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1011 W. CORDOVA (FORMERLY 201 BURRARD)  
(COMPLETE APPLICATION)  
DE409730 - ZONE CD-1

RRS/SB/VP/DK

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

B. Boons (Chair), Development Services  
M. Thomson, Engineering Services  
L. Gayman, Real Estate Services  
V. Morris, Social Planning  
R. Whitlock, Housing Centre  
D. Jantzen, Vancouver Coastal Health  
T. Driessen, Vancouver Park Board

**Also Present:**

R. Segal, Urban Design & Development Planning  
S. Barker, Development Services  
V. Potter, Development Services  
K. Magnusson, Engineering Services  
P. Pinsker, Engineering Services

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**APPLICANT:**

James K.M. Cheng Architects Inc.  
#200 - 77 West 8<sup>th</sup> Avenue  
Vancouver, BC  
V5Y 1M8

**PROPERTY OWNER:**

Westbank Projects Corporation  
#501, 1067 West Cordova Street  
Vancouver, BC  
V6C 1C7

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop a 44 storey mixed-use building including Hotel, General Office Live-Work and ground floor Retail uses, with 6 levels of below grade parking.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building

Appendix D Plans and Elevations

Appendix E Applicant's Design Rationale

Appendix F Project Massing: - Extract from Council Motion & Report on the Text Amendment

Appendix G View Analysis

Appendix H Traffic Study

- **Issues:** No substantive issues.

- **Urban Design Panel:** Support

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DE409730 as submitted, the plans and information forming a part thereof, subject to Council approval of the final form of development, thereby permitting the development of a 44 storey mixed-use building including Hotel, General Office Live-Work, and ground floor retail uses, with six levels of below grade parking, subject to the following conditions:

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- 1.0 Prior to the 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 better integrate the uppermost tower penthouse element into the body of the tower to enhance vertical expression;
  - 1.2 design development to extend active uses and provide further glazing at specific sidewalk frontages to maximize pedestrian interest;  
  
**Note to Applicant:** On the Burrard frontage, close to Cordova Street, retail glazing and use should be extended, displacing blank kitchen use at the sidewalk. The blank wall (tower pier) at the Burrard/Cordova corner should be further set back from Burrard Street to diminish its projection beyond the retail frontage. On Canada Place, west of the parkade access curb cut, a specialty display area should be introduced to maintain pedestrian interest and screen the driveway ramp. On Cordova Street (southwest corner), the extent of blank wall at the two sets of exit stairs should be reduced by introducing glazing into the easterly stair.
  - 1.3 design development to relocate to a less prominent position and break up the size of the sidewalk mechanical grilles at the southeast and northwest corners of the site.  
  
**Note to Applicant:** Carefully detailing these grilles to integrate them into the public realm treatment is needed.
  - 1.4 design development to the Waterfront Road frontage to enhance this area as much as possible through parkade wall surface treatment, lighting, wayfinding, colour, and other elements that provide a sense of inhabitation;
- 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: CD-1 (363) Sub-Area 1 (Parcel 2A)**

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED
Site Size	-	-	Irregular
Site Area	-	-	50 161 sq. ft.
Floor Area <sup>1</sup>	Parcel 2A of Sub-Area 1: Retail/Service: 52 476 sq.ft. General Office Live-Work: 400 000 sq.ft. Hotel: n/a Total: 807 320 sq.ft.	-	Parcel 2A of Sub-Area 1: Retail/Service: 11 799 sq.ft. General Office Live-Work: 397 919 sq.ft. Hotel: 397 600 sq.ft. Total: 807 318 sq.ft.
Amenity	10 764 ft <sup>2</sup>	-	7 219 ft <sup>2</sup> (live-work exercise room and home theatre)
Unit Count <sup>2</sup>	-	-	Live-Work: 195 units Hotel: 415 units
Balconies	Live-Work (open): 31 834 sq.ft. Hotel (open) 31 808 sq.ft. Total: 63 642 sq.ft.	-	Live-Work (open): 31 773 sq.ft. Hotel (open) 5 479 sq.ft. Total: 37 252 sq.ft.
Height <sup>3</sup>	Parcel 2A Tower: 301.84 ft. Relax up to: 458.25 ft.	-	Top of roof slab: 459.31 ft. Top of roof parapet: 460.06 ft. Top of trellis/sunshade: 463.72 ft.
Parking <sup>4</sup>	<u>Retail/Service:</u> Total: 14 spaces <u>General Office</u> <u>Live-Work:</u> Small car: 74 spaces Total: 365 spaces <u>Hotel:</u> Small Car: 43 spaces Total: 254 spaces Total Parking: 633 spaces	<u>Retail/Service:</u> Total: 12 spaces <u>General Office</u> <u>Live-Work:</u> Disability: 7 spaces Total: 332 spaces <u>Hotel:</u> Disability: 4 spaces Total: 167 spaces Total Parking: 511 spaces	<u>Retail/Service:</u> Total: 0 spaces <u>General Office</u> <u>Live-Work:</u> Standard: 219 spaces Small Car: 70 spaces Disability: 5 spaces (Disability x 2): 5 spaces Total: 299 spaces <u>Hotel:</u> Standard: 130 spaces Small Car: 38 spaces Disability: 5 spaces (Disability x2): 4 spaces Total: 177 spaces Total Parking: 476 spaces
Bicycle Parking <sup>5</sup>	-	<u>Class A</u> <u>Class B</u> Retail/Service: 1 sp. 6 sp. Live-Work: 244 sp. 6 sp. Hotel: 14 sp. 6 sp. Total: 259 sp. 18 sp.	<u>Class A</u> <u>Class B</u> Retail/Service: 4 sp. 6 sp. Live-Work: 244 sp. 6 sp. Hotel: 13 sp. 6 sp. Total: 261 sp. 18 sp.
Passenger Spaces <sup>6</sup>	-	<u>Class A</u> <u>Class C</u> Hotel: 7 sp. 2 sp.	<u>Class A</u> <u>Class C</u> Hotel: 3 sp. 0 sp.
Loading <sup>7</sup>	-	<u>Class A</u> <u>Class B</u> Retail/Service: 0 sp. 2 sp. Live-Work: - 1 sp. Hotel: 2 sp. 3 sp. Total: 2 sp. 6 sp.	<u>Class A</u> <u>Class B</u> Retail/Service: 0 sp. 0 sp. Live-Work: - 1 sp. Hotel: 2 sp. 2 sp. Total: 2 sp. 3 sp.

<sup>1</sup>Note on Floor Area: 5 723 sq.ft. of principal retail use has been proposed in three separate areas of the building, and the 6 076 sq.ft. hotel spa at Level 3 shall be considered a principal service use. Retail/service areas considered ancillary to the principal hotel use have been included in the hotel floor area.

<sup>2</sup>**Note on Unit Count:** Standard Condition A.1.2 seeks clarification of the inconsistencies which exist between the total number of hotel units presented on the drawings versus the total number presented in the project data. All permitted, required and proposed figures presented for the hotel use are based on the provision of 415 hotel units as confirmed by the applicant.

