

Date: Monday, September 22, 2008
Time: 3:00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

C. Warren Director of Development Services (Chair)
B. Toderian Director of Planning
J. Ridge Deputy City Manager
T. Timm General Manager of Engineering Services

Advisory Panel

J. Wall Representative of the Design Professions (Urban Design Panel)
S. Tatomir Representative of the Design Professions
N. Shearing Representative of the Development Industry (Item #3 only)
J. Stovell Representative of the Development Industry
M. Braun Representative of the General Public (Item #4 only)
H. Hung Representative of the General Public
C. Nystedt Representative of the General Public
K. Maust Representative of the Vancouver Heritage Commission

Regrets

D. Chung Representative of the General Public

ALSO PRESENT:**City Staff:**

R. Michaels Assistant Director - Development Services
K. Magnusson Projects Branch Manager
C. Young Child Development Coordinator
A. Molaro Development Planner
R. Segal Senior Architect/Development Planner
D. Autiero Project Facilitator
V. Potter Assistant Director of Development Services CSG
M. McGuire Rezoning Planner

1372 SEYMOUR STREET - DE412219 - ZONE DD

A. Boniface Hotson Bakker Boniface Haden Architects + Urbanistes
M. Clark Onni Development
C. Evans Onni Development

1001 CANADA PLACE - DE412140 - ZONE CD-1

F. Musson Musson Cattell Mackey Partnership
G. Clark Harbour Navigation Ltd.

Recording Secretary: L. Harvey

1. MINUTES

It was moved by Mr. Ridge seconded by Mr. Toderian and was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of August 25, 2008 be approved with the following amendments:

Amend the cover page by removing K. Magnusson, Projects Branch Manager from Also Present;

Amend page 16, under Board Discussion, Mr. Toderian's comments to read:

Mr. Toderian thanked the many speakers noting that the Board was listening to everyone. He said that the Board may not have the purview to change the decision of Council but that he and the rest of the Board work with Council every day on social policy. Mr. Toderian asked the public to understand that it is the Board's job to listen *to what people say on any given night in the context of* everything else they know, *everything they hear from the public every day, and the policy they are given by Council*. There is a crisis regarding homelessness *in the city, and the recent funding by BC Housing for units is a good start. He thanked BC Housing, noting* that it is a no win situation as government gets criticized when housing is not provided and criticized when it is provided.

Mr. Toderian noted that it was the basic obligation of the Board to consider the size and scale of the application within the urban fabric adding that he hadn't heard anything to suggest the building *scale itself* was too big. The Board did hear about the number of units and the size of the units.

Mr. Toderian said he was not inclined to second guess BC Housing regarding the operation of the facility, noting that the *relationship with the neighbourhood* has to do with creating a proper Operations Management Plan. He said that developing social housing is not going to increase crime, but in fact will have the opposite effect. *He believed that* it is the lack of social housing that has *contributed* to the property crime issues in the city.

Mr. Toderian noted that there will be a discussion with the community regarding the Operations Management Plan but thought the operators and BC Housing shouldn't wait for that to be started. *The Board suggested that* there was a problem with communication and information. Mr. Toderian added that the City's notification process needs some scrutiny and that *the* Development Permit Board meeting *hopefully* had been an opportunity to *answer questions* and inform the community.

Having spoken to the issue of use, Mr. Toderian expressed strong concerns about the weakness of the building architectural expression on what he sees as a special, "landmark" site in the urban pattern. Considerable work is needed to be done.

Amend page 16, under Add a New Condition 1.9, Note to Applicant to read:

Note to Applicant: Opportunities that also facilitate sustainability *and liveability* are encouraged.

Amend page 16, under Add a New Condition 1.10, to read:

Reconsideration of the galvanized fence material without substantially adding project costs.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 1372 SEYMOUR STREET - DE412219 - ZONE DD
(PRELIMINARY APPLICATION)**

Applicant: Hotson Bakker Boniface Haden Architects + Urbanistes

Request: To develop this site with a 33 storey residential tower with a 7 storey podium level containing a total of 230 units all over 3 levels of underground parking containing 208 spaces. The project seeks an additional density from a 10% (17,700 sq. ft.) heritage density bonus transfer and a 45,000 sq. ft. density bonus for a Child Development Hub consisting of 37 space licensed Daycare Facility and ancillary office, training and parenting space on site.

Development Planner's Opening Comments

Anita Molaro, Development Planner, noted a couple of minor changes to the technical table on page 5 of the Staff Committee Report (Floor Area under Permitted: Amenity Bonus should read 4,180, the total should read 22,297; under Proposed the Floor Area should read 22,297; FSR: Amenity Bonus under Permitted should read 1.27 and total should read 6.77) and in the third note (Section 10.12 should read Section 10.11). Ms. Molaro described the application which is located in the Downtown South District. It is a challenging site, directly facing the Seymour Street off-ramp. Ms. Molaro described the other developments in the area noting the social housing project to be built next door to the north. As well the site is affected by view cones. The proposal is seeking an increase in density from 5.0 FSR to 6.77 and a discretionary height increase of 310 feet. The increase in density has been achieved through the permitted 10% Heritage Density Transfer and through the provision of a social amenity bonus of 1.27 FSR. The social amenity being provided is a 37 space daycare which will be located on the ground floor of the podium on the north end of the site. The siting of the daycare went through a substantial review process with Social Planning staff to ensure that an adequate amount of sun access to the outdoor play area would be achieved. As part of the analysis that was undertaken by staff, an opportunity has been provided to include a second amenity within the upper volume of the daycare space, which has been designed as a two storey volume, and will accommodate ancillary training, parenting and office space for the Vancouver Society of Child Care.

