

777 DUNSMUIR STREET (COMPLETE APPLICATION)
DE409483 - ZONE DD

TC/DM/MG/AH/DK

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

B. Boons (Chair), Development Services
M. Thomson, Engineering Services
L. Gayman, Real Estate Services
R. Whitlock, Housing Centre
D. Jantzen, Vancouver Coastal Health Authority
M. Desrochers, Vancouver Park Board
V. Morris, Social Planning/Office of Cultural Affairs

Also Present:

D. Morgan, Urban Design & Development Planning
T. Chen, Development Services
A. Higginson, Development Services
M. Gordon, Central Area Major Development Group
R. Segal, Urban Design & Development Planning

APPLICANT:

IBI Group
#700 - 1285 West Pender Street
Vancouver, BC, V6E 4B1

PROPERTY OWNER:

Cadillac Fairview Corporation
20 Queen Street West
Toronto, ON, M5H 3R4

EXECUTIVE SUMMARY

- **Proposal:** To in-fill the existing amenity space (atrium) at Levels 1, 2 and 3 of Pacific Centre II, to provide a single-tenant retail space (Holt Renfrew) and a new mall corridor system. The project involves a request to transfer 14,311 sq. ft. of heritage density to the site, from 46 Water Street, which requires approval by the Development Permit Board.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building and Fire & Rescue Services comments

Appendix D Plans and Streetscape Photographs

Appendix E Atrium Photos

● **Issues:**

1. The loss of an existing public amenity space.
2. Future upgrades to the street frontages along Granville, Dunsmuir and Howe Streets.

- **Urban Design Panel:** Not applicable.

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVAL

THAT the Board APPROVE the heritage density transfer as submitted under Development Application No. DE409483, thereby allowing the in-fill of the existing three-storey atrium space, subject to Council's endorsement of the elimination of the publicly accessible atrium, and subject to the following conditions:

- 1.0 Prior to issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:
 - 1.1 design development to the interior layout of the mid-floor level (Granville Mall level) so as to provide for pedestrian interest at the Granville and Dunsmuir Street frontages,

including provisions for store entrances, generous, high-quality storefront window displays, visibility into the store, etc.;

Note to Applicant: Existing storefronts are smaller, with numerous entrances and a variety of window displays that add to pedestrian interest and give a sense of scale to the street. The proposed exterior improvements should have an equivalent or better sense of scale and visual interest that enhances the street experience. Blank walls and window displays that are repetitive and lacking a sense of depth, will not be permitted in the new design.

- 1.2 arrangements for the completion of exterior storefront improvements prior to occupancy of the new retail space, to the satisfaction of the Director of Planning.

Note to Applicant: Submission of a Development Application for the exterior storefront improvements for the Granville, Dunsmuir and Howe Street frontages and the pedestrian bridge improvements (over Dunsmuir Street) should be timed so as to allow for coordination of the interior and exterior construction. Staff note that the requested density transfer does not provide any additional floor area to cover off areas to be included in FSR which may be created by proposed exterior changes.

- 2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.
- 3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

• **Technical Analysis:**

	PERMITTED (Maximum)	REQUIRED	EXISTING and PROPOSED
Site Size			Irregular
Site Area			67,000 sq.ft.
Floor Area ¹	469,000 sq.ft. density transfer (10%) 46,900 sq.ft. Total 515,900 sq.ft.		Existing Office (unchanged) 299,837 sq.ft. Retail (stores) 152,744 sq.ft. Retail (converted food fair) 16,681 sq.ft. 469,262 sq.ft. New (converted amenity i.e. "atrium area" and infill of open to below) 14,311 sq.ft. Total 483,573 sq.ft.
FSR ¹	7.00 density transfer (10%) .70 Total 7.70		Existing 7.00 New .21 Total 7.21
Parking ²	449	391	Total (existing and proposed) 376
Loading ³		Retail Class B 9 Class C 2	Total of all uses (existing and proposed) Class A 5 Class B 7
Bicycles ⁴		Class A 23 Class B 6	Class A unknown Class B unknown
Amenities ⁵	6,000 sq.ft.		Existing 5,985 sq.ft. Proposed 0 sq.ft.