<sup>3</sup>**Note on Height:** The Development Permit Board may consider an increase in the permitted height for Parcel 2A in Sub-Area 1 from a maximum of 301.84 ft. (measured to the top of the roof slab and excluding the mechanical penthouse and roof) up to a maximum of 458.25 ft. (including all building appurtenances such as the proposed trellis/sunshade). Standard Conditions A.1.1 seeks a reduction in the building height to a maximum of 458.25 ft. including all building appurtenances.

<sup>4</sup>**Note on Parking:** Disability parking spaces provided to satisfy the minimum requirements shall count as two spaces for the purpose of satisfying the minimum required number of parking spaces (Disability x 2) Standard Condition A.1.4 seeks the:

- provision of a minimum of twelve (12) off-street parking spaces for the principal retail/service uses (6 spaces for the retail use and 6 spaces for the service [hotel spa] use.) Engineering Services staff support discounting the six (6) off-street parking spaces required for the hotel spa by 50% (thereby supporting a relaxation of three (3) off-street parking spaces) subject to the provision of written confirmation that the hotel spa is to operate as a dual-purpose facility serving both those on and off-site (see Engineering Services commentary on page 9.)
- provision of the required number of parking spaces (including disability parking) for the live-work use to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services;
- confirmation (in the form of overlay drawings) of the gross floor area of each individual live-work unit in order to verify the total number of parking spaces required for this use;
- confirmation (in the form of overlay drawings) of both the total area of the hotel used for meeting room or ballroom assembly purposes, as well as the total area of office, restaurant, lounge and retail uses in conjunction with the hotel use. The off-street parking requirement for the latter areas has been based on 19 774 sq.ft. of ancillary office, restaurant, lounge and retail area.
- provision of written confirmation that the provided hotel units shall be "sleeping" or "housekeeping" units rather than "dwelling" units.

<sup>5</sup>**Note on Bicycle Parking:** Required Class A Bicycle Parking for the live-work use has been assessed using the standards for multiple dwellings (a minimum of 1.25 spaces for every dwelling unit). Standard Condition A.1.6 seeks the provision of the required number of Class A Bicycle parking spaces for the hotel use, the provision of the required number of associated clothing lockers for the hotel use pursuant to Section 6.5.1 of the Parking By-law, and clarification of for which use(s) the provided Class A bicycle parking is intended.

<sup>6</sup>**Note on Passenger Spaces:** In addition to the three (3) Class A passenger spaces provided on the site, four (4) Class A, and two (2) Class C passenger spaces have been proposed on Lot 2 (Shaw Tower site) to the west. Standard Engineering Condition A.2.9 seeks arrangements to be made to the satisfaction of the Director of Planning, General Manager of Engineering Services, and the Director of Legal Services for those passenger spaces which are proposed off-site, as well as the provision of a revised layout of the Class A passenger spaces (such that vehicles are not blocked in).

<sup>7</sup>**Note on Loading:** Standard Condition A.1.5 seeks the provision of the minimum number of Class B Loading spaces required for the hotel use, or in lieu, the provision of two (2) additional Class A spaces to the satisfaction of the General Manager of Engineering Services (see Engineering Services commentary on page 10). Engineering Services staff support a relaxation of the two (2) required Class B loading spaces for the retail/service uses provided that a Traffic and Loading Management Plan addresses the coordination of deliveries to the site, and that all loading spaces are available for all of the various uses on the site for delivery service functions. (Standard Engineering Condition A.2.25)

• **Legal Description**

Lot: 1  
 Plan: LMP 51876 of the public harbour of  
 Burrard Inlet

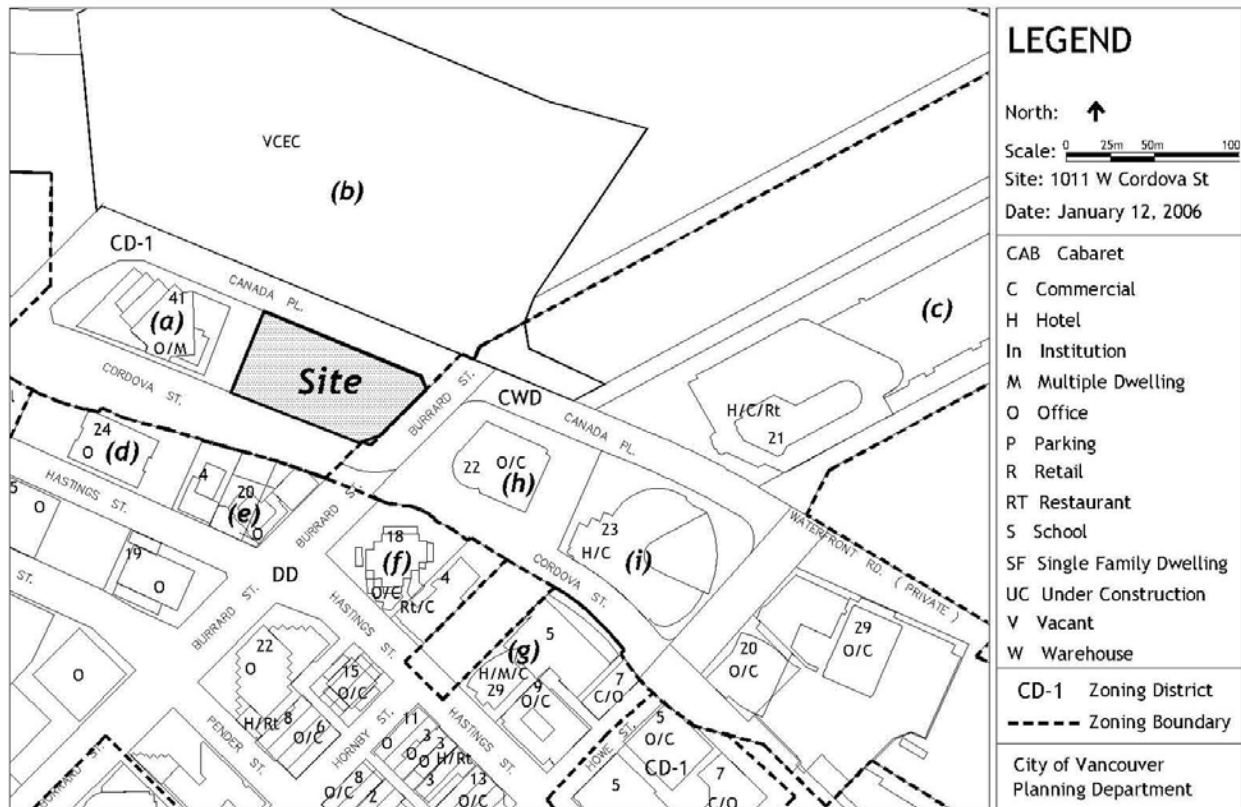
• **History of Application:**

05 Sep 13 Complete DE submitted  
 05 Oct 26 Urban Design Panel  
 05 Dec 07 Development Permit Staff Committee

• **Site:** The site is bounded by Burrard, Cordova, Canada Place and, on the west, by the mid-block driveway shared with the Shaw Tower.