The tower itself proposes a floor level, an extended curtain wall, a glass and steel wind screen, elevator/mechanical room and solar treatments which all exceed the permitted height of 300 feet. The Development Permit Board has jurisdiction to permit an increase in height in the Downtown District Official Development Plan up to a maximum building height of 450 feet. As currently proposed, the building height is 310 feet when measured to the top of the parapet of level 33, and 335 feet when measured to the top of the mechanical room. Staff have assessed the impacts resulting from the modest increase in height related to the top of level 33 and are satisfied that it will not result in any significant additional shadowing or view obstruction. Staff are also prepared to consider the extended curtain wall, wind screen and solar treatments as part of a decorative roof treatment, with some further design development to reduce their overall height where possible and to minimize the overall height of the elevator/mechanical room. Staff are prepared to support the modest increase in height and the increase in density associated with the public amenities and the Heritage Density Transfer which are reflected in Conditions 1.1 and 1.2 of the Staff Committee Report subject to further

design development being achieved to address neighbourliness and livability related to the tower siting and built form which has been identified as an issue within the report.

The Downtown South Guidelines state that new development should be massed to maximize views between buildings by minimizing the tower dimensions to achieve slim towers. When sites are affected by Council approved view cones, variations from the Guidelines may be considered, subject to maintaining livability. The site is affected by two view corridors at the north end of the site limiting any development in this area to 127 feet. The tower has been located to respect the view cones at the north end of the site and provides more than the recommended minimum of 80 feet tower separation with the recently approved social housing proposal. With respect to 501 Pacific Street ("The 501"), the recommended tower separation has been achieved but the proposed tower placement and shaping does not fully offset it from "The 501". The tower shaping results in an overall dimension of 74.4 by 117.6 feet which is beyond the Guideline recommendations of 75 to 85 feet and to a maximum of 90 feet. The increase in tower dimension results in a tower overlap of approximately 33 feet, compromising the neighbourliness between the two buildings and the liveability for units within "The 501".

While the proposed building has maximized its views to the southwest, it has diminished the middle and long distance views for those units in "The 501" (23 units above 70 feet are affected). In addition the tower floorplate is 6,600 square feet which is beyond the Guideline tower floor plate for a site of this frontage which is 6,000 square feet and beyond the Guideline maximum of 6,500 square feet.

To improve neighbourliness and privacy and access to views between the buildings, staff are recommending design development to reduce the opposing lane façade to a maximum of 90 feet and to reduce the tower overlap by 13 feet. In addition, staff are also recommending that the tower floor plate be reduced to the Guideline maximum of 6,500 square feet as a measure to reduce the tower's overall bulkiness and its apparent width. Staff believe this could be achieved by relocating the floor area to the Seymour Street and northerly sides of the tower in combination with a slight shift of the tower northward.

With these design development improvements to address neighbourliness and livability between the two buildings, staff are prepared to support the increase in the tower floor plate to the Guideline maximum of 6,500 square feet and an increase in tower dimensions beyond the Guideline recommendation of 90 feet.

Overall, the proposed tower represents a strong urban design response for a gateway site into the downtown peninsula. Staff and the Urban Design Panel felt that the project presents a dynamic and interesting tower form as seen from the Granville Street Bridge, but an opportunity to further enhance the proposal should be considered by shifting the prow form to the Seymour Street frontage. This approach would not only alleviate the long façade as seen from "The 501" but potentially result in a better passive design response to solar heat gain. Staff also believe that shifting the prow to the Seymour Street side would generate a stronger, more robust urban design response.

Another issue of the proposal is the podium treatments and public realm interface. The 7-storey podium form is an anticipated form within the Downtown South Guidelines, which includes stacked townhouses and a number of units which have been designed as through units.

To accommodate the Downtown South public realm treatment, a dedication of 5 feet is required along the length of the Seymour Street frontage. The required Guideline setback of 12 feet is provided from the new property line at the main floor but the podium upper floors' continuous balcony and moveable screen treatments project at least 3.5 feet into the front

yard setback and along the narrow street frontage with the off-ramp. In addition the podium massing (exit stairs) and its interface with the adjacent building to the north do not achieve an integrated transition between the podium and the adjacent building. The podium treatments along Seymour Street include movable galvanized steel shade screens to mediate the residential use and its westerly orientation solar impacts and the bridge environment. A high degree of livability for these units has been provided as through units, allowing for natural ventilation and for the residents to access the quieter internal courtyard environment.

Ms. Molaro commended the applicant for their architectural and integrated sustainable design response for this challenging site noting that the applicant has indicated their intent to achieve LEED™ Gold. Ms. Molaro concluded by saying that staff believe that a high quality robust design has been achieved for this gateway site.

