

**Meeting:** No. 471  
**Date:** Monday, November 29, 1999  
**Time:** 3.00 p.m.  
**Place:** No. 1 Committee Room, City Hall

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**PRESENT:****Board**

F. A. Scobie Director of Development Services (Chair)  
L. B. Beasley Co-Director of Planning  
B. MacGregor Deputy City Manager  
D. Rudberg General Manager of Engineering Services

**Advisory Panel**

P. Grant Representative of the Design Professions (Urban Design Panel)  
J. Hancock Representative of the Design Professions (excused from Item 4)  
R. Mingay Representative of General Public  
R. Roodenburg Representative of General Public  
P. Kavanagh Representative of Development Industry

**Absent**

D. Chung Representative of General Public  
B. Parton Representative of General Public  
A. Gjernes Representative of Development Industry

**ALSO PRESENT:**

M. Kemble Development Planner (Item 3)  
J. Barrett Development Planner (Item 4)  
N. Peters City Surveyor  
P. Rutgers Director, Planning and Operations, Park Board (Item 3)

**Item 3 - 599 Columbia Street - DE404462**

Joe Y. Wai Joe. Y. Wai Architects

**Item 4 - 400 Pacific Street - DE404504**

James Hancock Hancock Bruckner Eng & Wright  
Mike Harrison Concord Pacific  
Bill Harrison Landscape Architect

**CLERK TO THE BOARD:**

Louise Christie

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**1. MINUTES**

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

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of November 1, 1999 be approved with a change in preamble to the motion, adding 'and enactment of the I-3 Zoning by Council'

Mr. Beasley also requested an opportunity to further review Condition 1.10, as worded in the minutes, relative to the comments of the Urban Design Panel member on the Advisory Panel. He will review his notes prior to the next meeting to confirm that Condition 1.10 reflects what he believes the Board approved.

**2. BUSINESS ARISING FROM THE MINUTES**

None.

**3. 599 COLUMBIA STREET - DE404462 ZONE HA-1 (CHINATOWN HISTORIC AREA)  
(COMPLETE APPLICATION)**

Applicant: Joe Y. Wai Architect Inc.

Request: To construct a seven storey pagoda building containing a restaurant (tea room) of approximately 131.4 m<sup>2</sup> (1,400 sq. ft.) on the ground floor and an observatory on the seventh floor.

**Development Planner's Opening Comments:**

The site for the proposed pagoda is at the southeast corner of the Dr. Sun Yat-Sen park, adjacent to the corner of Keefer and Columbia Streets, within the Chinatown Historic District. The property is owned by the City of Vancouver, and under the care and custody of the Park Board, and leased to the Dr. Sun Yat-Sen Society. Provincial approval of the Minister is required as the site is within the provincially designated Chinatown heritage area. On the north side of the site, adjacent to the park's east entrance gate, is the 4-storey S. K. Lee Museum, and across the park to the west is the Classical Chinese Garden. To the east, across Keefer Street is the 6-storey Murrin Parkade and the Keefer Triangle plaza area where there will be a public art installation. To the south is Andy Livingstone Park. An anonymous donor has come forward with \$1.25 million for this proposal, to which the Park Board has given approval in principle, pending a Memo of Understanding for operation by the Dr. Sun Yat-Sen Garden Society. Because of the issue of height, the proposal was referred to Council in October for advice, including the Board's use of 'hardship clause' 3.2.4. to relax the height. At that time, Council gave support in principle to the project, including advice to the Board that it supports the height relaxation. Staff is recommending approval because the proposal is for a very unique landmark and not a typical commercial building; there are minimal view and shadow impacts; and it is a public facility which enhances the park and the Chinatown district.