• **Context:** Significant adjacent development includes:

- (a) 1067 W Cordova (Shaw Tower); 41-storey office/live-work
- (b) 1055 Canada Place (Vancouver Convention Centre); under construction
- (c) 999 Canada Place (Canada Place;) (existing Convention Centre and Pan Pacific Hotel)- 21 storeys
- (d) 1055 W Hastings (Guinness Office Tower) - 22 storeys
- (e) 355 Burrard (Marine Building); 21 storey office/retail/school
- (f) 999 W Hastings (Hastings Office Tower, former Daon Building)- office/retail
- (g) 837 W Hastings (Terminal City Club)- 30 storey mixed use, residential, retail, office, club
- (h) 200 Burrard (Waterfront Centre) - 22 storey office tower
- (i) 201 Howe (Fairmont Waterfront Hotel) - 23 storey hotel



● **Background:** On January 20, 2005 at Public Hearing Council approved a text amendment to CD-1 By-law No. 7679 as it applies to this site (Parcel 2A at 299 Burrard) to allow live-work use and a revised form of development with a height up to 458.25 ft. including all appurtenances (slightly lower than the previously approved maximum height of 472 ft. for an all-hotel tower). The revised form of development incorporated an improved tower massing over that of the previous all-hotel tower.

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

1. 201 Burrard Street CD-1 By-Law No. 7679 as amended at Public Hearing January 20, 2005
2. Burrard Landing (201 Burrard Street) CD-1 Guidelines  
(Note: The revised form of development for Parcel 2A as approved in principle at Public Hearing on January 20, 2005 replaced the illustrative form of development for an all-hotel scheme previously approved April 10, 2001.)

● **Response to Applicable By-laws and Guidelines:**

1. 201 Burrard Street CD-1 (Parcel 2A)

Use and Density: The proposed uses and density conform to the CD-1 by-law. Proposed density is slightly lower than the maximum permitted floor area.

Height: The proposed height is 7.43 ft. higher than permitted. Standard condition A.1.1 requires lowering of the height, including all appurtenances, to 458.25 ft.

Parking: The proposed parking is deficient by approximately 30 spaces (the precise number to be determined, with further clarification to the floor areas of the Live-Work units and various floor areas ancillary to the Hotel use, the number of hotel units, and the status of the hotel spa operations. Changes to disability parking, principal use retail floor areas, and the incorporation of co-op vehicles/spaces would also change the size of this deficiency. (See Engineering Services commentary on page 9)

2. Burrard Landing (201 Burrard Street) CD-1 Guidelines and Revised Form of Development (Approved in Principle January 20, 2005).

Built Form: The proposed massing conforms to the Guidelines as applied to this parcel, as well as to the form of development as revised at Public Hearing January 20, 2005 (Refer to Appendix F). This revised tower massing, in addition to accommodating live-work use and a slightly lower height with less impact on the 12<sup>th</sup> & Cambie View Corridor, achieves the following urban design advantages over the previous all-hotel tower massing:

- Reorienting of the Burrard face of the tower to be perpendicular to Cordova Street rather than parallel to Burrard, which opens up Burrard Streetend vistas. This is particularly advantageous now that the new convention centre, with its relatively low height, is proceeding.
- The triangular tower plan, while respecting views from the Marine Building and opening Burrard Streetend vistas, also presents a much slimmer profile to the water as a more elegant backdrop, along with the Shaw Tower, to the relatively low convention centre massing.

Staff consider the proposed built form to meet or exceed the intent of the Guidelines and revised form of development as approved in principle by Council. [Note: The proposed typical tower floor plates (17,403 sq.ft. for hotel portion, 15,989 sq.ft. for live-work portion) exceeds the typical floor

plate cited in the Guidelines for the previous all-hotel scheme (15,823 sq.ft). Although this particular provision in the Guidelines was not rescinded, it was superceded by the revised form of development which took into account tower massing impacts, views, shadowing, etc. and was approved in principle by Council]. The design refinements to both tower and podium massing orientation and treatment incorporated in this submission respond well to the design development conditions of the text amendment and form of development approval-in-principle (refer to Appendix F, p.1 & 2 of 11).

Public Realm: An exceptionally high quality, active public realm interface is provided all around the building's sidewalk edges consisting of hotel lobbies and lounges, retail, restaurants and live-work lobby. Virtually continuous weather protection is also provided through canopies and podium overhangs. High quality sidewalk, setback and landscape treatment along with continuous street trees enhance the pedestrian environment in response to the Guidelines and design development conditions of the form of development approval-in-principle. Staff are concerned with the size and position of horizontal parkade exhaust grilles in the sidewalk setback areas at the northwest and southeast corners of the site. These should be carefully integrated into the public realm treatment, including adjustments to their location and detailing (condition 1.3).

In addition, specific inactive portions of frontage on Burrard Street (kitchen area), on Canada Place (parkade ramp parallel to sidewalk west of driveway curb cut), and on West Cordova Street (exit stairs) should be adjusted to extend glazed, active sidewalk frontage (condition 1.2).

Architectural Treatment: A highly sophisticated architectural expression helps to break down the scale of both the podium and tower components of this 800,000 sq.ft. building. Staff believe that the intent of the Guidelines and design development conditions of the approved text amendment have been met or exceeded. The only concern, as expressed by the Urban Design Panel, is with the very top of the tower (uppermost 3 floors) which should be refined in its transition to the body of tower to accentuate its vertical expression (condition 1.1).

Public Art: The public art terms of reference for this site (yet to be finalized) suggests that artwork likely to incorporate electronic lighting/imagery is to be located on the building face at the lower portion (level 3 to 18) of the Burrard/Cordova corner. While staff note that the Shaw Tower public art oriented to the water has been widely praised, care must be taken at this more exposed, city-facing corner that light intensity and colour choice do not create glare. Staff look forward to submission of a detailed public art plan for review.(Condition A.1.21).

Other Items: There is a need to upgrade as much as possible the treatment of the Waterfront Road level walls, lighting and safety, acknowledging that this area is predominantly utilitarian. The lower lobby of the new convention centre across the street and the open area to the northeast beneath the Canada Place Promenade should be used as cues for this proposal to provide as positive an environment as possible in this area (condition 1.4).

● **Conclusion:** This thoughtfully conceived and exceptionally well executed proposal meets or exceeds guideline expectations and will contribute positively to Burrard Landing precinct that is now taking shape. The recommendation is for approval subject to design development conditions of a detailed nature as well as provision of additional parking to meet the CD-1 and Parking By-laws (See Engineering Services commentary on page 9).

## URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on October 26, 2005, and provided the following comments:

**EVALUATION: SUPPORT (8-0)**

- **Introduction:** Ralph Segal, Development Planner, introduced this application for the second tower in the Burrard Landing sub area of Coal Harbour, noting the recent text amendment to allow mixed use for hotel and live/work on this site.

Mr. Segal said the project meets or exceeds the objectives for the Burrard Landing Guidelines; noting that Council has given approval for the upper most appurtenances of the building to intrude into the view cone. This proposal is attempting to minimize the extent of that intrusion both in terms of height and width.

Specific advice from the Panel is sought on the following:

- the overall architecture and massing;
  - the overall landscape response;
  - the articulation of the tower and the podium, as well as the proposed scale of the podium element;
  - the public realm treatment in terms of pedestrian interest and the streetscape;
  - the relation of scale and volume of the Burrard Street frontage to the Marine building;
  - the treatment of the top of the building, noting the view cone intrusion of 2-3 floors.
- **Applicant's Introductory Comments:** James Cheng, Architect, reviewed the history of the application and changes made to the proposal after the rezoning. Mr. Cheng described the history behind the shape and height of the proposed building. He described the setbacks, retail frontage and electronic information board, as well as noting that there will be a public art piece on the corner that may be the largest in Vancouver.

Chris Phillips, Landscape Architect, reviewed the landscape plan and sustainable strategies for the proposal such as green roofs and possibly tying into the Convention Centre and Pan Pacific cooling systems for shared geothermal. The applicant team responded to questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
  - Further design development to the northeast plaza at Burrard Street and Canada Place, including extending the special paving on Burrard Street across to the Convention Centre.
- **Related Commentary:**

The Panel unanimously supported this application and commended the applicant for providing an excellent presentation. The Panel felt the proposal was skillfully handled and strongly responded to the urban design context through architecture, massing and pedestrian level treatments.

With respect to the detail design execution of signage and the public art aspects of the project, the Panel hoped that those would be followed through with as they expected. One Panel member asked the applicant to ensure that the public art piece does not become commercial.

Two Panel members were in agreement that the silhouette at the top of the tower would be stronger without the proposed trees and suggested replacing those with short bushes or lawn. One Panel member felt that the landscaping and size of the layby seemed too small for a large hotel. It was also suggested by a Panel member to move the street trees, on the Burrard Street side, onto the site instead of having them on City property.

In terms of sustainability, the applicant was commended for putting sustainability at the forefront and addressing the facades from the north to the south, as well as east and west. A Panel member noted that geothermal was being explored for this site and said that is a must.



Two Panel members were not supportive of the building height encroaching into the view cone, stating that view cones should be protected. It was also stated by a Panel member that the top of the building needs more work to get the proportion right without pushing more into the view cone. There were several other minor comments for more attention to the horizontal banding of concrete projecting from the balconies, the corner of Burrard and Canada Place, and façade element details.

**Applicant's Response:** Mr. Cheng thanked the Panel for their comments and said that he intends to do more work to the top of the tower. He stated that a signage package will be submitted separately as per City requirements.

## ENGINEERING SERVICES

### Parking

The applicant has secured the services of a transportation consultant [Bunt & Associates] to review the parking requirements for the Fairmont Hotel project, component by component, as described in its report dated November 28, 2005 (Appendix H). For the hotel and its ancillary uses, the consultant generally concurs with the site's CD-1 standards, which are the same as the City's Parking By-law standards for the Central Waterfront/Downtown Districts. The only variations are a proposed discounting of the 6-space requirement of the hotel spa by 50% to reflect the anticipated sharing in its use between the on-site community and off-site customers, and not requiring the non-hotel retail outlets to provide the 6 spaces required of them on grounds that the customers are largely on-site anyway for other reasons.

For the principal use retail establishments [not considered ancillary to the hotel] parking should be provided at the By-law rate to cover the needs of staff and a limited number of the customers. For the spa, though this may operate with service to the general public, it is expected that a large portion of its users will come either from the hotel or from the live/work units such that the consultant's recommendation for a 50% shared-use reduction in the requirement is supportable. As for the hotel itself, there is a discrepancy in the number of rooms; as noted in the Technical Table, staff will use the latest figure, 415 rooms, supplied by the applicant as the basis for determining the required parking. On the basis of the foregoing, the applicant is satisfying the required parking of 176 spaces for the hotel [including meeting room/ballroom and other ancillary hotel uses, and 3 spaces for the spa] and retail uses, as disability spaces may be bonused in order to meet this sum.

The other major component of the site is the office live-work use, consisting of 195 units. The CD-1 requirement is 332 spaces, or 1.70 spaces per unit. The applicant's consultant has compared requirements under the CD-1 [CWD/DD] with those of the Coal Harbour and "New Downtown Core" standards, the latter having been applied recently to projects such as the Hudson and Shangri-La. Using floor areas some 15% less than staff's [i.e. unit floor areas rather than gross floor areas] the consultant calculated requirements that were marginally less than the CD-1 requirement. Much of the consultant's review focused on observed parking demand at the Shaw Tower, where it was found that 1.21 spaces were used per unit for the 86 units with activity evident. It was noted that while provision at the Shaw Tower is about 1.78 spaces per unit, a high proportion of the units are owned "out-of-town" such that about 25 to 30% of units are considered "absentees", while some 20% are rentals. Since it is still early on into occupancy, the consultant estimated that vehicle ownership might increase with maturation of the site by up to 20%, and suggested that with time demand at the Shaw would approximate 1.4 to 1.5 spaces per unit. Thus, the consultant concluded that the 308 spaces that would be required per the New Downtown Core standard would be sufficient.

Staff believe that relating demands at the Shaw Tower to this site's needs is highly speculative, since it is only one site, with limited units for study, and it is at such an early stage in its evolution with respect to parking, unit ownership, and operation. The proposed tower will feature million or multi-million dollar units, and vehicle ownership is likely to eventually settle at a relatively high level, even with the coming improvements to transit services for the area. It is noted that comparable units a

block to the west are being supplied with 2, 3, or 4 spaces per unit. If the standard recommended by the consultant were applied, but using the conventional floor area method, a requirement greater than 332 spaces would result. As a check, should the use swing to office rather than residential, an all-office calculation would determine a requirement for 337 spaces with the applicant's floor area calculation, or 397 spaces with that of the Technical Table. Staff conclude that the 332-space minimum requirement of the CD-1 By-law should be adhered to.

In summary, provision of a total minimum of 511 spaces is recommended (or 508 spaces should the hotel spa be for both on and off-site users). The proposal, as described above, is deficient by 35 parking spaces, even with double-counting eligible disability spaces (the deficiency may be reduced by up to 6 spaces should the applicant incorporate the permitted 3 co-op vehicles/spaces into the project.) Staff are prepared to work with the applicant to eliminate the deficiency which may include payment-in-lieu as well as other options.