Ms. Molaro reviewed the recommendations contained in the Staff Committee Report dated September 10, 2008. The recommendation was for approval in principle of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Ms. Molaro:

- The social housing project next door will have single occupant units providing space for people who are homeless.
- As the application is only a preliminary application the heritage bonus density site has not yet been identified.
- The City's Real Estate Department determines the calculation for the daycare bonusing and they recommended that the project warrants a bonus density of 45,000 square feet.
- In staff's estimation the massing is appropriate for the site.
- The Development Permit Board has the ability to increase the height up to 450 feet anywhere in the downtown area as long as shadow impacts, view impacts and other environmental criteria are taken into consideration.
- The applicant is being asked to modify the elevator/mechanical machine room in order to reduce the height of the tower.
- Currently the tower is approximately 20 feet from the view corridor and there is more than 80 feet between the tower and the social housing project.
- Any movement of the tower to the north would improve the outlook from "The 501".
- Staff are asking the applicant to reduce the height of the green wall adjacent to the social housing project to lessen the shadow impacts on their amenity space.
- There are no residential units at grade in the social housing project, only amenity space.
- A report will be going to Council in late October regarding securing business arrangements for the provision of public amenities.
- The applicant is not required to meet the maximum in the By-law for parking.
- Staff are asking the applicant to maximize the separation between the projecting balconies with the Seymour off-ramp. It is a narrow environment and the balconies are projecting 3 feet into the 12 foot setback. This would also improve the sunlight access to the first floor and improve the streetscape.

Applicant's Comments

Alan Boniface, Architect, further described the height and massing of the tower. He noted that they had met with the residents in the adjoining tower ("The 501") and were aware of their comments. Mr. Boniface said they had approached the Planning Department seeking an increase in height noting that they had a bit of extra density to play with on the site. He said the tower would be better if it were as thin and tall as possible. He added that there is the

possibility of moving the tower 12 feet to the north while respecting the 80 foot setback from the social housing site. Regarding the residential units along the Seymour Street frontage, Mr. Boniface noted that it was important that the building slopes away from the setback and the sliding screens will give the residents the ability to play with the space. He added that those units will be unique to the city and will have unique tenants, perhaps artists. Mr. Boniface acknowledged that there was a shortfall in the number of parking spaces which he was willing to address.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team:

- The architect looked at shifting the prow form but there would be challenges with the core and the tower tended to disappear into the skyline from the bridge.
- The applicant was confident that they could achieve LEED™ Gold but will not register the building.
- The developer will only be able to market the building as LEED™ Gold if the building is registered.
- The applicant was willing to conduct a study regarding shading on the daycare from the green wall.
- The applicant has been working with mechanical and electrical engineers and has looked at possible heat and solar gains as well as other green elements on the building.
- The applicant's intention is to use geothermal supplemented with a high efficiency boiler for the entire development.
- Also, the applicant has had preliminary talks with a solar panel company and is planning to use solar panels to supplement the top floor for all its energy.
- The original design for the tower was around 42 floors in height.
- The developer is interested in continuing with the urban garden presently on the site by including an outdoor urban garden on the eighth level of the podium roof next to an indoor amenity space.
- A large fitness room is planned for the 3rd floor with a video game room at the lobby level.
- Once the building is sold the strata corporation will take over managing the building.
- The applicant is planning to use the water feature for storm water retention.

Mr. Toderian commended Onni Development for allowing their site to be used for a community garden in advance of development. He encouraged other developers to do the same.

Comments from other Speakers

Brenda Lea Brown spoke for the Strata Council at 501 Pacific Street. Ms. Brown thought the application would have an unfortunate impact on the neighbourhood and that the development was too massive for the site. She was concerned that most of the residents would be renters. Ms. Brown suggested the tower go higher to reduce the mass, noting that most of the developments in the area had slim towers with a townhouse base. The development was unlike any others in the area. Ms. Brown was concerned with the possible reduction of privacy and that the outdoor amenity space at "The 501" would be compromised. She suggested the applicant not take the heritage bonus density. Ms. Brown added that 87 owners in "The 501" had signed a petition against the application.

Brent Belsher, Strata Council President for 501 Pacific Street, was concerned with the size of the podium noting that no other development in the city had a 7-storey podium and a 33-storey tower. He said he would like to see the tower pushed to the north and had no concerns with the height of the tower but thought it could be slimmer.

Chris Couch, resident at 501 Pacific Street, questioned the amount of density being permitted. He felt the development was encroaching on them and he was also concerned about having a daycare when there are all sorts of social problems within a 2 to 3 block radius.

Lon LeClaire who is a City of Vancouver employee was speaking as a resident of 501 Pacific Street. He said it was important to have sunlight in the courtyard as the residents rely on the outdoor space for entertainment and as well some of the resident's children play in the outdoor volleyball court area. He was concerned that there wouldn't be any sunlight on the beach volley ball court and swimming pool in the evening if the tower were built as proposed. Mr. LeClaire supported an increase in the height. His other concern was the amount of traffic from people dropping their children off at the daycare and blocking the lane.

