor, Mr. Segal clarified staff's intent in conditions 1.8 and 1.10. The VGH Precinct Guidelines call for environmentally-friendly "green" buildings (1.10) but do not specifically reference LEED™ certification. However, LEED™ Silver certification or equivalent has been offered by the applicant; the intent of the condition is not to require LEED™ Silver certification, but for the applicant to take it as far possible. In discussion, Mr. MacGregor suggested that condition 1.10 should be reworded.

In response to a question from Mr. Timm concerning the criteria for evaluating this project, Mr. Segal confirmed that the VGH Precinct CD-1 Guidelines apply. The Precinct Master Plan relates more to the public realm and continuity through the precinct rather than establishing forms of development. Mr. Timm questioned the comparison to the 1991 proposal, given it pre-dates the CD-1 zoning. Mr. Segal explained the focus of these guidelines was on the bio-research components in the vicinity of the Heather Pavilion to the east of this site, although they do apply to this site as well. Staff believe the application is generally in accordance with the current CD-1 zoning for the site.

Mr. Scobie sought clarification with respect to condition 1.4 which calls for a conceptual lighting plan. Mr. Segal advised that this information will not form part of the development permit approval but is sought for reference purposes. Likewise, while it is acknowledged that signage is not in the purview of the Development Permit Board, staff seek details to ensure that the applicant pays attention to signage early in the design process so that individual tenants do not have the same scope that might otherwise be afforded by the Sign By-law.

Mr. Scobie questioned the request for 8 inch caliper replacement trees (Condition A.1.7), and it was noted the guidelines refer only to "large caliper".

#### **Applicant's Comments**

Richard Henriquez, Architect, briefly described how they arrived at the proposed massing. He explained the key to achieving an efficient layout relates to sharing reception areas and having sufficient depth to accommodate at least four examining rooms. Stepping the building would create inefficiencies. In order to mitigate the mass of the building, part of the rationale was to consider this site as a gateway to the precinct (as suggested in the guidelines), matching the height at the other end of the precinct and shortening the building in the north-south direction. He noted the current proposal has considerably less impact than the 1991 scheme.

Mr. Henriquez advised they are largely satisfied with the recommended prior-to conditions but have a number of concerns.

With respect to the requirement for a minimum of 7.7 m retail frontages (condition A.1.1), Mr. Henriquez explained the structure of the building is arranged on a 9 m module. He said he did not believe the intent of the guideline was to restrict a tenant to only one bay, noting that the pharmacy, for example, will require more than one bay. He asked the Board to accept the proposed 9 m width.

Mr. Henriquez confirmed they have no problem with providing the conceptual signage strategy called for in condition 1.6, noting that most high quality commercial buildings have criteria for signage notwithstanding the Sign By-law.

With respect to condition 1.3, Mr. Henriquez asked that the request for a second row of trees on Oak Street be a consideration item, noting it is in conflict with condition 1.5 which calls for greater visual accessibility from Oak Street to the storefronts. He confirmed the double row of trees on West 12th Avenue would be maintained.

Regarding condition 1.8, Mr. Henriquez said he had no problem with the intent of recalling the history of the site but requested deletion of the reference to public art. He noted they are working with the former high school alumni association which is interested in commemorating the school.

Mr. Henriquez requested the reference to "green" roof systems in 1.9 to be deleted. He stressed the Vancouver Coastal Health Authority (VCHA) is facing severe cost constraints so they would prefer to enhance the appearance of the roofs with a patterning system rather than landscaping.

With respect to condition 1.10, Mr. Henriquez advised it was their original objective to design the building to LEED™ Silver certification but cost constraints have made it necessary to withdraw this objective. He requested deletion of the condition.

Mr. Henriquez acknowledged the cooperation of staff in dealing with this application. He stressed the desire of the VCHA to proceed with the project as soon as possible and asked the Board to consider whether there are any substantive issues outstanding which would preclude proceeding with an excavation permit before meeting all the prior-to conditions.

#### Questions/Discussion

In response to a question from Mr. Beasley regarding the applicant's last request, Ms. Higginson confirmed there is a procedure in place whereby the Director of Planning may consider whether or not to issue an excavation permit prior to issuance of a development permit when there is overwhelming public interest in advancing a particular project. This generally occurs after the applicant has submitted in response to the prior-to conditions of approval and Council has approved the form of development.

Mr. Timm observed that it would be highly unusual for the Board to make such a judgment without the assurance that the conditions have been met and that there are no outstanding issues. Mr. Beasley agreed it would not be appropriate for the Board to make this decision but he assured the applicant that Planning staff could consider whether it is viable to proceed, in accordance with the usual practice. Mr. Scobie added, he believed the Board has never been asked to judge, at the time of a decision on an application, to commit the City to issuance of an excavation permit before a response to the prior-to conditions. He suggested, however, that the Board could, if it wished, request that staff consider the issuance of a Building Permit in advance of the issuance of the Development Permit, following the usual practice and noting the urgency of proceeding with construction of this public facility. Mr. MacGregor said he believed the request was outside the purview of the Board but noted that, in the past, Council has considered such requests for public use buildings and the applicants could initiate this if they wished. Mr. Henriquez agreed this might be pursued at the same time as Council's consideration of the form of development.