¹ **Note on Floor Area:** The new floor area of 14,311 sq.ft. is calculated by converting the public amenity area of 5,985 sq. ft., adding 4,272 sq. ft. on the main level (filling in of open-to-below atrium space), and adding 4,054 sq. ft. on the second level (also filling in of open-to-below atrium space). The office portion of the development is included in the tables for reference purposes only, and is not being affected by this proposal. The proposal is seeking this amount (14,311 sq.ft.) for the Heritage Density Transfer from the donor site, identified as 46 Water Street. Purchase of the heritage density must be finalized in order to achieve the proposed FSR/Floor Area. The amount of density brought onto the site amounts to 3.1% and is within the maximum 10% density transfer limits. Standard Condition A.1.3 seeks confirmation that an agreement has been finalized between a donor site and the subject site for the transfer of the heritage density.

² **Note on Parking:** The new floor area generated by this proposal requires an additional 15 off-street parking spaces. However Section 4.1.12 of the Parking By-law allows for the exemption of having to provide these spaces.

³ **Note on Loading:** Loading requirements for retail space, under the current Parking by-law, call for 9 Class B and 2 Class C loading spaces. The site currently has 5 Class A and 7 Class B loading spaces, previously approved under the original development. The overall loading space requirement does not increase by more than 10% for this application, and therefore under section 5.1.8 of the Parking by-law, this application is exempt from providing additional Class B spaces. However, Engineering staff are still concerned that no Class C spaces are provided, and seek clarification of the size of vehicles expected to serve the site. See condition A.2.1 and Engineering Commentary, page 7.

⁴ **Note on Bicycles:** Information regarding bicycle spaces has not been provided, and Standard Condition A.1.2 seeks clarification and provision of these spaces.

⁵ **Note on Amenities:** The existing amenity space (located at the lowest level - Howe Street) is being converted to retail area. This area, also referred to as the "atrium area", amounts to 5,985 square feet. The office portion of the development is not included in the tables, as it is not being affected by this proposal.