Peter Newitt, resident at 501 Pacific Street, was concerned with the tower blocking sunlight to the pool area. He noted that the lane is becoming a through way for traffic trying to get to Pacific Boulevard. Mr. Newitt said he didn't mind the tower being thinner and taller but thought the podium on the lane shouldn't be more than 4 storeys as it didn't fit in with the rest of the area's development.

Shannon Jova, resident at 501 Pacific Street, said she was representing all the 07 units and was interested in seeing the development shift 20 feet to the north to increase liveability for the owners. She said she also had some concerns regarding traffic and the children's safety in the daycare.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by staff and the applicant team:

- The shadow studies show impacts on 501 Pacific Street between 10:00 AM and 4:00 PM.
- At 2:00 PM "The 501" shadows its own outdoor space; shadowing from the new development will occur on the volley ball court in the evening.
- The Downtown South Guidelines indicate a maximum street wall of 70 feet with an 80 foot separation between buildings and podiums can be between 30 and 70 feet.
- Planning has been encouraging developers for some time to consider increasing the height in their podium designs up to 70 feet.
- Adjusting the tower by 13 feet to the north would improve the shadowing impact on "The 501"'s outdoor amenity space.
- It is not the purview of the Board to reconsider the location of the daycare facility as Council has already made that decision.
- The Board will give advice to Council regarding the urban design impacts that the site can support.
- Social Planning has done the study for the daycare facility and has determined that the bonus density has been earned.
- There is only one other licensed child care facility serving families in the Downtown South area. There is a wait list for 2,500 children for licensed daycare in the downtown.
- There are a number of childcare facilities near or on the same site as social housing projects.
- The children will not be outside without supervision.
- There are a number of childcare facilities in the city that have their drop off and pickup area in the underground parking.
- Increasing the height of the tower is within the context of the Downtown South Guidelines and would be supportable as this is a gateway building.

Panel Opinion

Mr. Wall noted that the Urban Design Panel (UDP) supported the project and was enthusiastic about the scheme and approach. The UDP members said the tower's design and architectural vocabulary was refreshing. There was some concern and debate about the issue of the tower's width and the façade that faces due west. The Panel noted that tilting a major façade west creates a number of problems including view blockage and solar gain. They debated the gains, with some of the Panel noting there would be more of an urban design response off the bridge creating more of a landmark expression. The Panel agreed that the issue of view blockage and sustainable measures would trump the landmark expression. The Panel saw the need for more design development to the tower and encouraged the applicant to improve the view blockage from "The 501" as well as to improve the passive design response on the west façade. Another concern of the Panel's had to do with the overlook conditions within the courtyard. They suggested some reorientation of the units next to the exterior walkways for more privacy. The Panel said they would also like to see a system for rain water capture. The Panel had some concerns regarding the drop off area in the underground parkade for the daycare noting that having a drop off against the viaduct could be problematic. The Panel thought there were some adjacency issues between the outdoor space and the social housing project and had some concerns that the green wall was too monolithic. Regarding the ground floor townhouse units against the Seymour Street off-ramp, the Panel thought there could be shadow impacts from the balconies above and suggested moving them forward adding that in some places the overhangs were between 5 and 10 feet.

Mr. Tatomir recommended approval of the application. He commended the design team for a well designed building. Mr. Tatomir said he supported Condition 1.1 as he liked the fact that the applicant was required to have a registered agreement to secure the daycare in exchange for the density bonus. He said he thought the pickup and drop off for the daycare was problematic and thought there should be a management plan with the daycare operator. Mr. Tatomir recommended the Board approve a higher, slimmer tower which he felt would result in less of a shadow impact on the adjacent building. He added that he thought the landscape was well done but thought the sustainable features regarding water consumption needed some work.

Mr. Shearing thought it was a good design and commended the design team and the developer for a job well done. He thought the additional density was supportable because the applicant had proved how the density would work on the site. Mr. Shearing said he would support additional height on the tower as it was a logical way to move forward and solve some of the issues. Mr. Shearing thought the mid rise form was spectacular and commended the developer for wanting to do that against the off-ramp. He added that it was a tough outlook but that the design team had been creative and it was well done.

Mr. Stovell said he admired the tower as being a slender building at the Seymour Street edge condition but thought it took away from "The 501" as he would like to see a taller, slimmer twin of that building. He noted that the Board is often constrained by Council Policy but in this case the developer and the owners in "The 501" would like more height to get a slimmer building that would have less impact on its neighbours.

Ms. Maust said she was impressed with the amount of work and detail that had gone into the application. She said she thought the building could support more height and was glad to see that heritage density would be landing on the site. Ms. Maust added that she liked the podium form and thought the building would be a benefit to the neighbourhood.

Ms. Nystedt wondered if it would be possible to increase the FSR regardless of the bonusing for the daycare. She said the great design and the sustainable feature were to be commended.

Ms. Nystedt agreed that the tower could use more height and less bulk on the podium. She said she was a bit troubled with the daycare use because of the complications and the implications of being adjacent to a social housing site. She said she was also troubled by the pickup and drop off location. Ms. Nystedt added that she thought the density bonus should be given without the daycare because the development was great for the location.