Questioned by Mr. Beasley regarding the deletion of reference to LEED™ Silver from Condition 1.10 rather than deleting it, Mr. Henriquez expressed concern that the condition is too vague. He said designing to LEED™ Silver or equivalent would cost a million dollars. He noted it is a guideline and not a requirement and they are working under very severe cost restraints on this public health care facility.

With respect to the applicant's concerns about meeting the condition for 7.7 m retail frontages, Mr. Beasley agreed this would be a difficult condition to comply with. In discussion, it was agreed that staff could initiate a Text Amendment to address the situation.

#### Comments from other Speakers

Kim Sinclair, representing the Strata Council (30 units) at 2777 Oak Street, expressed concern about the size and scope of the proposed facility. At 11 storeys, the proposal is larger than was shown at a recent meeting with area residents, and there appears to have been a misrepresentation of the size and square footage of the building throughout the planning process. At a meeting in the Spring, residents were told the building would be eight storeys and at earlier meeting they were told it would be five storeys. No satisfactory response has been received from VCH or the architect as to why the building has been increased in size, and it would appear that a number of other VGH facilities, currently spread over the site, are being consolidated into this very large building. They had understood that the Board would be guided by the VGH Precinct Guidelines which indicate a range in height from four to ten storeys. Ms. Sinclair noted that while efforts have been made to terrace the building on three sides, on Oak Street, facing their building, it goes straight up 11 storeys. She suggested the building configuration could be adjusted on the 12th Avenue side and built up on the north side

to allow for some terracing on the Oak Street side. The height and size of the proposal causes them concern about its impact on daylight access to their units. They are also concerned that the medical-related retail component will become general retail or 24-hour operation. Other concerns relate to increased traffic in the neighbourhood, the underground parking, and impact during the construction period. Ms. Sinclair also expressed dissatisfaction with the communication process and said they believe the project has not had an adequate public voice.

In response to a request from Mr. Beasley to respond to the delegation's concerns, staff responded as follows:

- the VGH Precinct Guidelines are guidelines, not requirements. Staff concluded that the additional floor (beyond the ten indicated in the guidelines) allowed for the volume of the building to be reduced on the 12th Avenue side and was an overall benefit to the scheme;
- terracing the Oak Street side was considered in earlier reviews of massing options for the site. While there was some concern about the mass on Oak Street, staff concluded the proposed scheme achieved the best overall sense of scale of the building.

Mr. Henriquez added that, after considerable analysis, they concluded it was better to shorten the length of the building in the north-south direction rather than stepping it back and having it wider, which would have a greater visual impact. Most of the building opposite at 2777 Oak Street is across from the plaza open space proposed at Oak Street and 12th Avenue. Further, the stepping back on 12th Avenue is sufficiently deep to improve the outlook from Oak Street.

Susan Low, 2833 Oak Street, expressed concern about the impact of the building on the rest of Oak Street which has limited public green space. She was concerned about the scale of the building, which is large and overbearing and said it will have a major impact on the area. She recommended that the size of the building be reduced and she questioned why 11 storeys is proposed when the guidelines indicate four to ten storeys. The FSR also exceeds the guidelines. Parking was also a serious concern, including during the construction period, and she recommended a construction management plan. She urged the Board not to rush into approving the application.

Mr. Thomson advised an informal construction management plan would occur in any case on a project of this size. He agreed a condition could be added.

#### **Panel Opinion**

Mr. Haden advised the Urban Design Panel was also frustrated that this application is being reviewed without benefit of the Master Plan for the whole precinct. He noted there is inevitably a basic conflict between facilities of this nature and a residential neighbourhood and while good design can address some of the concerns it cannot fundamentally resolve the conflict. The Urban Design Panel found the massing to be the most problematic issue but considered the overall strategy of breaking down the scale of the massing was successful. Mr. Haden noted it is useful to have some flexibility with height because it allows the apparent mass to be reduced by going higher in places. Mr. Haden added that his own opinion is that it is a very large building and the strategy of breaking down the scale might have been enhanced by a change of materials in the various components as opposed to having a uniform material throughout.

The Panel strongly recommended that green roofs would be an appropriate solution for the large expanses of roofs on the building. The Panel had some concern about the width of the access between Laurel and 12th Avenue because the path between the trees is quite narrow and the stair next to intersection 9F is quite narrow. Grade relationships along Oak Street are also somewhat problematic, with concern that weather protection is not continuous, in part

because of the exit stair. The Panel's concerns about the grade relationships to the north have been adequately addressed by condition 1.5.

