

**Date:** Monday, July 23, 2001  
**Time:** 3.00 p.m.  
**Place:** Strathcona Meeting Room, Subground, City Hall

**PRESENT:****Board**

F. Scobie Director of Development Services (Chair)  
L. Beasley Director of Current Planning  
J. Forbes-Roberts General Manager of Community Services  
D. Rudberg General Manager of Engineering Services

**Advisory Panel**

T. Bunting Representative of the Design Professions (Urban Design Panel)  
J. Hancock Representative of the Design Professions  
P. Kavanagh Representative of Development Industry  
D. Chung Representative of General Public  
J. Leduc Representative of General Public  
M. Mortenson Representative of General Public  
R. Bruce Scott Representative of General Public

**Absent**

J. Ross Representative of Development Industry

**ALSO PRESENT:**

R. Segal Development Planner  
M. Thomson City Surveyor  
B. Newson Public Art Program Manager

**Item 3 - 550 Burrard Street - DE405804 - Zone CD-1**

F. Musson Musson Cattell Mackey Partnership  
A. Whitcelo Bentall Corp.  
A. Zimmerman Artist  
D. Wuori Landscape Architect

**Item 4 - 928 Richards Street - DE405289 - Zone DD**

A. Hamilton Howard Bingham Hill Architects  
R. Collins Decotiis Management Group Ltd.

**Clerk to the Board:** C. Hubbard

**1. MINUTES**

Mr. Beasley noted a typographical error on p.15 of the Minutes under **Board Discussion**.

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of June 25, 2001 be approved as amended.

**2. BUSINESS ARISING FROM THE MINUTES**

None.

**3. 550 BURRARD STREET - DE405804 - ZONE CD-1  
(COMPLETE AFTER PRELIMINARY)**

Applicant: Musson Cattell Mackey Partnership

Request: To construct the top 11 storeys of a 33-storey office tower, a 2-storey, Class 1 restaurant (pavilion) building, and a permanent plaza. This is Phase 2 of a two-phased, office tower development.

**Development Planner's Opening Comments**

The Senior Development Planner, Ralph Segal, briefly reviewed the history of this project which was approved in principle by the Board, May 15, 2000. The complete application for Phase 1 was approved by the Board in January 2001 and an extension to the already existing underground parkade was approved by the Director of Planning in May 2001. Referencing two models and posted drawings, Mr. Segal noted the outstanding issues relating to this Phase 2 submission are very minor and deal with the detailed design of the plaza. The expectation now is that the full tower and permanent plaza will be constructed without phasing. A requirement of the CD-1 zoning is a public art component and this has been incorporated into the plaza as a water feature. Mr. Segal briefly reviewed the outstanding issues, noting the Staff Committee recommendation is for approval, subject to the conditions contained in the report dated July 11, 2001.

**Discussion**

Clarification was sought by the Board concerning the public art. Mr. Segal explained it is a series of cascades of water over a combination of jade and polished granite. Mr. Beasley noted a principle in considering applications with a public art requirement is to ensure it is not used simply to change materials that would otherwise be expected in a downtown plaza. He asked the applicants to elaborate, in their presentation, on how the public art in this plaza goes beyond normal landscape treatment.

Noting that most pedestrians will likely enter the site diagonally from the corner, Mr. Beasley questioned whether the proposed gravel treatment (compacted granular stone) at the Burrard/Dunsmuir corner would be sufficiently inviting. He was also concerned about the high maintenance requirement of this material and whether it is practical in our climate. He added, there is only a small area of hard surface at the south end of the site for access into the plaza. Mr. Segal advised that staff were also concerned about the proposed gravel treatment and the matter was discussed at length by the Staff Committee. The applicant's concept that this piece of the site will present a more naturalistic setting was ultimately accepted by the Committee, although only on the basis that continual upkeep will be necessary. The Committee also thought this material might be a welcome alternative to the more typical hard surface materials used in most plazas. The expectation is that there will be a letter of undertaking from the applicant in response to condition 1.2 regarding maintenance of this surface treatment. Mr. Segal added, staff were also persuaded by the track record of the Bentall Corporation which has historically provided a high level of maintenance to its plazas. Notwithstanding the

expected high level of pedestrian flow at this corner, Mr. Segal said staff was sufficiently satisfied to accept the applicant's design concept.