#### Loading and Passenger Spaces

The applicant seeks relaxation of Class B loading from 6 spaces to 3. Staff can support this provided there is provision of an additional 2 Class A loading spaces, to a total of 4. (Standard Condition A.1.5), and that a Traffic and Loading Management Plan (Standard Engineering Condition A.2.25) addresses, among other things, the coordination of deliveries to the site, and ensures that loading spaces are available for shared use by all site components. Passenger spaces are well provided for, with 7 Class A [taxi, passenger car] spaces and 2 Class C [tour bus] spaces able to be accommodated in the arrival plaza. Securing of those passenger spaces located on the adjacent Shaw Tower site is required under condition A.2.9. As well, there are 2 parking spaces for tour buses proposed at the Waterfront Road level.

#### Obligations Defined by the Services Agreement

There are existing obligations for infrastructure improvements required as part of the Burrard Landing rezoning approvals and secured by the registered Services Agreement. The Services Agreement details items to be constructed with each phase of development. While most of the works associated with this phase have been completed by other phases, there are outstanding items attributable to the whole of the rezoning area that have yet to be satisfactorily secured. This includes items constructed as part of the Cordova Street Works that were inaccessible due to safety fencing securing this site at the time of the final warranty walk through. If, when the security fencing is removed, there is surface damage by the fencing, i.e. cracks in the sidewalk panel or tree pit covers, or defect in the irrigation system these items will need to be resolved prior to occupancy. In addition, VCCEP is constructing the street works in the 1000 Block of Canada Place as part of the Phase 2.3 Works. The City has yet to satisfactorily secure the provision of mechanical ventilation that will be required at the lower level to provide good quality air as a result of the sealing in of the street by the development sites and as such this obligation exists for both the remaining development sites.

The agreement also includes items that must be provided for if deemed required by City Council prior to the issuance of the development permit for the last rezoning site. Staff continue to evaluate the need for these improvements and the developer is made aware through condition A.2.18 of the continued obligation for the Hastings Street widening and the three (3) left turn bays on Pender Street (two at Thurlow Street and one at Bute Street).

#### No Build Covenant

There is a No Build Covenant registered on title that originated from the 1996 Burrard Landing Rezoning. This covenant was to secure the provision of parking to serve the public amenity "Arts Complex". While construction of the Arts Complex is no longer being considered, as the lot has been sold to VCCEP for consolidation into their project site, the future cost to the developer for the provision of the parking was one of the public benefits to be delivered with the development as part of the approved rezoning. Without the Arts Complex the actual parking is not required and therefore staff are requiring that a settlement that is satisfactory to the City Manager, the Director of Legal

Services and the General Manager of Engineering Services be arranged to allow the Council approved rezoning condition to be satisfied. (Standard Engineering Condition A.2.15)

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

#### **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

See conditions A1.16 - A.1.19.

#### **LANDSCAPE**

This application contains a potentially exciting streetscape on three sides (Canada Place, West Cordova Street and Burrard Street), as well as a hotel entrance/porte-cochere frontage (west side). The largest public realm area is on Burrard Street with a generous 40 feet from the curb to the building façade containing high quality paving materials, seating, a double row of trees and a public art installation. When completed it will be a positive addition to the urban design context which includes the new convention centre and the Shaw Tower. The application is also to be commended for its sustainability strategies, including two green roofs, on the 6th and 44th floors and a geothermal system.

#### **HOUSING/SOCIAL PLANNING/CULTURAL AFFAIRS**

The proposed development at 1011 West Cordova Street (Fairmont Hotel) consists of a hotel and live-work tower. Of the 195 total live-work units, 165 contain two or more bedrooms. This, along with the proximity to Harbour Green Park and the Shaw Tower Daycare next door, make 1011 West Cordova an attractive building for families with children.

The building form includes an outdoor deck (level 3) which is shared with the hotel. Level 3 allows ample opportunity for providing for the needs of families with children. Accordingly, staff recommend that the proposed development incorporate indoor and outdoor equipped children's play spaces. The outdoor play space should be located to allow supervision from an indoor amenity room, equipped for children's play and adult seating. (see Condition A.1.20).

The public art requirement for this site was secured at the original rezoning of the site.

The owner of this site has opted to access the full public art budget, as opposed to a partial payment to the City. The developer and his public art consultant have also expressed interest in having the artwork address the east side of the south face of the building, up the first few stories, due to the very public nature of this building face. Staff have agreed in principle to this (See also page 7 for commentary), and seek a detailed public art plan at this development permit stage (condition A.1.21).

#### **ENVIRONMENTAL PROTECTION BRANCH**

There are no outstanding development permit holds for this site. An erosion sediment control plan will be required prior to the BU application stage. An environmental consultant must be available during excavations to identify any materials of suspect environmental quality in any media. A closure report on findings will be required from the environmental consultant prior to the Occupancy stage. (See Standard Note to Applicant B.2.9)

#### **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

An acoustical consultant's report has been submitted which assesses the noise impact on the site and recommends noise mitigation measures in order to achieve noise criteria. This report has been reviewed and accepted. The VCHA advises the applicant to take note of the following:

- (i) Detailed drawings of food/retail spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction.
- (ii) Details of swimming pools/hot tubs to be submitted to the Environmental Health Division and Provincial Health Engineer prior to construction.
- (iii) The garbage storage area is to be designed to minimize nuisances.
- (iv) The underground parking is to be adequately ventilated to prevent the build-up of noxious gases.
- (v) Detailed drawings of amenity spaces to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation prior to construction.
- (vi) All fresh-air intake portals are to be located away from driveways and parking/loading areas in order to prevent vehicle exhaust from being drawn into the building.

#### NOTIFICATION

Two signs were erected on the site on October 25, 2005. On October 27, 2005, 271 letters were sent to neighbouring property owners advising them of the application.

One written response, was received from the President of the Terminal City Club, written on behalf of owners on the west side of the residential strata. These owners oppose the application, based on view blockage concerns. Points raised include:

- The proposed tower is situated too close to the eastern portion of the site, cutting off the view from Terminal City Club's western units of Coal Harbour, Stanley Park and the Lion's Gate Bridge. The tower should be pushed closer to the Shaw Tower.
- The tower is too tall. It should be reduced to 377'.
- The floorplate of the proposed tower is too wide, creating further view impacts.

Several phone calls from residents of the Shaw Tower and Terminal City Club were also received, seeking information or expressing concern about view impacts.

Staff Response:

The tower massing conforms to the Burrard Street setback and angles away from Burrard Street towards the north, thereby opening up views for neighbouring easterly towers such as the Terminal City Club. Staff consider the proposed tower's massing to be equal to or better than the previous all-hotel tower massing in terms of respecting neighbouring views.

**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law and the CD-1 By-law, the approval requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council with respect to the increase in height.