Commenting generally on the issue of LEED™ certification, Mr. Haden said the problem with the whole sustainable design discussion is that it means many different things to different people. Currently LEED™ is the only means of doing any independent evaluation of whether a building is meeting genuinely sustainable criteria. If the City chooses to have sustainability as a core value it has to be done in a way that is measurable.

Mr. Haden recommended approval of the application, subject to the conditions with some amendments.

Mr. McLean noted that medical buildings could have very large floor-to-floor dimensions (the adjacent Pattison Pavilion is about 20 ft.) so that the ten storeys referred to in the guidelines could far exceed the height of this particular proposal. Mr. McLean said he was concerned that the proposal is 5.37 FSR when the guidelines indicate 2.6 FSR precinct-wide. With respect to LEED™, Mr. McLean said a "made in Vancouver" guideline is required and he hoped that the City can arrive at a policy so that applications can be judged by the same criteria. Regarding the retail frontage, Mr. McLean said the City should not be dictating a width that is not economically viable and he recommended that a Text Amendment be pursued. He recommended approval of the application.

Mr. Mah supported the applicant's request to amend condition 1.3, and supported deletion of the reference to LEED™ in 1.10, preferring a more local standard to be established. He also urged that the condition for the "green" roofs be amended to a consideration item noting there is no residential overlook. With respect to the massing on Oak Street, Mr. Mah said he believed the current design is a better alternative to widening the building and having it terraced back on Oak. He supported the application.

Mr. Chung said he believed a public building should be environmentally sensitive, although LEED™ Silver is difficult to achieve. He also agreed that "made in Vancouver" sustainability criteria should be pursued. He recommended approval of the application.

Mr. McNaney said he was concerned that this project seems to not follow many of the guidelines that were established through public process. He agreed with Mr. Haden that a variation in materials should be considered to break down the scale and make the building appear less imposing. With respect to sustainability, Mr. McNaney urged that the Board maintain conditions 1.9 and 1.10 which follow through on the intent of the guidelines.

Mr. Henschel expressed concern that this application is being considered in advance of the precinct Master Plan. He recommended maintaining the ten storeys indicated in the guidelines and urged that the design take on a non-institutional look. In general, more attention should be paid to the guidelines to make the building look friendlier. The relationship of the north side of the building to the adjacent open space could also be improved. With respect to "green" building performance, Mr. Henschel said that since LEED™ is the only measuring tool available this should be the standard that is applied and LEED™ Silver is probably reasonable, noting that if this application was more current it would be required to seek LEED™ Gold. Mr. Henschel said he believed the proposed massing was probably correct, with the stepping on 12th Avenue rather than Oak Street. He added he was pleased to see the retaining wall was being preserved. Mr. Henschel recommended that a construction management plan should be required.



Given some of the concerns raised by the public about the public consultation process and impacts on resident parking, Ms. Chung said it would be helpful to see a more inclusive and collaborative decision making process as this project proceeds. She recommended approval.

#### Board Discussion

Mr. Scobie offered some clarification with respect to the VGH Master Plan. There is a master plan which is reflected in the CD-1 guidelines. The overall landscape and public realm plan is outstanding and will be before the Board later this year. Staff believe this proposal is consistent with the existing master plan for the CD-1 area.

In response to a question from Mr. Beasley with respect to the guideline height, Mr. Segal confirmed that staff are satisfied that this proposal - pushing the south façade to the north to create a plaza and stepping on the south and north sides of the building - offers a much better relationship to the neighbouring buildings, even though it increases the height to 11 storeys. Staff reviewed the urban design trade-offs and reached the same conclusion as the architect in this regard, having reviewed a number of massing options and taking into account overall scale, proximity to adjacent buildings, shadows, views and the overall sense of the building mass as presented to all surrounding streets. Mr. Segal confirmed that staff consider the proposal offers a better relationship to Ms. Sinclair's building than the massing suggested in the guidelines.

Mr. MacGregor noted the 11 storey height extends for only about 50 percent of the Oak Street frontage, which goes a long way to mitigating impacts. As well, the reference to storeys may be misleading because a greater floor-to-floor height would result in a much higher building than the proposal which has a modest floor-to-floor dimension for a hospital. He noted it is not possible to comply precisely with every guideline and it has been necessary to balance a number of trade-offs. With respect to the public consultation process, Mr. MacGregor said the public has been frustrated by the delays in proceeding with the overall plan and thereby achieving some of the public amenities that have been promised for the precinct. However, greater assurance was given in the master plan approved in 2002 and a number of projects are now coming forward, beginning a transformation of the site. This is an important project for the area and for the health care system. Knowing that some of the operational requirements have informed the massing solution makes it easier to understand the rationale, noting the importance of operational efficiency in a building such as this. This building will also help to mitigate the impact of the Pattison Pavilion immediately to the east. Mr. MacGregor moved approval of the application, with amendments to the conditions.

