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777 DUNSMUIR STREET (COMPLETE APPLICATION)  
DE410496 - ZONE DD

DM/JK/AH

**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

B. Boons (Chair), Development Services  
M. Thomson, Engineering Services  
L. Gayman, Real Estate Services  
V. Morris, Social Planning  
T. Driessen, Vancouver Park Board

**Also Present:**

Dale Morgan, Urban Design & Development Planning  
Tony Chen, Development Services (for J. Kujala)  
Alison Higginson, Development Services  
Ralph Segal, Urban Design & Development Planning

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**APPLICANT:**

IBI/HB Architects  
#700 - 1285 West Pender Street  
Vancouver, BC  
V6E 4B1

**PROPERTY OWNER:**

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

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**EXECUTIVE SUMMARY**

- **Proposal:** Additions and alterations to the rooftop of the existing Pacific Centre Mall (North) to provide a restaurant with an outdoor seating area. This application requires a transfer of 3,726 sq. ft. of heritage density from a donor site at 101 West Hastings Street (Woodward's).

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Processing Centre - Building comments

Appendix D Plans and Elevations

- **Issues:** There are no significant issues.

- **Urban Design Panel:** N/A

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DE410496 as submitted, the plans and information forming a part thereof, thereby permitting the development of a restaurant and outdoor seating area on the roof of the existing Pacific Centre Mall (North), subject to the following conditions:

- 1.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.
  - 2.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.
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• **Technical Analysis:**

	PERMITTED (MAXIMUM)	REQUIRED	EXISTING	PROPOSED
Site Size				irregular
Site Area				67,000 sq.ft.
Floor Area <sup>1</sup>	Floor Area 469,000 sq.ft. density transfer (10%) <u>46,900</u> sq.ft. Total 515,900 sq.ft.		Office 299,837 sq.ft. Retail (stores) <u>183,736</u> sq.ft. Total 483,573 sq.ft.	Office 299,837 sq.ft. Retail (stores) <u>187,462</u> sq.ft. Total 487,299 sq.ft.
FSR <sup>1</sup>	FSR 7.00 density transfer (10%) <u>0.70</u> Total 7.70		FSR 7.21	FSR 7.27
Parking <sup>2</sup>	449 sp.	394 sp.	367 sp.	367 sp.
Loading <sup>3</sup>		Retail Class B 9 sp. Class C 2 sp.	Total (all uses) Class A 5 sp. Class B 7 sp.	Total (all uses) Class A 5 sp. Class B 7 sp.

<sup>1</sup> **Note on Floor Area and FSR:** DE409483, issued on November 22, 2005, approved a transfer of heritage density of 14,311 sq. ft (equivalent to 3.1% over the total permitted floor space ratio). DE410496 is seeking an additional 3,726 sq.ft. of heritage density from a donor site at 101 West Hastings Street (Woodward's) (equivalent to an additional 0.7% over the total permitted floor space ratio), resulting in a total of 3.8% additional density, which is within the maximum 10% density transfer limits. Purchase of the heritage density must be finalized in order to achieve the proposed FSR/Floor Area. See Standard Condition A.1.1.

<sup>2</sup> **Note on Parking:** The new floor area proposed generates a requirement for an additional three (3) off-street parking spaces, however there are no changes proposed to the previously approved off-street parking for this site, and under Section 4.1.12 of the Parking By-law this application is exempt from providing additional spaces.

<sup>3</sup> **Note on Loading:** There are no changes proposed to the previously approved off-street loading for this site, and as the overall loading space requirement does not increase by more than 10% for this application, under Section 5.1.8 of the Parking by-law this application is exempt from providing additional spaces.