The main issue is the height relaxation. The proposed building is seven storeys or 105 ft. in height, approximately

40 ft. higher than the maximum allowed in the HA-1 zone. It is modelled after a 12<sup>th</sup> century pagoda in Fujian Province in China but is narrower and taller, being about 4,000 sq. ft. in total area, ranging from 1,500 sq. ft. on the main floor to 400 sq. ft. on the top floor. The ground floor is to have a restaurant (tea room), with an elevator provided to the sixth floor, with stairs to the observation deck on the seventh. The second issue is the siting of the pagoda in relation to underground services which are principally two gas lines; telephone cabling, and sewers in the existing statutory right-of-way. Staff met with utility companies and determined it was possible to build, with monitoring while under construction. To comply more fully with setback regulations, the proposed building has been shifted to the east and south, slightly closer to Columbia Street. The requested setback from Columbia Street is 23 ft., and from Keefer Street six ft., while the HA-1 Guidelines for the area dictate structures be built right to the property line. Given the special situation of the park, staff recommend the use of Section 3.2.4 to relax the setback requirements. The third issue is the grade level interface with the public realm. The floor level, as proposed, is about four feet above the grade level and staff recommend it be reduced slightly to no more than a 3 ft. maximum above grade, thereby shortening the disabled access ramp and lessening the amount of exposed blank wall. Access to the pagoda is entirely from within the park itself with the handicapped ramp along the inside wall, and the door on Columbia Street is for exiting only. Also, details of paving and landscape treatment of the public realm on Columbia Street needs more design development. To ensure a high level of quality, more detailed design work is required on finishing details, which may have to be changed due to budget and building code restrictions. Staff wish to ensure a high quality of exterior treatment to cut maintenance costs for the Park Board.

There was little response to the public notification, including a public meeting and 30 notification letters mailed. The response from the Chinatown Historic Area Planning Advisory Committee was positive, with the pagoda perceived as a much needed enhancement in the neighbourhood which will assist in the area's revitalization.

In response to a question by Mr. Beasley, discussion followed concerning the large Paulownia tree on the park site which will not be able to be saved but Mr. Rutgers of the Park Board explained it is a fast growing species and in 10 or 12 years a comparably sized tree will be in place. The two Pin Oak trees in the public realm adjacent to Columbia street that may be affected by the proposal will be shifted, out to the public boulevard or inside the park.

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

Mr Wai continued the overview of the proposed pagoda. In the Dr. Sun Yat-Sen park, there is an opportunity to place a spectacular landmark in an undeveloped corner which would serve the park and also the whole area of Chinatown. Issues of security and public safety have developed in the surrounding areas since the successful Expo '86. With the completion of International Village, there will be a whole new look and a draw into the area, with the pagoda as a focus. This unique vertical element is purposefully skewed to set it apart, to allow ease of entrance, and maintain the outdoor proportions. The design is such that a street access can be accommodated at some point in the future. A sponsor group on site, the Dr. Sun Yat-Sen Society, which will take over the operation of the facility. To address issues of security and safety, no one will be allowed in unless guided, and at the beginning, access will be restricted until it is determined how it will best function. The tea room will not be opened for a few years, and will have a local area operator transporting the cooking from nearby. The donor is interested in a stage for musicals, but that will have to be considered in future. The approach has been conservative but the plan is now set enough to proceed with design details and economic feasibility. There are issues around soil contamination and testing, for which the fee is already in excess of \$10,000 to the Ministry of the Environment. The plan has been to build above the ground as there is concern around having to remove indigenous soil to change the grade, as stipulated in condition 1.3. On-going maintenance, which will be addressed by a Memo of Understanding with the Park Board, is a concern of the donor and can partially be dealt with by utilizing high quality materials. There is also the Development Cost Levy(DCL) of approximately \$12,000 to take into consideration. Funds are limited and it is critical to stay within budget.

The applicant was asked about the landscape plan which was seen as not very detailed and he said the landscaping

didn't have to be costly to be tasteful and appropriate. Mr. Scobie asked for clarification as to whether the tea room would be classified as a restaurant, with a whole range of requirements, and Mr. Wai confirmed that it would be limited to the 16 seat maximum of a retail/food use and the floor plan has already been shrunk accordingly. Mr. Scobie then raised the issue of the DCL, and the applicant asked if an adjustment could be made for unused space, like stairwells. Questions concerning issues of fire and rescue services, as noted in the Staff Committee report, requiring a firefighter's elevator and the aspect of a high-rise with a single exit were posed. The applicant said code experts and a certified professional have been consulted and they believe this issue can be satisfactorily resolved. Mr. Rudberg noted that the utilities had been accommodated and must be protected, particularly the sewer and gas during pile-driving, but he recommended an additional clause to cover the cost of any potential damages. The applicant noted that the proposed structure is now placed five metres from the sewer line, two metres further than that required. Mr. Beasley suggested the deletion of the Note to Applicant in condition 1.3 as a means of giving more leeway to the applicant to contend with condition 1.3 itself, and the Development Planner concurred.