Mr. MacGregor drew the applicant's attention to a recent decision of City Council with respect to sustainability and noted that since the application will be reported to Council for approval of the form of development there will likely be questions raised about this issue. He urged the applicant to work with staff on this aspect of the scheme. With respect to a construction management plan, Mr. MacGregor said that while he appreciated the concerns expressed by the delegation, some disruption is inevitable. Regarding the width of the retail frontage, he requested staff to review the issue with the applicant and, if necessary, initiate a request for Text Amendment.

Mr. Beasley said he believes that when funding becomes available for a new hospital it is important for all the parties to collaborate to bring it to fruition. He said he is confident the public consultation process that occurred on this application has been typical, and he noted that only two local residents have appeared before the Board. While he agreed it is a very large building, he noted this site has been identified since the late 1980s as the location for a very significant building, and there has been an approved application on the site since 1991.

As well, the master planning exercise confirmed that an ambulatory care facility should be in this location and that a scale of building similar to what was approved in 1991 was suitable. While some open space is being lost in one part of the site, there will not be an overall loss to the neighbourhood because the master plan proposes a more spacious and useful open space in the centre of the precinct. With respect to the guidelines, Mr. Beasley said the normal approach is to require compliance unless an applicant can prove that doing something slightly different is an improvement. He said he was convinced the proposal is better than what would have occurred with a 10-storey structure across the whole site and it is appropriate for the Board to approve this level of adjustment.

Mr. Beasley said did not believe the applicant could avoid making a contribution to sustainability, regardless of any health care crisis, noting that a part of good health is a sustainable environment. He agreed, however, that it is not yet appropriate to reference LEED™. Council has recently instructed staff to work with the industry to formulate “made in Vancouver” standards and arrive at very specific guidelines. In the meantime, Mr. Beasley said he concurred with Mr. MacGregor to retain reference, albeit somewhat vague, to “green” performance, and have it worked out between the applicant and staff. The alternative would be to delay approval of the application to obtain more clarity on the matter. Further, Mr. Beasley said he did not believe Council would be amenable to approving a form of development which had explicitly removed any reference to sustainability. Council has made it clear that buildings must perform with regard to “green” roofs and does not accept that it is more expensive. “Green” roofs must be a part of the design of buildings.

With respect to the retail component, Mr. Beasley said that while the neighbours have expressed some concern, he was convinced that this retail will be very benign in terms of impacts because it is integral to the function of the hospital. It will not be destination retail but ancillary to the hospital activities. With respect to the width of the retail frontage, Mr. Beasley said he agreed with the approach to remove reference to 7.7 m, and added he would be pleased to recommend a Text Amendment to Council.

Mr. Beasley agreed there is need for a construction management plan and the residents deserve to know there is a plan in place.

With respect to the applicant’s request for an excavation permit in advance of the development permit, Mr. Beasley he did not believe the Board should consider it. Rather, the applicant can approach the Director of Planning and, if necessary, Council’s advice can be sought.

Mr. Timm concurred with the motion. Commenting on the construction management plan, Mr. Timm said recent experience has been that it involves Engineering Services at the design stage, before the actual construction phase when some realistic criteria can be established. He suggested the issue needs to be discussed in greater detail to ensure these plans are more effective. With respect to the massing, Mr. Timm commented that residents who are concerned about the size of buildings are typically opposed to the height but in fact the width probably has more impact, particularly at ten storeys or more. In this case, Mr. Timm said he agreed with Mr. Beasley that the proposed solution improves upon that suggested in the guidelines. While it is still a very large building, it is acceptable, particularly since it is in the context of design guidelines that will bring significant improvements to the whole precinct. With respect to sustainability, Mr. Timm said he would not support the elimination of any reference to “green” buildings. However, he commented that the use of LEED™ as the standard will cause problems because it is not known whether a building meets LEED™ criteria until construction is completed. Mr. Beasley advised that this is an administrative issue that

has been identified and will be considered in the formulation of sustainability guidelines. With respect to the construction management plan, Mr. Beasley said he agreed it should be done at the most prudent time, but including it in the conditions does give the neighbours some assurance that some action will be taken.

#### Motion

It was moved by Mr. MacGregor and seconded by Mr. Beasley, and was the decision of the Board:

THAT the Board APPROVE Development Application No. 408536, in accordance with the Development Permit Staff Committee Report dated July 21, 2004, with the following amendments:

Amend the preamble to include "subject to Council approval of the final form of development," after "submitted";

Amend 1.3 to replace "non-ambulatory" with "disabled";

Amend the last sentence in the **Note to Applicant** in 1.3 to read:  
A double row of trees along the Oak Street frontage should be considered.;

Amend 1.7 to add:  
and continuity of weather protection along Oak Street;

Amend the **Note to Applicant** in 1.8 to delete the last sentence;

Amend 1.9 to read:  
compliance with VGH Precinct Goals and Principles for environmentally green buildings and to optimize accessibility and improve the visual quality of roofs, noting the direct overlook from the Pattison Pavilion;

The **Note to Applicant** in 1.9 to be retained;

Delete 1.10;

Re-number 1.11 to 1.10;

Add a new 1.11:  
a construction management plan to be developed to the satisfaction of the General Manager of Engineering Services;

Amend A.1.1 to delete "no greater than 7.7 m,";

Amend A.1.7 to add "be";

Amend the **Note to Applicant** in 1.7 to delete "be 8" min. caliper and".