• **Legal Description**

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

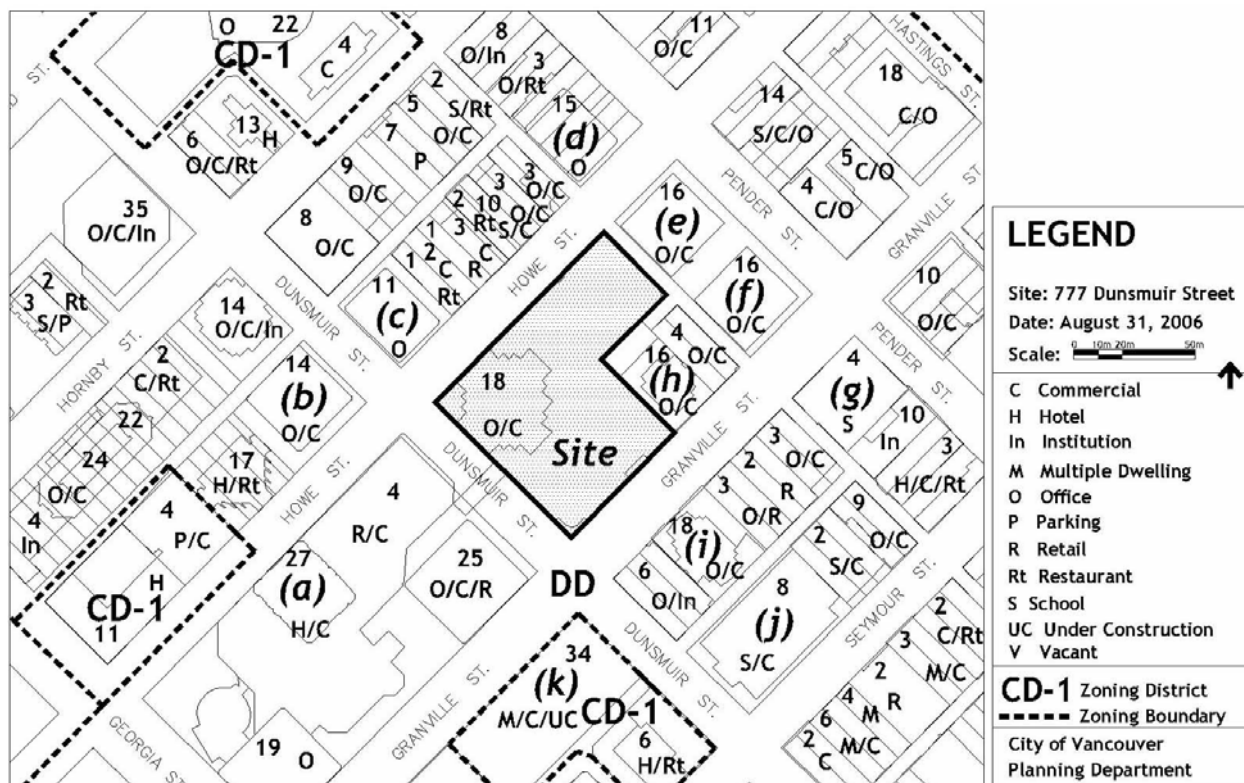
• **History of Application:**

06 07 04 Complete DE submitted  
06 08 30 Development Permit Staff Committee

• **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 Pacific Centre II Mall with three levels of retail use and an 18-storey office tower.

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

- (a) Pacific Centre I, Block 42, shopping centre, hotel and office
- (b) 625 Howe Street, Standard Life Building, 14-storey office/retail building
- (c) 595 Howe Street, 11-storey office building
- (d) 800 West Pender Street, 15-storey office building
- (e) 750 West Pender Street, Pender Place - West Tower, 16-storey office building
- (f) 700 West Pender Street, Pender Place - East Tower, 16-storey office building
- (g) 640 West Pender Street, SFU, Segal Centre for Graduate Management Studies
- (h) 543 Granville Street, Bower Building
- (i) 555 Seymour Street, 18-storey office building
- (j) 750 Seymour Street, BCIT, 8-storey, post-secondary education facility
- (k) 602 Dunsmuir Street, The Hudson, 34-storey mixed-use building



• **Background:**

**Development Application History:**

DE410496 is the third development application for the Holt Renfrew store project. The applicant, with staff consensus, has specifically divided the project into several permit initiatives, to accommodate the aggressive timeline for completion of the project, with a projected store opening in April 2007.

In August 2005, the Development Permit Board granted approval to an application (DE409483) to convert approximately 30,000 sq. ft. of space, comprised of retail stores, a food fair and an amenity atrium, into a three-level single-tenant retail space to accommodate a new Holt Renfrew store, subject to City Council's approval of the concept of elimination of the amenity atrium, in exchange for alternate space to be provided at a later date. (See discussion below under Rezoning Initiative Underway) DE409483 required a transfer of 14,311 sq. ft. of heritage density to the site, to compensate for the filling in of the atrium, which had previously been excluded from floor area calculations.