Mr. Hung commended the design team. He said it was a difficult site and thought the 7-storey podium was a good design beside the Seymour Street off-ramp. Mr. Hung thought the floor plate in the tower was too large which resulted in some view blockage from "The 501" and recommended a reduction in the floor plate to allow for a taller tower. He said he liked the fact that there was a bonus for the daycare as it was needed in the area. Mr. Hung commended the design team for their sustainability strategy. He suggested that the green wall shouldn't be lowered as it made for a better buffer against the social housing site.

Board Discussion

Mr. Timm said he agreed with the Advisory Panel in terms of the quality of the architecture. He said he thought it was a good design and brings in all the sustainability elements. He thought too much of a challenge had been created for the architect because of the addition of the 10% heritage density with the added daycare on the site. The applicant has been given an additional 45,000 square feet more for the daycare and then the height of the building has been capped. Mr. Timm said he thought it was important for the Board to consider if the site could handle the massing. He added that he had sympathy for the neighbours because of the additional density which impacts them and the Board needed to look at those impacts. Mr. Timm said the problems could be solved if the applicant were given more flexibility regarding the height issue. Mr. Timm made several recommendations regarding changes to some of the conditions. He noted that when the application goes to Council it would be important that Council knows that the Board was amenable to increasing the height in order to put the mass on the site. Mr. Timm said he was satisfied that the daycare was an appropriate use for the site noting that there was a strong demand for daycare in the downtown. He added that with the supervised nature of the daycare he believed it could coexist adjacent to the social housing project.

Mr. Ridge said he was comfortable with Mr. Timm's suggestions. He was impressed with the architectural expression given the constraints on the site. He thought moving the tower further north would address the issues at "The 501" without compromising the daycare. Mr. Ridge said he was willing to look at the increase in height, within reason, to address the floor plate and other issues. Mr. Ridge added that he agreed with the design of the podium and supported the daycare, as clearly there was a need.

Mr. Toderian thanked the members of the public noting that he appreciated the commentary and their concerns. Mr. Toderian commended the applicant for their commitment to sustainable measures beyond what was currently required by Council policy. The current policy calls for a minimum of LEED™ Silver so the commitment on the part of the applicant to go to LEED™ Gold was very commendable. He said that he had taken it as a promise from the applicant that they would follow through on the commitment regarding sustainability. Mr. Toderian said he was extremely pleased that a developer was finally including moveable passive solar screening on a building. He said that not only does it add to the actual efficiency of the passive solar shading but adds to the façade expression in terms of creating constant change and variety. Mr. Toderian thought the general architecture was excellent, noting that it was not quite exceptional, which is the actual language he used for the adjacent social housing project. He said he was particularly pleased with the expressiveness of the podium and that this was the typology Planning had always contemplated for this area of the downtown. Mr. Toderian added that it was the right place for it relative to the transportation

infrastructure and congratulated the architect for the podium architecture. In terms of the architecture of the tower, Mr. Toderian noted that although there was a slimness and elegance to the tower, there was also an expression from certain views that reads as massive and thick. He added that the commentary from the Board and Panel on how to reduce the thickness was the right approach. With regard to the childcare, Mr. Toderian noted that this was a needed use and the site was appropriate for it. He added that he had looked for direction from Social Planning staff regarding the interface and the relationship between the social housing and the daycare. He said that what he had heard was that they often coexist on site and that staff have not seen any safety or security issues relative to the close coexistence of these types of facilities.

Motion

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

THAT the Board APPROVE in PRINCIPLE Development Application No. DE412219, in accordance with the Staff Committee Report dated September 10, 2008, with the following amendments:

Amend Condition 1.2 by replacing the Condition to read (Note to Applicant to remain the same):

Design development to the elevator and mechanical rooms to ensure that they are not included in the height calculation in accordance with 10.11.1 of the Zoning and Development By-law;

Amend Condition 1.3 to read as follows:

design development to improve ***the tower's*** neighbourliness, ***shadowing impacts***, privacy and views between buildings while improving the tower's urban design response for this gateway site by;

- a) reducing the overlap between buildings by 4.0 m (13 ft.) ***or more***;
- b) reducing the tower's lane-facing façade parallel to the neighbouring building (501 Pacific Boulevard) to a maximum of 27.4 m (90 ft.);
- c) reducing the tower floor plate (level 9-25) to 604 m² (6,500 sq. ft.) ***or less***; and
- d) better addressing the Granville Bridge (Seymour off-ramp).

Note to Applicant: Design development should reduce the length of the lane façade by relocating floor area to the Seymour and northerly sides of the tower and by shifting the tower north to reduce the overlap between buildings. Design development should also ***strongly*** consider shifting the "prow" form to the Seymour Street side of the site as this is the most visible orientation of the building as seen from the Granville Street Bridge and the Seymour Street off-ramp. This approach would increase tower separation and improve privacy and views between buildings while potentially improving the overall passive response to solar heat gain of the building. ***The applicant should provide modeling of the solar gain implications of different approaches. The Board is prepared to consider additional height in the reconsideration of these issues.***

Amend Condition 1.4 to read as follows:
design development to further improve livability for the upper floors residential units along the Seymour Street frontage;

Note to Applicant: Consideration should include potentially adjusting the front yard setback provided for the continuous balcony and screening requirements or other effective means of design reconsideration.