CARRIED UNANIMOUSLY

*Messrs. Chung and McNaney left at this point in the proceedings.*

*There was a 10 minute recess and the meeting reconvened at 6.10 p.m.*

4. 760 PACIFIC BOULEVARD - DE408507 - ZONE CD-1  
(COMPLETE APPLICATION)  
and  
10 TERRY FOX WAY - DE408501 - ZONE FCN  
(COMPLETE APPLICATION)  
and  
750 PACIFIC BOULEVARD - DE408622 - ZONE CD-1  
(COMPLETE APPLICATION)

Applicant: Patrick Cotter Architect Inc.

Request: To add to, alter, and change the use of Building "C" at the Plaza of Nations site (760 Pacific Boulevard), to permit a Casino-Class 2, for a period of four years. The changes include alterations to vehicular access, existing landscaping and public walkways and bike routes. Accommodated in Building "C" would be, among other things: 600 slot machines, 60 gaming tables, lounge/café, theatre, staff facilities and back-of-house administration support facilities. Parking for the project would be provided in two locations - within the existing parking garage beneath Building "B" at the Plaza of Nations Site (750 Pacific Boulevard), and on a nearby surface parking lot on the north side of Pacific Boulevard (10 Terry Fox Way).

A correction to the Staff Committee Report for 10 Terry Fox Way was noted, to identify the owner of the development as Concord Pacific Place Holdings Ltd. In response to a question from the Chair, Mr. Thomson confirmed that Concord Pacific is aware of this application.

#### Development Planner's Opening Comments

The Development Planner, Jonathan Barrett, presented these three inter-related applications.

##### 760 Pacific Boulevard:

Among the proposed changes to the Enterprise Centre (Building "C") are a new entry vestibule, a covered walkway from the drop-off area, an enclosed terrace on the front of the building and a new mechanical enclosure. The major change is a new inner "skin" throughout the building. Other changes to the casino site include a new drop-off on the northerly face and widening of the seawall walkway/bikeway. Access and egress now occurs entirely on the Plaza of Nations site.

The site was rezoned in January 2004 with a variety of conditions, principally to allow the building to be used as a Casino Class 2, and four major design conditions relating to: access, transparency of the building, the pedestrian/bike route through the site, and the drop-off. Referring to the Development Permit Staff Committee Report for 760 Pacific Boulevard, Mr. Barrett briefly reviewed the main conditions of approval recommended by staff, noting that the building transparency and the seawalk/bikeway route remain unresolved. Staff are fairly confident the other issues can be satisfactorily addressed and the recommendation is for approval, subject to the conditions contained in the report.

##### 750 Pacific Boulevard:

This application relates to Building "B" which has existing underground parking. The application is to designate 135 parking spaces for the principal use of the casino. There are no significant issues and the recommendation is for approval.

**10 Terry Fox Way:**

This application is to provide 189 parking spaces for the principal use of the casino, including three bus parking spaces and a small shelter for shuttle bus customers. The primary concern with this application is the landscaping, principally around the edge of the site. The recommendation is for approval, subject to the landscaping and other conditions contained in the report.

**Questions/Discussion**

Mr. Beasley sought clarification about the intended treatment of the former Expo "drum". Mr. Barrett advised there would be a variety of subtle changes to many of the building surfaces.

With respect to the 10 Terry Fox Way application, Mr. Beasley questioned whether the extension of Smithe Street could still be accommodated within the design concept. Mr. Barrett advised he believed that such an extension would eliminate about 50 percent of the parking on the site. Mr. Beasley said he understood that with the recently rezoned Area 6A across Pacific Boulevard from this site, the Smithe Street extension and changes to the intersection are essential. Mr. Barrett noted the rezoning of Area 6A did not secure an extension of Smithe Street across this site, rather that all the works are to occur on Pacific Boulevard and the 6A site itself. Staff therefore concluded that the development of Area 6A can proceed because the junction with Pacific Boulevard and the ramp will change but the Smithe Street extension through this site is not a requirement of the rezoning.

Paul Pinsker, Parking & Development Engineer, advised there were originally about 500 residential units that were supportable on a cul-de-sac servicing Area 6A and Engineering Services was opposed to any significant increase above 500 units with a single outlet. However, if there is a second outlet, whether or not it continues across Pacific Boulevard, the number of units now contemplated for Area 6A could be supported. Mr. Thomson added that the extension of Smithe Street is not anticipated to occur in the near future and would only occur with the development of Area 5B.