In response to a question from Mr. Beasley concerning the treatment of the wall in the lane, Mr. Segal explained that staff would prefer to see it lowered to planter height, with a decorative metal screen to match or complement the adjacent arcade of the YWCA, as called for in condition 1.3 (ii). In further discussion with respect to the lane, it was noted the BC Hydro structure will remain in place. Mike Thomson, City Surveyor, explained that while there is a desire to underground utilities as much as possible in the lanes, the City has no ability to compel a developer to do it.

### Applicant's Comments

Alan Whitchelo, Bentall Corporation, introduced the applicant team.

Frank Musson, Architect, advised there are no issues identified in the Staff Committee Report that cannot be worked out with staff. With respect to the corner surface treatment, Mr. Musson noted it is a compacted gravel surface that provides a different experience than walking on concrete or granite. He added, because the developer also raised concerns about how it would function, they have agreed to put the material down for a period of time to see how it works out. If problems are experienced it will be removed and replaced with some other material having a texture that differs from that used on the balance of the plaza. With respect to condition 1.3 relating to the restaurant pavilion, Mr. Musson said they were proposing a tapered canopy facing onto the plaza but can amend this to make it a 10 ft. canopy all the way around. He said he was confident this could also be worked out with staff. Mr. Musson also agreed the details of the wall at the elbow of the lane can be dealt with.

With respect to the plaza, Mr. Musson noted they have been very pleased with the process involved in the public art component. Working with City staff, they went through a selection process from which Elyn Zimmerman was commissioned to do the work. Mr. Musson stressed it has been a team effort involving Ms. Zimmerman, the architects and the landscape architect working together to develop the plaza. The City's Public Art Committee has endorsed the scheme in its present form. Ms. Zimmerman also noted the positive collaborative approach to the scheme. The fountain is the most sculptural element of the composition but all the decisions about the materials, colour and texture of the stone were made as a group. With respect to the proposed corner surface treatment, Ms. Zimmerman noted it is used in Battery Park in New York City where it is popular and successful and is also wheelchair accessible. It provides a different walking surface that will give the plaza a distinctive character. Don Wuori, Landscape Architect, added that historically there was a creek which dissected the corner. As well, the proposed surface is permeable, which will contribute to the health of the trees. Mr. Wuori noted this type of surface is also in use in a downtown park in Bellevue, Washington which has a climate similar to Vancouver.

With respect to the height of the berm, Mr. Musson noted the fountain has been lowered by 12 inches from its original height so that whole area is slightly lower than originally presented. In response to a question from the Chair regarding the proposed planting on the berm, Ms. Zimmerman explained the concept was to have one face to the street and another to the plaza, to provide some interest. Mr. Musson agreed it can be looked at more closely in terms of sight lines.

### Discussion

Mr. Beasley commented he had some difficulty differentiating what we would normally expect for a high quality plaza - with all the very supportable features described - with or without public art money. He noted there are many excellent plazas in the downtown, having many of the same characteristics as this one, which do not have a public art component. How do we define the dimension that is art which goes beyond landscape architecture? Bryan Newson, Public Art Program Manager, noted this project was the first opportunity for a design collaboration in place from start to finish. It may not have the element of a distinct piece of artwork in the traditional sense but it has achieved the combined collaborative signature that was sought for the plaza. With respect to funding, he said they work from a base budget assigned to the plaza, with the artist's costs

added to it. Mr. Whitcelo noted the many elements that have gone into the design of the scheme. He stressed, it is more than just a landscaped plaza but is one integrated piece of work. He acknowledged it is not what is typically seen to be public art, e.g., a piece of sculpture.