It also requires the Development Permit Board to approve relaxations to the Parking By-law, Section 3.2.1(c) pertaining to the number of parking, loading, and on-site passenger spaces. Specifically,

- The number of parking spaces for the service use (spa) would be relaxed from the required 6 to 3;
- The number of Class B loading spaces would be relaxed from 6 to 3, based on the provision of two additional Class A spaces; on securing shared use agreements; and on provision of a Transportation Management Plan that addresses coordinated deliveries to the site;
- The number of on-site passenger spaces would be relaxed from the required 9 to 3, based on securing 6 spaces off-site at the adjacent Shaw Tower property.

The Staff Committee supports the relaxations proposed.

Staff committee endorses the proposed floorplate sizes as being consistent with the revised Form of Development approved by Council in January 2005.

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B. Boons  
Chair, Development Permit Staff Committee

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R. Segal, MAIBC  
Senior Development Planner

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S. Barker  
Project Coordinator

Project Facilitator: V. Potter

## 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 reduction to the building height to a maximum of 458.25 ft. above base surface including all building appurtenances;

A.1.2 clarification of the total number of hotel units being provided;

**Note to Applicant:** Inconsistencies exist between the total number of hotel modules indicated in the project data (400) versus the total number indicated on the plans (435). All permitted, required and proposed figures presented for the hotel use are based on the provision of 415 hotel units as confirmed by the applicant. Individual units shall be clearly separated by walls (rather than dashed lines), including clarification of the intent of modules labeled as "1/2".

A.1.3 clarification of the proposed live-work "amenity" areas as follows:

- provision of a letter of undertaking, signed by the owners, assuring the furnishings and availability of the live-work amenity areas (exercise room and home theatre room) to all residents/tenants/guests etc. of the live-work units;
- provision of details on the floor plans of the furnishings and/or equipment being provided;

A.1.4 provision/clarification of the following items relating to the off-street parking requirements for the proposed uses:

- provision of the required number of parking spaces for the principal retail/service uses;

**Note to Applicant:** Should the applicant provide written confirmation that the hotel spa will act as a dual-purpose facility serving both hotel guests, as well as those off-site, then Engineering Services staff support discounting the off-street parking required for the hotel spa by 50% (thereby requiring 3 parking spaces rather than 6 spaces.)

- provision of the required number of parking spaces for the live-work use (including the associated number of disability parking spaces) to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services;

**Note to Applicant:** The applicant may wish to provide up to three (3) co-op vehicles and spaces in order for the parking requirement for the live-work use to be reduced by up to six (6) spaces.

- confirmation (in the form of overlay drawings) of the gross floor area of each individual live-work unit in order to verify the total number of parking spaces required for this use;
  - confirmation (in the form of overlay drawings) of both the total area of the hotel used for meeting room or ballroom assembly purposes, as well as the total area of office, restaurant, lounge and retail uses in conjunction with the hotel use;
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- provision of written confirmation that the provided hotel units shall be “sleeping” or “housekeeping” units rather than “dwelling” units;
- A.1.5 provision of the required number Class B Loading spaces for the hotel use, or in lieu, the provision of two (2) additional Class A spaces to the satisfaction of the General Manager of Engineering Services;
- A.1.6 provision of a minimum of fourteen (14) Class A Bicycle parking spaces for the hotel use, provision of a minimum of ten (10) clothing lockers for each sex in accordance with Section 6.5 of the Parking By-law, and clarification of for which use(s) the provided Class A bicycle parking is intended;
- A.1.7 provision of arrangements to the satisfaction of the Director of Planning, General Manager of Engineering Services and the Director of Legal Services for access and use of the porte cochere on Rem. Lot 2 Plan LMP51876, the Shaw Tower site.

**Note to Applicant:** The charge summary to be provided (See Standard Engineering Condition A.2.1) may provide clarity as to whether this shared use agreement currently exists.

- A.1.8 confirmation that all general office live-work units have been designed to meet the most stringent aspects of all related major occupancies in the Vancouver Building By-law, to the satisfaction of the Director of Planning and Chief Building Official;

**Note to Applicant:** Please provide a list of the proposed General Office uses.

- A.1.9 provision of a glass specification on the plans;

#### Standard Landscape Conditions

- A.1.10 design development to provide more animation to the Burrard Street public realm by adding more seating;

**Note to Applicant:** The seating design should include benches with backs. The Landscape Plans should include sample photos or elevation drawings of the benches.

- A.1.11 design development, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, to create a greener edge for the Burrard Street and Cordova Street public realms by:
- relocating the inner row of trees on Burrard Street to be adjacent to the property line;
  - adding, if possible, an additional tree to the inner row of trees at the south end of the row;
  - investigating the opportunity to install street trees in the viaduct structure along the Burrard frontage, and if possible in the opinion of the General Manager of Engineering Services provide street trees; and,
  - providing street trees in the existing tree pits along the Cordova Street Viaduct.
- A.1.12 design development to use the Georgia Street treatment for the paving patterns of the Burrard Street public sidewalk, to the satisfaction of the General Manager of Engineering Services, in consultation with the Director of Planning (See also Condition A.2.23 regarding the Encroachment Agreement);
- A.1.13 provision of a Planting Plan and large scale section (1/4"=1' or 1:50M) for the large private decks at Level 41 which illustrates the planting depths for the small trees and shrubs planned for this area;
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- A.1.14 provision of a high efficiency irrigation system in order to reduce water usage. This irrigation system all common areas, including the upper terrace areas. Notations to this affect should be added to the drawing;

**Note to Applicant:** The irrigation system design and installation shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

- A.1.15 provision of a large scale section illustrating the structure and components of the proposed green roof;

#### Crime Prevention Through Environmental Design (CPTED)

- A.1.16 design development to reduce opportunities for theft in the underground parking areas;

**Note to Applicant:** Provide secure separation between hotel and live-work uses. The hotel loading should not occur through the live-work parking areas.

- A.1.17 design development to provide secure separation between the hotel and live-work floor levels;

**Note to Applicant:** This can be achieved by providing an intermediate door within the scissor stairs and a security plan from a licensed security professional to include such features as separately keyed elevators.

- A.1.18 clarification of the use of the units on the mechanical transfer floor and security provisions for those units;

- A.1.19 location of mail boxes to be within full view of a the live-work elevators;

#### Social Planning/Housing Centre/Cultural Affairs

- A.1.20 provision of a secure and equipped outdoor play area suitable for children (refer to Section 3.3 of the City's High Density Housing for Families with Children Guidelines) adjacent to and visible from an equipped indoor play space in the amenity space on level 3 to the satisfaction of the Director of Social Planning.

**Note to Applicant:** The plans are ambiguous with respect to whether the amenity space/home theatre (on L3) is to be used by live-work residents, hotel guests or is to be shared. The use and access of these amenity spaces should be clarified in the plans. Indoor and outdoor play structures should be located on resilient surfacing. Particular care should be given to avoid the use of toxic plants and landscaping materials in and around the outdoor play area (a list of toxic plants is available as an appendix to the City's Childcare Design Guidelines and is available on line at <http://vancouver.ca/commsvcs/Guidelines/C017.pdf>).