In response to a question from Mr. MacGregor with respect to condition 1.5 (760 Pacific Boulevard), Mr. Thomson explained the Staff Committee was concerned about the possibility of the casino opening before the parking is fully available, noting it is unlike a new residential development that gets populated over time. Condition 1.5 will ensure the required parking is available on opening day of the casino.

Mr. MacGregor sought clarification with respect to the proposal for designated parking spaces on the 10 Terry Fox Way site. Mr. Thomson explained the parking requirement for the casino is about 599 spaces, which are not available on the 760 Pacific Boulevard site. If the off-site spaces are not designated for casino use it would equate to a relaxation of the parking requirement. It is not intended to monitor the use of the spaces but to ensure that the casino has sufficient parking for its operations. In response to a question from Mr. Beasley about the normal practice for remote parking spaces, Mr. Thomson said it is usually secured through a covenant and the proposal is consistent with this practice. Mr. Timm commented that this whole precinct is likely the only place in the city where developers are not required to secure the minimum amount of parking required by the Parking By-law but where there is shared parking for events as well as commercially available parking. In discussion, Mr. MacGregor said his concern was having parking spaces designated for a particular use that may not always be needed and parking spaces will remain empty and unavailable to other users.

Referring to the commentary on Crime Prevention Through Environmental Design (CPTED) in the Staff Committee Report (760 Pacific Boulevard), Mr. MacGregor sought clarification regarding the reference to some types of violent crime being associated with casino use. Mario Lee, Social Planner, advised that in Social Planning's review of this application (and the Hastings Park application where similar policy issues were raised), the conclusion was that no automatic link could be made between a casino function and certain types of crime, and further research is necessary. In this respect, he noted it has been agreed to postpone discussions about additional policing until next year. Mr. Lee agreed the reference in the report to violent crime is not necessarily a fair assessment.

Some further discussion ensued about the designated parking spaces. In discussion, Mr. Beasley suggested that deletion of the reference to "exclusive" use in the conditions for all three applications would bring it more into line with the normal approach. Mr. Thomson concurred.

Mr. Scobie sought clarification regarding the trees on the site. Gordon Jaggs, Landscape Architectural Technician, advised there will be selective removal of dead trees and restoration planting in the "micro forest" area. This should not significantly alter the soils. Most of the trees are between three and eight inches in diameter. Mr. Jaggs noted that the soil in the "micro forest" was brought in from off-site and would therefore not suffer from or be subject to the soil contamination on the site.

#### **Applicant's Comments**

Patrick Cotter, Architect, expressed appreciation for the level of cooperation received from staff and noted that resolution of outstanding issues is ongoing with design development. He advised they accept all the conditions with the exception of those relating to building transparency and the routing of the seawalk through the plaza.

Mr. Cotter said they recognize that transparency is one of the characteristics of the building and they have tried to respect it as much as possible given the constraints of the project. The first major constraint relates to the heating, ventilating and air conditioning system, noting a full range of screening options was studied to allow control of solar gain in the building. The resulting recommendation from their mechanical consultant was that a largely opaque interior skin installed within the existing building was the only means to control the solar heat gain on the building. This presented a major design challenge in light of the condition of transparency. The second major limitation relates to the casino operations that require a very extensive video surveillance system within the building and is required to operate within a very narrow range of fluctuations in light level. The interior skin is therefore necessary not only for HVAC requirements but for maintaining constant light levels for video surveillance, the guidelines for which are set by the BC Lottery Corporation. Another limitation is dealing with an existing building, the shape, size and footprint of which cannot be altered. Strict provincial gaming regulations dictate the spatial separation of the gaming equipment and movement on the floor which has forced them to use the perimeter wall for gaming equipment. Mr. Cotter noted they have tried to be as sensitive as possible by locating the equipment in areas where pedestrians do not have eye-level access with the main floor of the building. Mr. Cotter then spoke to the issue of the visual impact of the building and briefly described the design of the proposed second skin and the computer-controlled LED lighting system.

With respect to the seawalk, Mr. Cotter said their preference is to locate it along the north and west side of the centre stage area, and they believe they can meet both the City's and their own requirements in terms of the rationale for this route. The route currently runs through a double row of trees that forms a corridor to the centre stage area. It is a natural, physical element that is easily defined and has a strong physical presence on the site. It is also a route

that allows the walkway to be permanently available during events on the plaza, and would allow the event area and the casino to operate as one combined facility. Mr. Cotter noted it would appear to be a question of which route to formalize, noting it is not their intention to prevent people from going where they want and the location proposed by staff would remain as an informal route.

Mr. Cotter noted the loading and bicycle requirements do not reflect the casino use, which is unlike many standard commercial applications. He said they intend to work with staff to determine an appropriate number of spaces.