*Board and Panel members took a few minutes to review the models and posted materials.*

#### Comments from Other Speakers

None.

#### Panel Opinion

Mr. Bunting said the Urban Design Panel was very supportive of the project and reviewed it several times, noting that many of the issues were addressed as the project progressed. On the issue of the public art, Mr. Bunting said it is at best a very grey area between a high quality plaza and a higher quality plaza incorporating public art. He acknowledged it is something he has struggled with himself where there is not a specific object piece of art. Whether this scheme has gone to the extra level is to some extent subjective without a set of guidelines, although he said he somewhat accepted the applicant's arguments in this respect. He thought the plaza itself was of very high quality, as did most of the members of the Panel. Generally, the Panel's comments have been addressed in the prior-to conditions, namely, the height of the berm and the distinction between the plaza and the street edge. The Panel was divided as to whether it should be more visually penetrable, although Mr. Bunting added, he personally agreed with the artist's concept of providing two different experiences. In the remainder of the landscaping, the Panel thought it could perhaps be more see-through and allow more glimpses into the seating area. It was also noted there is potential for one of the new TransLink bus shelters to be installed in front of this plaza, which would be very unfortunate. With respect to the proposed compacted gravel material, the Panel was not so much concerned about the material itself but whether it was in an appropriate location. Mr. Bunting said he endorsed the developer's proposal to change the material if it is not successful and he supported trying this different approach. Several Panel members were disappointed that the proposal for the corner included a grove of five trees rather than one large specimen species. On the tower itself, the Panel commented that the edge of the curving edge on Burrard Street did not seem to be resolved where it met the linear water element.

Mr. Hancock said he likes to see artwork integrated into a project, as long as it remains legible as art. He said he generally favoured the direction being taken and was inclined to give the artist the benefit of the doubt. Mr. Hancock said he was satisfied that if the proposed compacted gravel material does not work out, the developer will change it. He said it is worth trying, however, and he would like to see it done. He added, he liked that it is a permeable material. With respect to the height of the berm, Mr. Hancock said he agreed totally with the idea that there should be more distinct urban experiences, notwithstanding any CPTED issues. He favoured leaving the berm at the height presented. With respect to the pavilion canopy, Mr. Hancock urged the applicant to keep the tapered canopy because it is an appropriate response to the curved facade.

Mr. Kavanagh supported the application. He said the use of the compacted gravel material should be supported, noting it is in the applicant's own interest to replace it if it is not successful. He supported the permeability of the material, as well as the fact that it provides a different texture. Mr. Kavanagh said he had no concerns about the landscape and the public art. He said it is a seamless integration which is quite an achievement. He also agreed with the concept of providing another urban experience that is separate from the street, noting it has been very successfully achieved in nearby Cathedral Place. Mr. Kavanagh added, the track record of this applicant should be acknowledged, noting this project will complete the development of Burrard Street from Georgia Street to the waterfront, most of the best parts of which have been provided by the Bentall Corporation.

Mr. Chung supported the compacted gravel material on the corner, provided it is made clear that the public is expected to step on it. He did not believe it is necessary to have a condition regarding the replacement of this material if it is not successful because it is in the developer's interest to make sure it works. He said he found it a great project and particularly liked the plaza design.

Mr. Mortenson also supported the application with the conditions in the report. He favoured greater visual permeability of the plaza, with a lower berm. On the question of the public art vs. landscaping, he agreed it is a grey area as to whether the public will recognize this as art. He thought the water feature was more landscaping than art. Mr. Mortenson liked the permeability of the compacted gravel material and thought it would be interesting to try it throughout the site.

Mr. Scott supported the application. He liked the developer's approach to dealing with the gravel material if it does not work. With respect to the public art, Mr. Scott said he, too, likes to be drawn to a specific piece and he did not see that in this proposal. He added, he would like to see the power utilities underground in the lane.