• **Legal Description**

Lots: Lot C
 Block: Block 32
 Plan: 21253
 District Lot: 541

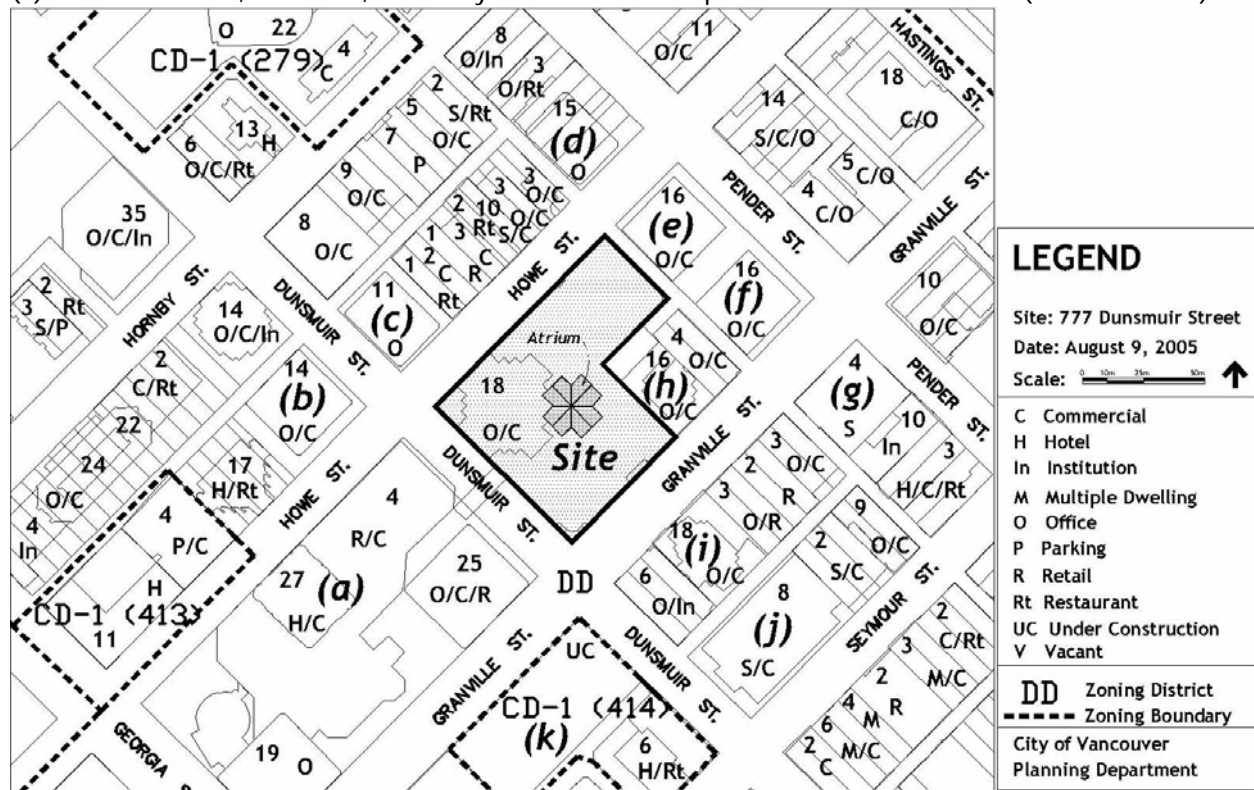
• **History of Application:**

05 06 06 Application submission
 05 08 31 Development Permit Staff Committee
 05 09 12 Development Permit Board

• **Site:** The site is located in the block bounded by Granville, Dunsmuir and Howe Streets and the lane to the north. The site is occupied by the Pacific Centre II mall with three levels of retail use and an 18-storey office tower. The existing atrium space is located in the centre of the lower floor level (Howe Street level), is three storeys high and has a glass skylight over top. There are existing water features in the centre of the atrium and along the north end wall, with bridge elements at the second and third levels. Existing escalators are located at the periphery of the atrium space linking all three retail levels. There is street-level access along all three street frontages and a direct pedestrian connection to the Pacific Centre I across Dunsmuir Street to the south via an underground tunnel and an overhead pedestrian bridge.

• **Context:**

- (a) 609 Granville St., Pacific Centre I, Block 42, three-level shopping mall, including a 25-storey office building and a 27-storey hotel (Four Seasons)
- (b) 625 Howe St., Standard Life Building, 14-storey office and commercial building
- (c) 595 Howe St., 11-storey office building
- (d) 800 W Pender St., 15-storey office building
- (e) 750 W Pender St. Pender Place, West Tower, 16-storey office building
- (f) 700 W Pender St., Pender Place, East Tower, 16-storey office building
- (g) 640 W Pender St., Simon Fraser University, 4-storey school
- (h) 543 Granville, Bower Building
- (i) 555 Seymour St., 18-storey office building
- (j) 750 Seymour St., BCIT, 8-storey school
- (k) 602 Dunsmuir, CD-1 414, 34 storey mixed use development under construction ("The Hudson")



• **Background:** A major tenant of Pacific Centre is the Holt Renfrew store, currently located on the south side (Block 42) of Pacific Centre I. Holt Renfrew is planning to create a new flagship store, doubling their retail floor area to 130,000 sq. ft. and relocating to the north side (Block 32) of Pacific Centre II.

To accommodate Holt Renfrew's space needs, Cadillac Fairview (the Pacific Centre owners) in consultation with Holt Renfrew, propose to convert the existing public atrium space on the lower level to commercial use and to infill the clerestory space above, on the main and upper floor levels for a total additional commercial floor area of 14,311 sq. ft. The proposal also involves reconfiguring the escalators on all floor levels and eliminating an existing entrance and stair to the lower level of Pacific Centre I at the northwest corner of Granville and Dunsmuir Streets.

The development permit authorizing Pacific Centre II was approved by the Development Permit Board on July 22, 1986 (DP203415). It included the exclusion of 5,985 sq. ft. of floor area for the public amenity (atrium) space as per Section 6 of the DDODP (Note: DDODP limits exclusions to 6,000 sq ft). A restrictive covenant and statutory right of way for public access were required. Conditions for approval of this floor area exclusion were as follows:

1. The owners were required to construct, complete and furnish the atrium space for the enjoyment of the public;
2. The owners were required to encourage, promote and programme the atrium space for community, cultural and artistic activities, in consultation with the Director of Planning and the Director of Social Planning; and
3. The atrium was not be used for commercial purposes.