**Comments from Other Speakers:**

None

**Panel Opinion:**

Mr. Grant, on behalf of the Urban Design Panel, expressed approval but with concerns about the materials quality. He said there had been discussion on the colouration of the tile. A major issue was the location of the washrooms and their inclusion inside the wall has been resolved. The Panel voted unanimous support.

Mr. Hancock said the strong vertical element of this icon contrasted nicely with the park and garden. He thought the conditions are well covered in the Staff Committee's recommended conditions and he hoped the project becomes an actuality.

Mr. Kavanagh was happy to approve it but asked that condition 1.3 Note to the Applicant be deleted.

Mr. Roodenberg agreed with the previous speakers and thinks the project would be an asset to the neighbourhood.

Mrs. Minguay also agreed. She mentioned that the area needs the cultural landmark of the pagoda, and the higher it is, the better.

**Board Discussion:**

Mr. Beasley stated this is, indeed, a very special project. He hopes the donor is satisfied and that the approval authorities do not allow their regulations to change this unique structure into something else. He feels it certainly meets the intent of the plans and policies, by and large, and even the HA-1 zoning, and the height relaxation should be approved.

Mr. MacGregor was very concerned about problems evolving around regular conditions, like the parking covenant, in B.2.1, where getting a legal agreement to satisfy the normal processes could be troublesome. As the proposal is for a very unique structure and, to be supportive of the development, staff may have to go back to Council for decisions related to special circumstances, possibly concerning items like exterior treatment and fire and safety regulations. Mr. Scobie suggested a note to follow the motion to give direction and encouragement to staff..

**Motion:**

Mr. Beasley moved approval with an addition as suggested by Mr. Rudberg to amend 1.2 and the deletion of the Note to Applicant in 1.3. Mr. MacGregor seconded the motion.

THAT, subject to the approval of the provincial Minister of Small Business, Tourism and Culture, Heritage Branch, the Board APPROVE Development Application No. 404462 as submitted, the plans and information forming a part thereof, thereby permitting the construction of a seven storey pagoda building with a Limited Service Food Establishment (tea room) of approximately 131.4 m<sup>2</sup> (1,400 sq. ft.) at grade level, in accordance with the Development Permit Staff Committee Reports dated November 3 and 17, 1999, particularly noting the height relaxation requested under the “hardship” provision of Section 3.2.4 of the Zoning and Development By-law, with the following amendments:

Add to Condition 1.2

- 1.2 provide written confirmation that the pagoda may be built adjacent to and/or over the existing underground utilities; and further, make arrangements, including the revision of the existing “statutory right-of-way” extending over the Keefer Street frontage and southeast corner portion of this site, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, to adequately protect the existing major underground utilities on the site, *including the cost to repair any damage;*

Delete Note to Applicant 1.3

Mr. MacGregor encouraged staff, and the Board agreed, that, if in the event there are particular problems in satisfying the detailed conditions, staff look to the possibility of Council authority to vary the normal conditions of approval.

4. 400 PACIFIC STREET - DE404504 - ZONE CD-1  
(COMPLETE APPLICATION)

Applicant: Hancock Bruckner Eng & Wright Architects

Request: To construct a multiple dwelling development having a 38 storey tower with 244 dwelling units, four 3-storey townhouses, a precinct wide recreation amenity, a subject tower only amenity area and three levels of underground parking.

**Development Planner's Opening Comments:**

Mr. Barrett brought the Board up-to-date on changes in the Beach Neighbourhood in False Creek North, where there will be approximately 2,300 units developed in the next 10 years. There will be the major new six acre George Wainborne Park, an extension of the David Lam Park. The series of towers, conventionally located around the formal entrance to the park and oriented to Richards Street, will be built in several phases. The development program for the whole of Area 1B includes 1,243 residential units of which 186 are non-market. The first precinct includes four major market towers and 2 non-market buildings. This first residential tower of 38 storeys and 244 dwelling units in sub-area 1B, is the subject application and will be the largest - a landmark building providing a focus at the south-west end of Pacific Boulevard. It is a counterpart to the Waterworks tower at 1009 Expo Blvd. beside Cambie bridge. Typically, the maximum height is 300 ft., but because of the landmark status of this tower, it has been allowed an extra height of four storeys to about 360 ft.