Ms. Leduc supported the project. She commented that she failed to see why compacted gravel is considered to be something special. She was also concerned about the potential dangers associated with walking on an uneven surface. She said it is evident that Board and Panel members are unable to differentiate between good landscape and public art and the City needs to define what is public art over and above a good landscape plan. She was not persuaded by the proponents' emphasis on the process for arriving at the scheme, noting that the process is of little interest to members of the public who will look at it. She said she did not consider the proposal to be public art. She said she would also like to see the power utilities underground in the lane and suggested the City needs to look at this issue.

#### Board Discussion

Mr. Beasley said he was encouraged by the developer's optimism that the project will proceed without phasing. He noted the final details of the whole project have been worked out well and it is consistent with the preliminary approved plan. Mr. Beasley commented that the question of public art goes beyond this project. The issue is not whether landscape is art but has to do with what we expect as a minimal level in the landscape in our plazas - without the addition of public art funds. Everything being presented for this project should be expected as the basic performance of a public plaza in the centre of the city. In this instance, however, the applicant has gone through a public art process and is not at fault. Mr. Beasley said he did not want to see the matter pursued with regard to this application but did want to see it pursued in regard to public policy which is not resolved, as evidenced by the comments of the Advisory Panel. With respect to the compacted gravel material, Mr. Beasley said he was convinced by the Panel that it is a good idea to try it. His concern was not so much the use of the gravel but with facilitating pedestrian activity at the sidewalk, noting this is a route to the transit station. He added, if it does provide an interesting experience, as has been suggested, it might enhance the movement of pedestrians, which would be good. With respect to the berm, Mr. Beasley said he agreed with the notion of separate areas being a positive experience.

Before Mr. Beasley moved approval, Mr. Segal made a clarification with respect to condition 1.3 (i), noting it is staff's expectation that the canopy should be widened but remain tapered.

In response to a question from Mr. Rudberg concerning phasing, Mr. Whitchelo said the project is now under construction and it is hoped they will be able to continue with construction of the full tower. However, this is dependent upon the amount of leasing they are able to achieve.

Ms. Forbes-Roberts supported the application. She agreed the issue of public art vs. landscape design is a staff discussion that needs to happen. She acknowledged the applicant has gone through a process and clearly there has been an expectation that the public art has been integrated. She said she was prepared to support it on that basis. She agreed the compacted gravel is worth trying. She was particularly interested in the permeability aspects of the material. With respect to the berm, Ms. Forbes-Roberts said she was persuaded by the notion that this could be more of a private room, without the need to have the visual permeability.

Mr. Rudberg concurred with the motion and amendments. He also hoped the compacted gravel material would work and he liked the idea of having a permeable surface with trees grounded in something other than planters. He noted much of the public art discussion has been about process and he agreed the policy needs to be

reviewed. He supported the concept of integrating public art into the design of the project. This is clearly what has been attempted in this proposal although it may not yet have been fully achieved. He agreed there need to be some guidelines about what is to be expected at the end of the process.

Mr. Scobie said he supported very much the berm and the landscaping creating a separate space in the plaza. He was also very supportive of the proposed alternate surface treatment. He noted that policy discussions on public art will need to involve the Public Art Committee of Council, noting the committee was established in recognition that public art can be contentious. The Public Art Committee has supported this proposal as public art, presumably believing it achieves the mandate and objective of the program.

### Motion

It was moved by Mr. Beasley and seconded by Ms. Forbes-Roberts, and was the decision of the Board:

THAT the Board APPROVE Development Application No. 405804, in accordance with the Development Permit Staff Committee Report dated July 11, 2001, with the following amendments:

Amend 1.1 (i):

to *arrange the* ~~diminish the extent of planting of, and lower, the berm to~~ decrease the sense of separation between sidewalk and plaza and to better engage the fountain feature with the plaza;

Amend 1.2 to add the clause:

*but if the material proves problematic it be replaced to the satisfaction of the Director of Planning;*

Amend 1.3 (ii):

*satisfactorily treat the plaza side of* ~~lower to plant height~~ the north end of the concrete lane wall that extends beyond the pavilion glazed volume (where it is visible from the plaza) ~~and introduce a decorative metal screen to match those of the 'Y' arcade.~~

Amend B.1.8 to replace the word "daycare" with "child care".