In response to an earlier question from Mr. Beasley about the colour of the rotunda, Mr. Cotter said it was intended to change the colour from the original Expo blue to something more compatible with the building. With respect to parking, Mr. Cotter advised the casino operators have an agreement with Concord Pacific to provide off-site parking on Area 5B (10 Terry Fox Way). He stressed that as long as the parking remains under the control of the casino operators there is a level of flexibility with respect to the management of the needs of that parking lot. With respect to any future extension of Smithe Street, Mr. Cotter noted they have not indicated any parking southwest of the existing overpass, although there are lots that could provide replacement parking in that area. Although this would split the lot, it is not impossible to reconfigure the existing requirement given they have a surplus, should Smithe Street extension proceed. Mr. Cotter confirmed they have no problems with fire access requirements.

Chris Phillips, Landscape Architect, said it is their understanding the "legacy" forest is located on clean fill, and areas north of Building B and the surface parking lot are possibly contaminated. The approach has therefore been to build up the berming over the existing asphalt without disrupting the surface. Mr. Phillips noted the forest was irrigated until several ago.

#### **Questions/Discussion**

Mr. Beasley noted that Council has dealt with the issue of the seawalk on several occasions and has specific policies that the Board may not be able to revisit. Mr. Thomson said Staff Committee believed it was Council policy that the walkway should be on the waterfront. In discussion, Mr. Beasley said he believed the issue could be returned to Council for further consideration, but this application should be consistent with current Council policy, noting that any subsequent change in policy would not have a major impact on the scheme.

In response to a question from Mr. Beasley about the colour of the rotunda, which he believes has become a landmark on False Creek, Mr. Cotter confirmed they would have no difficulty with retaining the Expo blue.

Mr. Beasley raised some concerns about the lighting system. He questioned whether the casino marketing is contingent upon the lighting system and whether there is the technical ability to adjust it to be quite subtle. Mr. Cotter confirmed the lighting can be adjusted.

Commenting on the transparency of the building, Mr. Beasley said he believes the proposal does maintain a transparent building and is not inconsistent with Council policy. He suggested the commentary from staff on this issue may not be very accurate.

#### **Comments from other Speakers**

Howard Crosley, General Manager, and Graham Ramsay, Director, Sales & Marketing, BC Place Stadium, addressed the Board. They expressed concern about the 10 Terry Fox Way application because this site currently accommodates staging activities for events at the

stadium and the proposed landscape treatment of the space may restrict this use and preclude the Smithe Street extension from occurring for four years. Mr. Crosley said they had understood the Smithe Street alignment would take place once Area 5B was developed. Referring to their letter dated July 21, 2004 (on file), Mr. Crosley outlined their concerns that the Smithe Street extension should proceed and offered a resolution, as indicated in their letter. Otherwise, he said they are generally supportive of the application for the casino site.

Some discussion ensued among Board members with respect to how the casino's required parking and the staging needs of the stadium can be accommodated. Mr. Beasley suggested that Pavco needs to work with Concord Pacific, and involving the Casino, to come to some arrangement whereby they can use the area for staging in a way that acknowledges the new landscaping.

#### **Panel Opinion**

Mr. Haden advised the Urban Design Panel had concerns about the building's transparency, which have been addressed in the recommended conditions. With respect to the proposed LED lighting system, Mr. Haden said the impacts of this new technology will need to be addressed. This is a perfect location to experiment with the lighting and it has the potential to be quite subtle and beautiful. The Panel was opposed to maintaining the artificial forest in this location and thought the landscape plan should be whatever works best for the site. Mr. Haden said the Panel did not specifically consider the two alternative routes for the walkway/bikeway but he said he believed the City's preferred route was wrong because the occasional break on the waterfront would be an improvement, noting the building already creates a break. Rather than maintaining continuity of the walkway for this relatively short section of the route, of far greater importance is the ability for the public performance space to have a relationship with the waterfront. Furthermore, the route closest to the water imposes a blind right hand turn on cyclists eastbound at the end of the plaza. The inside preferred route is significantly better from an urban design point of view.

Mr. McLean said it will be important for the City to be able to control the lighting, and with respect to transparency, Mr. McLean said he did not think this building was ever transparent once the shades were installed after Expo as a practical necessity to respond to solar gain. With respect to the parking, he said he was surprised that Concord Pacific is not participating in this discussion. He said it is a brilliant scheme and deserves to be approved.

Mr. Mah supported approval of the applications. He did not believe the approval of the 10 Terry Fox Way application without referencing Pavco need preclude them from addressing their needs independently of this approval.

Mr. Henschel was concerned that approval of the 10 Terry Fox Way site would prevent the extension of Smithe Street and create problems in the future, particularly when it facilitates access to residential uses that should have priority. Mr. Henschel said he believes the applicants have carefully considered the issue of transparency although he hoped the colours would be more subtle than as illustrated, noting it could be portrayed as advertising for the casino. Mr. Henschel did not support the retention of Expo blue colour, and supported the walkway route along the water's edge.