There have been four changes made to the precinct since the rezoning. First is the day care site which has been refined because the site was fairly deep and had a narrow aperture to Homer Street. To better organize the underground parking for the site, the day care was expanded and designed in the context of the overall site, sharing the access to the underground parking for the tower, which has been moved to Homer Street. This provides the day care with a drop-off and also takes the parking traffic away from Pacific Boulevard, improving the pedestrian nature of the mews. Moving the parking access allows the pedestrian right-of-way to now come right through the site past the townhouses, and act as a funnel to George Wainborn Park and the waterfront walkway from Pacific Boulevard. This expands the public realm and common open space of the landscape design as it provides an east-west access through to Homer Street. Finally, at the rezoning, retail space was considered as an option and the applicant has now proposed to relocate it more central to the neighbourhood and provide in its place an amenity complex for all four towers in the precinct.

Eight issues are addressed in the prior-to conditions. The first is the tower floor plates which are greater than allowed in the guidelines. The four upper stories are 90 m<sup>2</sup> over and staff recommend they meet the guidelines. The design of the typical floor plate is 635 m<sup>2</sup>, approximately 10 m<sup>2</sup> over the guideline. As it adds only about eight inches all the way around in terms of the floor plate, and the environment, view and shadow impact is minimal, staff support the increase. The applicant requested the increase to be able to meet a marketing situation requiring a number of units of certain sizes. The third concern is the overall composition of the tower, and how it relates as a highly visible landmark in the view scape, particularly from the south. Next is the amenity building which has already reduced height to two storeys to lessen the view impacts of the neighbours to the north. The design condition talks about refinements to the architectural expression concerning the sloping roof-line, which could be more significant, and the view from above of the large roof top area from the surrounding developments. The fifth issue is the parking access on Homer Street, where the width needs narrowing by relocating adjoining pedestrian exit routes,

and treatment is needed to the screen above to improve its visual quality. Next, the pedestrian entrance off Pacific Boulevard to the mews needs to be emphasized. The seventh issue is the east-west public route, which is actually off the site, and its relation to the project's adjacent parking structure which is above grade, involving a step down varying from one-half a metre to 2.5 m. There are concerns about CPTED and the quality of materials. One objective is to maximize the views from the common open space and surrounding developments. These can be addressed in the redesign of the character of this public realm, which must be done in the context of the southerly adjacent site.

Finally, through a public art process, a major piece of public art will be chosen and must be integrated into the public plaza design, which currently has a theme of a west coast beach. An additional condition (A.1.9) concerning the internalized plan ('dens') and their compliance with the Vancouver Building By-Law is recommended because of the practise in other projects of eliminating walls around storage space and enclosed balconies so it becomes part of the living space.

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

Mr. Hancock said they have reviewed the conditions recommended by the Staff Committee and believe they can address them all. Of the three main issues, the first is of the floor plate size which has been chiselled away to come down to 635 m<sup>2</sup>, even though the other landmark tower that this one is to relate to has a floor plate closer to 735 m<sup>2</sup>. Next is the underground parking edge. He explained that exposed amount of parkade wall allows ventilation issues to be dealt with, getting rid of unsightly grills, etc. from more public spaces. The applicant has been in discussion with the architect for the entire precinct about how to treat this edge as the walkway is actually off the project site and will be part of future development.

The last of these issues is the amenity area which will be very transparent so you can see right through from the street into where the activity takes place. There will be doors for entrance to the social club for residents of the area, relating to the landscape edge, which reflects the 'wave wall' of the amenity area design.

Board and Panel members took time to review the model and posted drawings.

#### **Comments from Other Speakers**

None

#### **Panel Opinion:**

Mr. Grant, speaking for the Design Panel, said the design was very elegant in shape. They agreed with the applicant that orthogonal orientation was correct and the curve as the foil was a correct response to the other landmark tower. There was concern about parking turn around and access, and the roof of the amenity but the Panel voted in favour 10 to one.

Mr. Kavanagh was pleased to approve the application and suggested condition A.2.12 should be deleted if it is redundant.