Amend Condition 1.8 to read as follows:
design development to **improve the scale of the podium at the lane edge;**

Note to Applicant: Options may include provision of a small setback of the upper most floor to decrease the overall lane edge height of the podium.

Re-number Condition 1.13 to Condition 1.14 to read as follows (Note to Applicant to remain the same):
consideration of the northerly green wall size and height relative to sun access along the adjacent development's outdoor area and privacy and security between the two developments;

Delete Condition 1.14; and

Re-number Condition 1.15 to Condition 1.13;

Amend the last sentence in the Note to Applicant in Condition 1.15 to read:
Describe the energy-conserving principles **which** were observed.

Amend Condition 3.0 to read as follows:
That the complete application be dealt with by the **Development Permit Board.**

**4. 1001 CANADA PLACE - DE412140 - ZONE CD-1
(COMPLETE APPLICATION)**

Applicant: Musson Cattell Mackey Partnership

Request: Development of a Marine Terminal (floatplane operations) with associated docks, maintenance facility and terminal building; a Marina for 51 boats with associated docks, floats, and marina office building; a Retail/Service building; and two public vertical circulation links providing access from the 3500 Seawall Level to the 9000 Level (walkway/bikeway promenade) and 14200 Level (public parking) of the new Vancouver Convention and Exhibition Centre. The proposal spans a water lot owned by VCCEP and water area owned by the Port Metro Vancouver.

Development Planner's Opening Comments

Vicki Potter, Assistant Director, Development Services, introduced the application for a marine terminal (float plane operation) and 51 berth marina. An additional retail/service use could include a restaurant or gift shop, small food services or office space. The main purpose of Ms. Potter's presentation was to clarify the roles of the various jurisdictions which apply to the site. Ms. Potter described the various new developments in the area noting that the application completes the mixed-use neighbourhood by providing a permanent home for the float planes. There are a number of jurisdictions on the site and include Port (including the Harbourmaster), the Burrard Environmental Review Committee, Transport Canada, Navigation Canada and the City of Vancouver. Ms. Potter noted that City staff had met with all the parties. The Harbourmaster reviewed the proposal because the application spans the harbour headline which is solely within the jurisdiction of the Port. The Development Permit Board Report provides advice to the Port. With respect to the Burrard Environmental Review Committee, they reviewed the proposal from an environmental perspective and Transport Canada looked at safety regarding the float planes. Areas that are outside the City's jurisdiction include noise, take off and landing which are within Transport Canada's jurisdiction and the Port's authority. Ms. Potter highlighted some of the neighbourhood concerns and noted that the DPB had approved a temporary location for the float planes while the Convention Centre was under construction. She also noted that a draft report to make Vancouver harbour a certified airport was in process.

Ms. Potter said that there is a willingness on the part of the applicant and the province to continue with the Operations Management Plan. The applicant has agreed to mitigate noise and safety concerns of the neighbours. Ms. Potter added that Harbour Cruises operates beyond the harbour headline and will be governed by the Port. City staff are advising the Port to restrict the cruise drop off hours to no later than 11:00 PM.

Ralph Segal, Senior Architect/Development Planner, described the primary policy objectives that apply to the application. This includes public access to the waterfront, the Convention Centre building and the main walkway level that comes up from the Coal Harbour seawall and wraps all the way around to Burrard Street. There is a further public plaza that stretches back to Canada Place. These are all important linkages to the application. There is another walkway which is the elevator stair link that joins the floating wharves. The stairs and elevators are solid structures with a floating walkway that links the west stair tower to the east stair tower.

At the westerly location, the public dock contains retail/restaurant/kiosks as well as a drop off and pickup for Harbour Cruises. In terms of the float planes, only paying customers will have

access to the floats. There will be several small buildings on the floats. The roof treatment will be visible from the walkways and the materials and skylights have been well handled and there will not be any mechanicals added to the roof top elements. The Urban Design Panel had some concerns because of the salt water environment regarding the materials and suggested long term durability of the materials should be considered. The Panel thought the bridges that link the various levels of the walkways and plaza should receive a lighter treatment rather than carrying the edge detailing that applies to the Convention Centre walkways. Mr. Segal noted that in terms of the prominence of the elevator stair towers, staff feel they should receive a bit more architectural refinement. In terms of parking, there is a shortfall of parking and since there isn't the ability to provide parking within the Convention Centre or on site, the applicant can either provide parking off-site or payment-in-lieu.

Mr. Segal reviewed the recommendations contained in the Staff Committee Report dated August 27, 2008. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Mr. Segal:

- The Urban Design Panel commented on the particular materials choices for the buildings as they were concerned that corrugated metal would age poorly.
- Staff are asking for further design development for the works building.
- There isn't anything in the conditions in the Staff Committee Report that would limit the number of cruise operators who could use the docks for a drop off.
- Staff are looking for an image of landmark quality and feel that has been achieved subject to the conditions.
- There is insufficient parking available for the marina/float planes in the Convention Centre parkade however a drop off will be provided.
- Before the float planes were relocated there were three key operators. Three moved over to the temporary location and two of them have now merged.
- There will be accommodation for a small customs office to support Seattle Harbour flights arriving in Vancouver.
- The seaplanes have been using Vancouver Harbour since 1927.
- Staff are supporting a minor relaxation of the parking and are asking the applicant to provide off-site parking or payment for parking-in-lieu. The money would be used by the City to provide parking in other areas.