Ms. Chung recommended approval.

#### **Board Discussion**

Mr. Beasley said this is a very good scheme and a clever re-use of the building. There is a legacy aspect to the building because it is one of the few Expo buildings that has been



identified for retention. He said he believes it meets the rezoning condition for transparency. With respect to the routing of the walkway, Mr. Beasley said there may be good arguments to change it. However, the applicant has indicated they are comfortable with the condition as recommended and they may wish to pursue seeking Council's advice on the matter. Mr. Beasley said he had been very concerned about the Smithe Street extension being denied but noted staff's assurance that it is not needed for the future residential buildings, and noting that any time-limited approvals today will not preclude the extension from ultimately be achieved. Mr. Beasley added, he believed the uses by Pavco that currently occur on this site can still take place, albeit these needs will have to be better managed. He said it is very important to achieve a finished quality to the 10 Terry Fox Way parking lot. Mr. Beasley moved approval of the applications, with amendments. At Mr. Timm's suggestion, he agreed to delete A.2.3 from the 10 Terry Fox Way application and include it in the 760 Pacific Boulevard application. Mr. Timm said the work relating to the traffic signal and crosswalk is clearly related to the casino application.

Mr. Timm said he considers this is a good solution for the building. He said he believes there is still an opportunity for an alternative solution with respect to the 10 Terry Fox Way parking lot.

Mr. MacGregor supported the motions and said he concurred with Mr. Beasley's comments.

#### Motion

It was moved by Mr. Beasley and seconded by Mr. Timm, and was the decision of the Board:

##### **760 Pacific Boulevard**

THAT the Board APPROVE Development Application No. 409507, in accordance with the Development Permit Staff Committee Report dated August 4, 2004, with the following amendments:

Amend 1.4 to read:

provision of a Lighting Management Plan *and arrangements*, to the satisfaction of the Director of Planning, Director of Cultural Affairs *and the Director of Legal Services*, that would allow the City to monitor and regulate the exterior lighting of the building; and

Delete 1.5;

Add a new 1.5:

*preservation of the Expo blue colour of the easterly drum feature of the building.*

Amend A.1.4 to replace "a minimum of" with *up to*;

Amend A.1.5 to replace "a minimum of" with *up to*;

Amend the Note to Applicant in 1.5 to read:

For the purposes of calculating the number of *bicycle parking spaces* required for the theatre use, provide the existing total number of seats in the theatre. Full Parking By-law standards will be required unless the applicant is able to provide a rationale satisfactory to the City Engineer for a lesser number.

Amend the Note to Applicant in A.1.7 to delete "See also Condition B.2.8";

**Add A.2.7:**

Arrangements must be made, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the execution of agreements related to the provision of an actuated signal and crosswalk on Pacific Boulevard;

**Note to Applicant:** In accordance with City Council's approval of July 20, 2004, the signal and crosswalk will be temporary and linked to the Casino term (four years). The agreement will provide for the design, installation and removal of the light and crosswalk, to the satisfaction of the City Engineer, with all funding (100 percent) to be provided by the Casino operators. The crosswalk design must include curb ramps for disabled access.

**Amend B.2.5 to read:**

*This permit is for a time-limited approval of up to four years after the issuance of the initial occupancy permit for this use;*

**Motion**

It was moved by Mr. Beasley and seconded by Mr. Timm, and was the decision of the Board:

**10 Terry Fox Way**

THAT the Board APPROVE Development Application No. 408501, in accordance with the Development Permit Staff Committee Report dated August 4, 2004, with the following amendments:

Amend 1.1 to add after "parking spine", *as well as lower level planting where appropriate within the pattern of parking spaces;*

Amend A.2.2 to add after "Lot 288", *or elsewhere on an occasional basis* and delete "exclusive";

Delete A.2.3

Delete B.1.1 and renumber B.1.2 - B.1.5.

**Motion**

It was moved by Mr. Beasley and seconded by Mr. Timm, and was the decision of the Board:

**750 Pacific Boulevard**

THAT the Board APPROVE Development Application No. 408622, in accordance with the Development Permit Staff Committee Report dated August 4, 2004, with the following amendments:

Delete "exclusive" from the approval preamble;

Amend A.2.1 to delete "exclusive";

Delete B.1.1 and renumber B.1.2 - B.1.5.

5. OTHER BUSINESS

The Board discussed the scheduling of upcoming meetings. It was agreed to cancel the August 30 meeting and deal with its agenda items on Wednesday, September 8, 2004. It was also agreed to convene an extra meeting to deal with the application for the temporary float plane facility, in the week of September 20, 2004. (Note from Clerk: This meeting has now been scheduled for Tuesday, September 21, 2004).

There being no further business, the meeting adjourned at 9.15 p.m.

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C. Hubbard  
Clerk to the Board

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F. Scobie  
Chair

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