#### 4. 928 RICHARDS STREET - DE405289 - ZONE DD (COMPLETE APPLICATION)

Applicant: Howard Bingham Hill Architects

Request: To receive 515 sq ft of heritage density bonus for interior and exterior alterations to include new stair access from the level 30 penthouse suites to the roof deck, of this 30-storey multiple dwelling building, pursuant to Section 3.12 of the DODP By-law.

Mr. Scobie noted a correction to the Legal Description of this site, on p.3 of the Staff Report, to delete reference to Lot and Block numbers which are no longer applicable.

### Development Planner's Opening Comments

The Senior Development Planner, Ralph Segal, presented this application to transfer heritage density to provide new stair access to the roof deck. The building is now under construction and nearing completion, and the roof deck and stair access have been constructed without approval. The building volume involved is very small and could be considered an appropriate cap to the building. Mr. Segal also noted that while the work has already been done (without permits), occupancy of the affected units has not been granted. Referring to the Staff Report dated July 23, 2001, Mr. Segal tabled an amendment to condition 1.1, noting the transfer of density requires an *amendment* to the heritage revitalization agreement. A number of elements of this project have been completed contrary to the Development Permit and there are also a number of outstanding Building Permit items to be addressed. To deal with these items, Mr. Segal tabled a further condition to ensure the outstanding remedial work is completed prior to issuance of a development permit. He confirmed there are no urban design issues involved.

### Applicant's Comments

Ron Collins, the developer's Project Manager, said he believed the requirements of condition 1.1 have already been met. Alasdair Hamilton, Architect, said the items referred to in condition 1.2 are building occupancy deficiencies and have been scheduled for completion. He noted the developer had been unable to proceed with these items due to financial constraints. These issues have been discussed with the City officials and a process is underway to ensure compliance.

### Comments from Other Speakers

None.

### Panel Opinion

The Advisory Panel recommended approval of the application.

### Board Discussion

Ms. Forbes-Roberts said she found this a disappointing use of the heritage transfer provision. She added that if condition 1.2 is not met the Board will expect to review the application again before it proceeds. Mr. Beasley noted it is consistent with our policies to get the rooftops used for gardens. He added, the outstanding items at the sidewalk level are very obnoxious in terms of what the City is trying to achieve. For this reason he strongly supported condition 1.2, noting it gives an important message to the developer that the matter should not have deteriorated to this point.

### Motion

It was moved by Mr. Rudberg and seconded by Ms. Forbes-Roberts, and was the decision of the Board:

THAT the Board APPROVE Development Application No. 405289, in accordance with the Staff Report dated July 23, 2001, with the following amendments:

Amend 1.1:

*an amendment to the 750 Burrard Street heritage revitalization agreement be registered in the Land Title Office to the satisfaction of the Director of Planning and the Director of Legal Services;*

Add 1.2:

*completion of all remedial work currently underway to bring the project into Development and Building permit compliance, to the satisfaction of the Director of Planning and Chief Building Official.*

## 5. OTHER BUSINESS

Mr. Scobie advised that the City Solicitor involved in implementing the Board's direction with respect to the open space surrounded by roadway in the Champlain Mall residential redevelopment had identified possible future shortcomings with the arrangements requested. City ownership of the open space, secured as "road" would be a more advantageous approach. The Board agreed that if a more advantageous arrangement can be reached in consultation with the owner/applicant, without revisiting the community amenity contribution required the matter should be brought back to regular Board meeting for possible amendment of the Board's earlier condition dealing with ownership, maintenance and liability arrangements for this open space.

There being no further business, the meeting adjourned at 5.00 pm.

C. Hubbard  
Clerk to the Board

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F. Scobie  
Chair

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