This development application and the transfer of heritage density are subject to Council's approval of Cadillac Fairview's proposal to eliminate the publicly accessible atrium space. A report to Council on this subject will be considered on September 13, 2005. The Director of Current Planning will recommend that Council endorse the proposed elimination of the atrium space with the expectation that the appropriate replacement amenity will be dealt with at the time of anticipated rezonings of adjacent parcels. Although it is not possible to finalize the location and details of the replacement public amenity at this time, staff have identified a number of possible opportunities. These include:

- The provision of an enhancement to the existing public amenity space (atrium), suitable for public gatherings and cultural programming at the northeast corner of Georgia and Howe Streets (Block 42); and/or
- The provision of an entrance to the Richmond Airport Vancouver (RAV) rapid transit station, on the Pacific Centre plaza, at the southwest corner of Georgia and Granville Streets (Block 52).

If Council approves the elimination of the amenity space, the floor area increase would be realized through a transfer of heritage density from 46 Water Street. The added floor area would be contained within the existing building volume and not add height or building mass to the structure. Exterior upgrades to the street frontages along Granville, Dunsmuir and Howe Streets are planned in conjunction with the proposed interior renovations, but will proceed separately under a separate Development Application. (See Condition 1.2)

• **Applicable By-laws and Guidelines:**

1. DD - Downtown Official Development Plan
2. Downtown Design Guidelines

Response to Applicable By-laws and Guidelines:

1. DD - Downtown Official Development Plan

FSR: The By-law allows a maximum of 7.0 FSR for all permitted uses. In addition, up to a 10 percent heritage density transfer may be allowed under section 3.12 (see below).

Heritage Density Transfer: Section 3.12 of the Downtown Official Development Plan, contains, in part, the following:

Notwithstanding Sections 1, 3 and 4, the Development Permit Board may permit an increase in floor space ratio for any use where the increase results from a transfer of heritage floor space to a maximum of 10% over the total permitted floor space ratio, except that this increase shall not apply to hotels where the floor space has already been increased pursuant to subsection 2.

The heritage density transfer (14,311 sq. ft.) will provide the floor area needed for the in-fill of the atrium. The resultant FSR would be 7.21 and the floor area equates to three percent (3%) of the total floor area.

2. Downtown Design Guidelines

The application proposes converting the public atrium space on the lower floor level to retail use and infilling the open atrium space on the main and upper floor levels, also for retail use. Staff recommend support of the proposal on the basis of the following:

(a) The atrium space would be replaced by an appropriate replacement amenity, to be negotiated during a future anticipated rezoning process;

(b) The added floor area would be contained within the existing building volume and not add height or building mass to Pacific Centre II; and

(c) Exterior improvements to the store frontages along Granville, Dunsmuir and Howe Streets, which will result from this application, (Condition 1.2) are an opportunity to improve these important streetscapes. Items to be considered in the design of these exterior improvements would include:

- Pedestrian Interest : Active storefronts with creative display, frequent entrances, variety and transparency;
- Weather Protection; and
- High Quality Materials and Detailing.

It is significant to this Development Application that the construction of the exterior improvements to the street frontages be completed prior to the occupancy of the new Holt Renfrew store. (Condition 1.1) The interior and exterior work will be processed as two separate Development Applications to allow for the interior design concepts to precede the exterior design. For this reason, the Development Application for the exterior work has not yet been made. The construction for the exterior work should however commence approximately at the same time as the interior work to avoid delaying occupancy of the new Holt Renfrew store. In consideration of normal processing times, staff recommend that the Development Application for the exterior improvements to the store frontages be made no later than December 2005.

• **Conclusion:**

Staff support the proposed form of development, allowing a change of use and interior filling in of the existing public amenity, enabled by a heritage density transfer, and improvements to the exterior street frontages to be completed before occupancy, on the basis of future provision of replacement public amenity space to be negotiated with the owners of Pacific Centre.

URBAN DESIGN PANEL

This application was not reviewed by the Urban Design Panel.

ENGINEERING SERVICES

For the original (existing) office/retail development, the Parking By-law of the day required a total of 18 Class B loading spaces; however the project was approved with 5 Class A and 7 Class B loading spaces required. These were provided and have been maintained to the present.