Mr. Roodenburg was all in favour of the building. His only concern was 1.4, the treatment of the amenity roof.

Ms. Minguay liked the design, particularly the curvature and the sweep of the rooftop.

**Board Discussion:**

Mr. Beasley asked if the amenity space would have doors and possible terracing to make it more permeable to the street and not an anonymous frontage. Mr. Barrett said it was not a condition at this stage but that the applicant should address this concern. Mr. Scobie then asked about condition A.1.12 and Mr. Peters explained the construction of the new sewer is underway now and should be completed in the next few months. Mr. Beasley clarified that the normal tower floor plate in the downtown south area is 600 m<sup>2</sup> and raised further questions about the large floor plate size. The applicant explained that the tower has a narrow profile in the east-west direction and, curving the facade creates a dialogue with the other curved facade at the other end of the block and tapers it to preserve the views from across the street. Mr. Beasley also asked the applicant if Feng Shui was a factor in this design, as it had been in other locations, and about the orientation of this landmark and the importance of its situation in the neighbourhood as, from the perspective as a landmark tower, it should appear as a face on view. The applicant replied that, in considering the emphasis point at the end of the perspective, the curve on both ends was considered the strongest element and also took into consideration the issue of addressing both the waterfront and Pacific Boulevard, with the addition of a simplified element that comes down through the middle. He also said that the Design Panel considered that the tower should be oriented off grid but that, in keeping with the guidelines, the design has been orthogonally oriented.

Mr. Scobie asked if there is any constraint for the theme of the public art design. The reply was that a number of artists are invited to give their proposals, but basically, they have free reign. It was explained that one of the benefits of this site is that the area is not over the parkade so there is more latitude in design, and the applicant will suggest to the artist that the theme for the art proposal be one and the same as for the site development. Mr. Roodenberg, a Panel member, asked about the large size of the amenity roof and the applicant said that, while keeping the profile low, a treatment is being considered to the centre of the roof. Mr. Scobie questioned condition A.2.23 being identical to condition B.2.6 and, after an explanation, it was suggested that A.2.23 be deleted.

Mr. Rudberg felt that, as the first development in this precinct, it is a good project, and the changes that have been made really enhance the project. He moved approval with inclusion of A.1.9, plus the deletion of A.2.23. He was also comfortable with regard to the issue of additional floor plate space of the 10 m<sup>2</sup> given the context with regard to the other landmark building. His motion was seconded by Mr. MacGregor, who proposed a friendly amendment suggesting the addition to A.2.12 of the words 'arrangements for the modification/release'. His other question was concerning the face of the amenity area to Pacific Boulevard and if there were no accesses there. The applicant responded that there is a public entrance on one side and the northwest side is totally glass, which is where the exercise room is with the public art and water feature in front of it for the pedestrians to view.

Mr. Beasley complimented the applicant on the elegant building and achieving the row houses along the mews but had one significant problem which may not be solvable. He is bringing it to attention now as it will keep recurring as the neighbourhood develops and that is that more than 60 percent of the frontage at the sidewalk all around the building is not permeable. This means the sidewalk is less safe than it could be.

In other developments, the transparent amenity areas have ended up being curtained off. Safe conditions along the pedestrian sidewalks and routes is of utmost importance and future design should address this concern here and throughout the development as the distances are long and the nights very dark. There are 10 more buildings to come in this precinct.

**Motion**

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



THAT the Board APPROVE Development Application No. DE404504 as submitted, subject to Council's approval of the final form of development, the plans and information forming a part thereof, thereby permitting the construction of a 38-storey residential tower with 244 dwelling units and four 3-storey townhouse units (total of 248 dwelling units), and three levels of underground parking in accordance with the Development Permit Staff Committee Report dated November 17, 1999, with the following amendments:

Add A.1.9

*A.1.9 The applicant is required to review the internalized plans ('dens') with the City Building Official for compliance with the Vancouver Building By-law.*

Add to condition A.2.12

*A.2.12 arrangements for the modifications/release of existing right-of-way shown on site is required;*

Delete A..2.23

**5. OTHER BUSINESS**

None.

There being no further business, the meeting adjourned at Meeting adjourned at 5:15

Louise Christie  
Clerk to the Board

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F.A. Scobie  
Chair

JB/lc