- A.1.21 provision of a detailed public art plan, to the satisfaction of the Managing Director, Office of Cultural Services and the Director of Planning;

#### A.2 Standard Engineering Conditions

- A.2.1 provision of an amended charge summary, and the amendment or discharge of existing charges if deemed necessary by the Director of Legal Services;

**Note to Applicant:** All legal notations, non-financial charges, liens and interests registered on title to the lands affected by this application must be evaluated to determine whether they impact on the proposed rezoning. The applicant's lawyer must submit to the City a title summary containing the following information:

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- a copy of the Land Title Office search for all lots involved in the application;
- a summary of the contents of each notation, non-financial charge, lien or interest on title containing a general description of the issues address by the document. The summary must also provide the lawyer's opinion as to whether the agreement or notation will impact on the application; and
- a copy of any notations, non-financial charges, liens or interests which may impact on the application.

A.2.2 clarification as to whether the small projections of floor/window/roof from the 4<sup>th</sup> floor to the roof (sheets A3.5 to A4.11) are encroaching beyond the property line on the southeast corner of the site, and deletion of these features should they encroach;

A.2.3 deletion of the word "Way" from the indicated street name "Canada Place Way", as the correct name of the street is "Canada Place";

A.2.4 correction of the legal Description on sheet A0.1. (The plan number should be "Plan LMP51876");

A.2.5 deletion of the two door swings which project over the north Property Line at level P4 (sheet A2.3);

A.2.6 provision of adequate inside radius for the parking entry off Canada Place for adequate two-way traffic flow;

**Note to Applicant:** The concrete curb needs to be relocated further back.

A.2.7 provision of 9 ft. x 9 ft. corner cuts at the top and bottom of the internal ramps on levels P1 to P5;

A.2.8 deletion of reference to the Class C passenger space on Cordova Street from Sheet A3.1;

A.2.9 provision of a revised layout for the seven (7) Class A passenger spaces (such that vehicles are not blocked in), and arrangements shall to be made to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Director of Planning for those Class A and Class C passenger spaces that are not provided on the subject site;

**Note to Applicant:** The larger off-site passenger spaces should be labeled as "Class C" spaces rather than "Class A" spaces.

A.2.10 relocation of bicycle rack further to the east in order to allow pedestrian clearance between the passenger lay-by and the column;

A.2.11 provision of a clear dimension indicating the required vertical clearance for disability access to parkade;

**Note to Applicant:** See Section DD for 7 ft. reference. Indicate a clearance that meets, or exceeds, the required 2.3 m (7.55 ft.) minimum vertical clearance.

A.2.12 provision of tour bus access to the porte cochere on Rem. Lot 2 Plan LMP51876;

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**Note to Applicant:** It appears that mechanical venting structures on the Shaw Tower site will preclude large vehicle access to the porte cochere. Staff require clarification of tour bus ingress and egress at the porte cochere by providing a turning template overlay on the as-built condition. Alterations to the mechanical venting structure on the Shaw tower site may be required. See also Condition A.1.7.

A.2.13 design grades along Canada Place property line are to match City issued Building Grades;

A.2.14 design grades along Waterfront road property line are to match City issued Building Grades, unless alternate design grades are approved by the General Manager of Engineering Services and the property owner enters into an Out of Grade Agreement to the satisfaction of the Director of Legal Services;

A.2.15 arrangements to the satisfaction of the City Manager, the General Manager of Engineering Services and the Director of Legal Services for settlement of the obligation stemming from the 1996 rezoning and secured by a No-Build covenant and No-Development covenant registered on title as BK373200;

A.2.16 provision of a cantilevered sidewalk projecting approximately 1.368 m onto City property at the corner of Burrard Street and Canada Place which ties into the existing viaduct structures;

**Note to Applicant:** This sidewalk will require an Encroachment Agreement (see condition A.2.23).

A.2.17 revision to the Landscape and Site Plan to clearly indicate the expansion joint location and identification of the existing adjacent structure as being separate from proposed landscaping;

A.2.18 completion of all outstanding obligations as per the Services Agreement registered on title;

**Note to Applicant:** As this is the last development site in the Burrard Landing Rezoning Area this condition refers to all obligations outlined in Article 2 of the Services Agreement that have not already been constructed to the satisfaction of the General Manager of Engineering Services, or whose provision for has not been secured to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the City Manager. This list includes the widening of Hastings Street, the left turn bays on Pender Street and mechanical ventilation for those portions of the lower roadway network that will be enclosed by the developments of Burrard Landing.

**Note to Applicant:** This includes any accepted Works by the City that have been damaged or were deficient when the Warranty Period expired (as concrete barriers installed to secure the site made the full inspection of the Cordova Street Works along the 1011 Cordova Street frontage impossible). This may include repair to the irrigation system.

A.2.19 indication that the pedestrian bridge connector to the Convention Centre is shown "for reference only and requires a separate application to the General Manager of Engineering Services" should construction of this feature be desired;

A.2.20 provision of details of the on-site passageway to the Convention Centre connector (including the floor elevation to ensure that the future walkway provides sufficient clearance for Waterfront Road and to ensure that stairs are not required within the connector.);

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A.2.21 provision of a smoother transition (in passageway wall) for connection from the elevator to the Convention Centre on Parking Level 2;

**Note to Applicant:** Pull the wall back to the faces of the column.

A.2.22 redesign of the Canada Place entrance to the parking area in order to reduce the cross fall grade of the sidewalk area;

**Note to Applicant:** A maximum 3 % cross fall should be achieved on all sidewalk areas contained within the Statutory Right-of-Way for the sidewalk (see below);

A.2.23 arrangements shall be made to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services for the following:

- Statutory Right-of-Way for sidewalk purposes along the frontages of West Cordova Street, Burrard Street, and Canada Place;

**Note to Applicant:** This may be fulfilled by modifying or replacing the existing agreement and will cover the area required by the City to operate as sidewalk and will likely be defined by sidewalk patterning.

- Statutory Right-of-Way for public access over the "Burrard Plaza", along the Burrard Street frontage;
- Encroachment agreement for Expansion Joint Works, Sidewalk Works and Paver Works;

A.2.24 arrangements shall be made to the satisfaction of the General Manager of Engineering Services for the removal of the existing tiled sidewalk treatment along the Burrard Street frontage (using a methodology approved by the General Manager of Engineering Services) and provision of appropriate security to the satisfaction of the Director of Legal Services to ensure that any damage to the existing Burrard Street Viaduct can be repaired;

A.2.25 provision of a Traffic and Loading Management Plan that addresses passenger pick-ups and drop-offs for the arrival plaza/porte cochere, and the parking level, the coordinating of deliveries to the site, and confirms the availability of all loading spaces for the various uses on the site for delivery/service functions;

**Note to Applicant:** This would include how the other side of the Arrival Plaza is used by the hotel, and clarify the separate functions of on-site bus loading and bus parking spaces.