Engineering is comfortable applying the loading space exemption clause (Section 5.1.8 of the Parking By-law) for additional Class B loading. It is not clear, however, whether vehicles larger than Class B will be serving the expanded retail floor area. Indeed, today's Parking By-law requires that there be two Class C (semi-trailer) loading spaces. Standard Condition A.2.1 seeks clarification of the sizes of vehicles that will be serving the site. Upon review of this information, additional adjustments or additions to the loading may be required.

Further recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

ENVIRONMENTAL PROTECTION BRANCH

As there is no soils disturbance resulting from this application for interior alteration, there are no requirements with respect to soils contamination issues.

PROCESSING CENTRE - BUILDING

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Processing Centre-Building staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, fire fighting access and energy utilization requirements.

Further comments regarding Building By-law requirements are contained in Appendix C attached to this report.

VANCOUVER COASTAL HEALTH AUTHORITY

The Vancouver Coastal Health Authority (Environmental Health Division) advises that:

1. Detailed drawings of any food/retail or personal service spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580, the Food Premises Regulation, and the Personal Services Establishments Regulation prior to construction.

FIRE & RESCUE SERVICES

The comments of Fire and Rescue Services are contained in Appendix C attached to this report.

NOTIFICATION

Site signs were installed on the Howe, Dunsmuir and Granville Streets frontages, describing this development application. On July 28, 2005, a notification soliciting comments was sent to 59 neighbouring property owners. To date, only one response has been received. The owner directly to the north does not oppose the application, but asks that the developer remove any of the existing vent stacks that are not required as a result of the interior renovations (ie., removal of the food fair) from the roof adjacent to his building. The applicant is currently undertaking a building survey and has advised staff that they intend to eliminate any redundant features, such as the vents which the neighbouring owner has identified.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee supports the staff recommendations for this application.

B. Boons
Chair, Development Permit Staff Committee

D. Morgan
Development Planner

T. Chen
Project Coordinator

Project Facilitator: A. Higginson

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

A.1 Standard Conditions

- A.1.1 confirmation of the site area by a BC Land Surveyor;
- A.1.2 clarification and provision of bicycle spaces, in accordance with Section 6 of the Parking By-law; and,
- A.1.3 submission of Letter "B" (copy attached) completed by the owner of the "donor" site, and the "receiver" of the density transfer, detailing the agreement to sell 14,311 sq.ft. of heritage density to the developer of the receiver site, and also confirming the balance of transferable heritage density remaining on the donor site.

A.2 Standard Engineering Conditions

- A.2.1 clarification of the size of the largest delivery vehicles that will be serving the site; should the project require service by vehicles larger than Class B, additional provisions to loading, to the satisfaction of the General Manager of Engineering Services, may be required;
- A.2.2 submission of sections and details to clarify that the new escalator pits do not encroach into the P1 parking level entry lane.

Note to Applicant: It appears that the escalator pits encroach into the minimum height clearance (2.3 m).

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Processing Centre-Building, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated August 31, 2005. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the "prior-to" response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **March 12, 2006**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Conditions of Development Permit:

- B.2.1 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.2 This site is affected by the Development Cost Levy By-law No. 8149. Levies will be required to be paid prior to issuance of Building Permits.
-

Processing Centre - Building Comments

The following comments have been provided by Processing Centre - Building and are based on the architectural drawings dated May 18, 2005. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law.

- Construction must be non-combustible.
- All new work shall conform to the Vancouver Building By-law.
- All new floor openings shall conform to Section 3.2.8 of the Vancouver Building By-law.
- Equivalencies may be required.
- Areas of refuge shall be provided as required, to conform to Section 3.8 of the Vancouver Building By-law.
- The exit capacity must be checked due to the increase in occupant load.

Written confirmation that the applicant has read and has understood the implications of the above-noted comments is required and shall be submitted as part of the "prior-to" response.

The applicant may wish to retain the services of a qualified Building Code consultant in case of difficulty in comprehending the comments and their potential impact on the proposal. Failure to address these issues may jeopardise or delay issuance of a Building Permit.

Fire and Rescue Services Comments

The following comments have been provided by Fire and Rescue Services and are based on the architectural drawings dated May 18, 2005. This is a preliminary review intended to identify areas in which the proposal may conflict with fire provisions of the Vancouver Building By-law.

- Existing Fire and Rescue Services response point, annunciation and fire alarm system must be reviewed at the Building Permit stage.