Applicant's Comments

Frank Musson, Architect, further described the proposal noting that because of the number of jurisdictions, it had not been an easy task to design the marina. Mr. Musson had few issues with the Staff Committee Report. He noted that the two stair elevators go to the 14th level of the Convention Centre and hook into the main parking. They won't be used just for people using the float planes and are part of the general circulation. In terms of the material, Mr. Musson noted that they are examining other materials that will be more sustainable in the marine environment. Mr. Musson asked the Board to consider revising Condition 1.1 regarding the public stair/elevator towers. He advised the Board that a 25 foot tall art piece is planned for the plaza outside the Convention Centre. Regarding the parking, Mr. Clark, of Harbour Navigation (Harbour Cruises), said that the demand for parking has decreased. He described other transportation hubs noting they don't have much parking associated with them as most people are dropped off or picked up. He also noted that a managed taxi curb will be in the parkade of the Convention Centre. Mr. Clark asked the Board to consider that it will be the end users who will pay for the parking-in-lieu. He added that an exchange has been struck

with the Vancouver Convention Centre Expansion Project (VCCEP) for the capital cost of the public stairs/elevators and linking bridges. Mr. Clark also asked the Board to not restrict the Harbour Cruises operation to 11:00 PM. He added that their vessels are licensed to operate 24 hours a day noting that it would be unfair for them to unload at another area in the harbour. He agreed to be a good neighbour and control the amount of noise when unloading passengers.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team:

- The City's noise By-law regarding the 11:00 PM closing time governs restaurant and bar patios.
- The loading facility for the Convention Centre and for the sea plane terminal occurs within the Convention Centre. There is no separate space allocated to the float planes/marina.
- Parking is available under Thurlow Street plaza and is currently being used by the float plane operation.
- The roof of the marina lounge building was originally going to be corrugated metal but has been upgraded to a textured roof using either lucobond or zinc.
- In the summer the Harbour Cruises run four times a day beginning at 10:00 am. They include lunch and dinner cruises during the summer. They also offer charter and spousal cruises for conventions. Their liquor license is good until 1:00 AM.
- Harbour Cruises has a policy that any vessel returning to the dock at night must turn off their outdoor music after passing the fuel station.
- CD-1 zoning allows for up to 100 berths for private vessels. The applicant chose the mix of boats noting that mega yachts could be accommodated as well as commercial vessels.
- Sustainable features include black water treatment, concrete construction for the docks, low flush toilets and showers.

Comments from other Speakers

Debbie McKeen asked the Board to restrict the restaurant's hours of operations as well as the tour boat activity to conform to closing at 10:00 PM. She was concerned that the tour boat activity would increase and allow party boats to dock late at night with a large number of people. Ms. McKeen said she appreciated the creation of the Operations Management Plan (OMP) between the operators and the residents. She requested the new OMP have a deadline for completion of March 29, 2009. She also asked the Board to restrict the engine start-ups to after 7:00 AM and no later than 8:00 PM as she was concerned about noise and emissions.

Gerry Sibben read a letter from Dimas Craveiro who was unable to attend the meeting. Mr. Craveiro was representing the Vancouver Rowing Club whose members are concerned about being squeezed out of the area. He noted that the Vancouver Rowing Club had been in Coal Harbour since 1886 and they were concerned about the loss of their rowing lanes and emissions from the float plane activities.

Gerry Sibben said he was also concerned with emissions from the float planes and hoped there were some stipulations regarding the reduction of emissions. He suggested the Board make sure engine runups were cut to a minimum.

Questions/Discussion

- Transport Canada sets the regulations around engine emissions for aircraft. Transport Canada also certifies aircraft and does not ask for older airplanes to comply with modern requirements. They rarely decommission aircraft.
- Transport Canada regulates the number of plane trips allowed. Roughly 200 movements take place a day which isn't considered as being overloaded.

- A smaller facility wouldn't necessarily mean fewer trips a day.
- The float plane operation is a federally regulated activity and would be beyond the City's jurisdiction to restrict the hours of operation.

Panel Opinion

Mr. Wall noted that the Urban Design Panel (UDP) thought the building expression for the series of buildings was appropriate for their use and scale. The Panel thought they were interesting and that the use of similar materials tied them together as a family of buildings on the water. The Panel was concerned with how the materials would weather over time in a salt water environment. They noted that they will be long term buildings and the Panel thought the buildings should be durable. They were also concerned with the workshop building and thought the applicant should use higher quality materials. The Panel had some commentary on the stairs and the vertical towers. They suggested that the detailing should be more distinctive and detailed, more like the buildings rather than being similar to the Convention Centre. The Panel also thought the applicant should create more pedestrian interest in front of the Convention Centre. They thought there could be more benches, more interesting materials and detailing that would make the area come alive.