A.2.26 arrangements for provision of a Construction Management Plan to the satisfaction of the General Manager of Engineering Services;

A.2.27 provision of a fire hydrant as required for this development by Fire and Rescue Services;

**Note to Applicant:** Engineering Services does not support hydrant locations on any portion of the viaduct structures and therefore a hydrant must be located on the site.

A.2.28 clarification of the garbage pick-up operation for the on-site compactor, including confirmation that waste management company vehicles can access and pick up from this location, and that the compactor is adequately sized for the 195 live/work units.;

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A.2.29 provision of a Crossing Application to the General Manager of Engineering Services.

**Note to Applicant:** Include any survey information that can accurately locate lamp standards that are shown adjacent to the proposed crossings.

A.2.30 provision of independent public utility services (Hydro, Telus; Shaw Cable) with all services to be underground;

**Note to Applicant:** All services, and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground / overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged. Resolution of these matters prior-to application for a full building permit is recommended

### A.3 Standard Vancouver Coastal Health Authority Conditions

A.3.1 Notation required on the plans that the acoustical measures will be incorporated into the final design, based on the consultant's recommendations as concurred with or amended by the Medical Health Officer (Senior Environmental Health Officer).

A.3.2 Submission of a letter from an acoustical consultant confirming that the development permit drawings show a minimum STC 55 construction between the commercial and residential components of the building, or a minimum 6" solid concrete slab shall be specified on the drawings. Where music, recorded or live, may be a major activity in the commercial premises, submit a report from an acoustical consultant recommending minimum STC 60 construction between the commercial and residential components and advising the required control of music levels to satisfy the requirements of the City of Vancouver Noise Control By-Law No. 6555.

A.3.3 Notation required on plans that the mechanical equipment (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize noise impact and comply with the Noise Control Bylaw #6555. As well, the mechanical equipment will be designed and located to reduce adverse air quality on the neighbourhood.

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**B.1 Standard Notes to Applicant**

- B.1.1 The applicant is advised to note the comments of the Processing Centre-Building and Vancouver Coastal Health Authority contained in the Staff Committee Report dated January 30, 2006. 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 **July 30, 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.1.6 An occupancy hold is required until the 1000 Canada Place viaduct structure has been accepted by the City Engineer and is operating as City Street or suitable alternate arrangements have been made to the satisfaction of General Manager of Engineering Services

**B.2 Conditions of Development Permit:**

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law within 60 days of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 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.2.4 Amenity areas/residential storage spaces excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of amenity facilities located in this project shall be made to all residents, occupants and/or tenants of the building for which their use is intended. Further, the amenity spaces and facilities approved as part of this Development Permit shall be provided and thereafter be permanently maintained for use by residents/users/tenants of this building complex.
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- B.2.5 In accordance with Private Property Tree By-law No. 7347, all trees are to be planted prior to issuance of any required occupancy permit, or use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
  - B.2.6 All approved street trees shall be planted in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
  - B.2.7 The minimum of seven (7) off-street Class A Passenger spaces, and two (2) off-street Class C Passenger spaces shall be provided in accordance with the relevant requirements of the Parking By-law and hereafter permanently maintained.
  - B.2.8 In accordance with the Private Property Tree By-law No. 7347, the removal and replacement of trees is permitted only as indicated on the approved Development Permit drawings.
  - B.2.9 The Environmental Protection Branch notes the following:
    - a) An environmental consultant must be available during excavations at this site to identify any materials of suspect environmental quality in any media.
    - b) A closure report on findings will be required from the environmental consultant prior to the Occupancy stage.
    - c) An erosion sediment control plan will be required prior to the BU application stage.
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### Processing Centre - Building comments

The following comments have been provided by Processing Centre - Building and are based on the architectural drawings received on September 13, 2005 for this Development application. This is a preliminary review intended to identify areas in which the proposal may conflict with requirements of the Vancouver Building By-law (VBBL).

1. The building must be of non-combustible construction.
2. The building must comply with the high rise measures of Subsection 3.2.6. of the VBBL.
3. The building must comply with the accessibility requirements of the VBBL. We note that all doors with self closers must be reviewed and comply with Sentence 3.3.1.12.(10) of the VBBL.
- \*4. Egress and exit systems may be deficient on some levels (particularly levels 1.5, 2 and 3 [storeys 2, 3 and 4]). Mechanical service spaces are not permitted to open directly into an exit. The live/work lobby on the ground level must comply with the requirements of Article 3.4.4.2 of the VBBL. Egress from the rooftop garden at level 3 must comply with the requirements of Article 3.3.1.3. of the VBBL.
5. The travel distance within the floor areas may not meet the restrictions of Articles 3.3.1.5 and 3.3.1.6 of the VBBL, particularly on levels P-2, 1, 2, and 3.
6. There appear to be some dead end corridors that exceed the length restriction in Sentence 3.3.1.9.(7) of the VBBL.
7. All floor levels required to be accessible must comply with the area of refuge requirements of Article 3.8.3.19 of the VBBL. If balconies on hotel levels are to be used to fulfill this requirement, they must comply with Sentence 3.8.3.19.(5) of the VBBL.
8. Accessibility must be reviewed throughout the project, particularly with respect to door clearances in conformance with Sentence 3.3.1.12.(10).
9. The pedestrian walkway at level P-2 must comply with the requirements of Article 3.2.3.18. of the VBBL.
- \*10. It appears that there is an interconnected floor space between the first, second and third storeys of this building. This ICFS must comply with Article 3.2.8.2. of the VBBL.
- \*11. Live/work is not an occupancy classification recognized by the VBBL. Review the applicable occupancy classifications, provide additional information regarding the proposed use of the live/work levels and verify that the construction type and fire separations proposed comply with the requirements of the VBBL.
12. Review the spatial separation requirements for this building, with specific attention to the requirements of Sentence 3.2.3.1.(3) as they apply to the building's west elevation.

### *Issues related to Fire Fighting*

This is a preliminary review in order to identify fire fighting related issues which do not comply with the Vancouver Building Bylaw No. 8057.

1. This building must have two fire department response locations, the hotel entrance and the live/work entrance. These must each be coordinated in conformance with Sentence 3.2.5.20.(1).
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2. The arrival plaza area adjacent to the hotel entrance must be designed in conformance with the requirements for access routes in Article 3.2.5.4. of the Vancouver Building Bylaw.
- \*3. The elevator system must be designed in conformance with the requirements of Article 3.2.6.5. of the Vancouver Building Bylaw. The fire fighter's elevator must be capable of providing transportation from the storey containing the fire fighter's entrance to every floor that is above grade in the building and that is normally served by the elevator system.
4. Roof access must conform to Sentence 3.2.5.3.(1) of the Vancouver Building Bylaw.
5. Fire department hose connections are required and must be located in conformance with Article 3.2.5.16 of the Vancouver Building Bylaw and NFPA 14.

\* Items marked with an asterisk have been identified as serious non-conforming Building By-law issues.

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 jeopardize the ability to obtain a Building Permit or delay the issuance of a building permit for the proposal.

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