Mr. Tatomir recommended approval of the application. He thought the buildings were interesting from the water level and had a modern design. Mr. Tatomir suggested having an outdoor patio on the roof of the restaurant building to add some movement as well as including a house boat into the mix of watercraft. Mr. Tatomir said he would like to see more visible sustainable measures in the development.

Mr. Stovell said he was in support of the application but that he was concerned with the parking. He was glad to hear a parking lot had been built and would support payment-in-lieu. Regarding Condition 2.2, Mr. Stovell thought it would be a hardship for the tour boat operator to restrict their hours of operation. He noted that night clubs let their patrons out at 2:00 AM and Mr. Stovell thought that conduct could be controlled through the noise complaint process.

Ms. Maust said she supported the application and the conditions in the Staff Committee Report. She said she was also in support of the provision for a payment-in-lieu regarding the parking requirement. Ms. Maust said she didn't think the applicant had gone far enough regarding sustainable measures that could address environmental pollution.

Mr. Hung welcomed the marina to the Convention Centre area saying that it would add to the commercial activity in the city. Mr. Hung thought the tour boat times was a bit restrictive and recommended the Board relax the requirement. He noted that the OMP would put measures in place to have the marina and tour boat operator respect the neighbours concerns. Mr. Hung recommended approval of the application.

Mr. Braun noted that he was a resident of Shaw Tower and recommended approval of the application. He noted that the eastern half of the site will be mostly a residential marina with little traffic. As the loading will be on the western part of the marina, Mr. Braun thought the eastern stair tower and elevator would obstruct the view from the Convention Centre and recommended the applicant reconsider the height. Mr. Braun thought the buildings on the water were well designed and would be important as the world would be looking down on them from the Convention Centre. Mr. Braun didn't think the tour boat company's hours of operation should be restricted noting that they wouldn't be any noisier than the two restaurants contemplated in the area.

Board Discussion

Mr. Toderian thanked the members of the public noting they have been part of a very long consultation process. He noted that there is long standing policy regarding the application and that the jurisdictional issues are complicated. Mr. Toderian said he was disappointed with the lack of sustainable design initiatives in the application noting that “mega yachts” and float planes can be a rather unsustainable use, ironically adjacent to a building that will be one of the most sustainable buildings in the Province with the largest green roof in North America. He said he was glad to hear the Province and the operator will continue with the Operations Management Plan, and encouraged other levels of government to consider the sustainability of the uses and operations within their jurisdiction. Mr. Toderian was pleased by the building architecture and thought the buildings were visually interesting. He said he hoped they wouldn’t read as temporary and that the buildings would be built using quality materials. Mr. Toderian added that he commended the architect for the fun and whimsical expression of the marina buildings.

Mr. Ridge was supportive of the application. He said he had reservations regarding the reduction of the height to the eastern stair tower as he thought access should be maximized. Mr. Ridge added that he thought the operating times should be left to the operator and the Port Authority.

Mr. Timm noted that the applicant, the community and Ms. Potter have been working on the application for a number of years. He said he was a strong supporter of the function as the sea plane operation played an important role for transportation in the province. Regarding the eastern stair tower, Mr. Timm thought it was appropriate to leave it as a consideration item and recommended that further discussion between the various parties should consider the importance of the tower so as not to damage the Convention Centre. Regarding the parking, Mr. Timm thought it was the responsibility of developers in the city to provide parking without undue impact on the neighbours. He noted that the City is moving in the direction of asking developers to provide fewer parking stalls but saying they will provide none is unrealistic. Mr. Timm said he was in support of the motion put forward by Mr. Toderian.

Motion

It was moved by Mr. Toderian and seconded by Mr. Ridge, and was the decision of the Board:

THAT the Board APPROVE Development Application No. DE412140, in accordance with the Staff Committee Report dated August 27, 2008, with the following amendments:

Amend Condition 1.1 by replacing “improve” with “*refine*”;

Amend the Note to Applicant in Condition 1.1 by adding “*to add light and colour*” after “expression” to read:

Note to Applicant: “Lightening” the architectural treatment of the bridges and incorporating a more distinctive expression *to add light and colour* to the stair/elevator vertical links acknowledging their high visibility is sought.

Amend Condition 1.2 by to read (Note to Applicant remains the same):

Design development to the exterior materials to the floating buildings *to ensure their durability, and design development to the appearance of the roof expression of the marina building and façade expression of the works building* to improve their appearance;

Add a new Condition 1.8 to read:
consider all opportunities to incorporate sustainability opportunities through design, materials and energy sources;

Add a new Condition 1.9 to read:
the operator is encouraged to consult further with residents prior to completion of the new Operations Management Plan;

Add a new Condition 1.10 to read:
Consideration of a reduction of the eastern tower to limit it to the public realm level;

Note to Applicant: Such consideration should include weighing access to retailing against urban design considerations.

Add a Note to Council at the end of the amendments to read:
The Board wishes to note that its consideration of this application is intended in no way to limit Council's consideration of the rezoning application.

5. OTHER BUSINESS

None.

6. ADJOURNMENT

There being no further business, the meeting adjourned at 9:00 PM.

L. Harvey
Assistant to the Board

C. Warren
Chair