On August 3, 2006, DE409945 was issued after a decision by the Director of Planning, permitting additional minor interior alterations, resulting from further design development of the Holt Renfrew store layout, but also proposing to add a new glazing system of custom-made "slumped " glass panels to the Dunsmuir and Granville Streets exterior façades of the building. That permit also allows relocation of an existing historic remnant (a portion of a façade) from its current location on Howe Street to the Granville Street façade.

Interior and exterior alterations are currently underway in accordance with approved permits.

The subject application to add a small rooftop restaurant to the Holt Renfrew store is minor in scope, and would have been considered by the Director of Planning, but for the need to transfer additional heritage density to the site, a matter which only the Development Permit Board can consider. Staff concluded, given the scope of work, that this development application did not need to be reviewed by the Urban Design Panel.

**Rezoning Initiative Underway:**

The property owner, Cadillac Fairview, has been in discussion with City staff regarding an application to rezone the Pacific Centre site (both north and south blocks) to request additional density in exchange for various alternative public benefits. Options under consideration are a more publicly accessible atrium that would be suitable for public gatherings and events; and/or provision of a high-profile entrance to the Canada Line on the Pacific Centre Plaza at Georgia and Granville Streets.

It was initially thought that the Holt Renfrew restaurant application would follow the rezoning and take advantage of a portion of the additional density that might be approved. Discussions regarding the rezoning application are continuing, however, with a report to Council on the application expected in October, 2006. Given the Holt Renfrew timeline for completing their construction and opening their new store in April 2007, the subject development application has been filed on the basis of the purchase of approximately 3,726 sq. ft. of heritage density, rather than waiting for the outcome of the rezoning process. The heritage donor site is identified as 101 West Hastings Street (Woodward's).

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

1. Downtown Official Development Plan (DODP)
2. Downtown Design Guidelines

**DODP:** The By-law allows a maximum of 7.0 FSR for all permitted uses. In addition, under Section 3. Density, Sentence 12 of the ODP, the Development Permit Board may permit an increase in FSR to transfer a maximum of 10% of the permitted total FSR of heritage floor area from another site.

### **Downtown Design Guidelines**

In summary, the intent of the Guidelines as they relate to this development, are:

- The physical environment of Downtown should be of a very high quality
- New developments should contribute to an interesting pedestrian environment

#### **• Response to Applicable By-laws and Guidelines:**

**DODP:**

**Heritage Density Transfer:** Massing associated with the transfer of heritage density to this site has been reviewed with respect to the built-form impacts. Staff considers that there are no negative impacts from the additional density and that the proposed restaurant addition atop the two storey existing massing will add further interest and vibrancy to the northwest corner of Granville and Dunsmuir Streets.

The applicant has provided confirmation that an agreement for purchase and sale of 3,726 sq. ft. of heritage density has been made with 101 West Hastings Holding Ltd., the owner of the heritage site at 101 West Hastings Street (Woodward's). Confirmation that the purchase has been completed will be required prior to permit issuance. (See Standard Condition A.1.1)

## **2. Downtown Design Guidelines**

**Architectural Treatment and Materials:** Consistent with the upgraded façade treatment of the two-storey retail massing already approved by the Director of Planning, high quality materials are proposed and the architectural treatment is well resolved. Proposed materials include stone cladding and full height glass panels on the street-facing elevations and vertical metal paneling for the elevations facing the adjacent tennis courts and tower base.

A demountable steel and glass canopy is proposed for the outdoor seating area, which would be enclosed by a clear glass wind screen. Along the Dunsmuir Street elevation, the proposed canopy projects beyond the building face and property line by approximately eight feet. Standard Condition A.1.4 recommends deletion of the portion of the canopy which extends beyond the property line.

#### **• Conclusion:**

Staff supports the proposed form of development, allowing a rooftop restaurant and adding an additional partial floor to the Pacific Centre Mall, enabled by a heritage density transfer, subject to the conditions of this report.

### **URBAN DESIGN PANEL**

This application was not reviewed by the Urban Design Panel.

## **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 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.

## **NOTIFICATION**

There was no neighbourhood notification undertaken.

## **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 Official Development Plan it requires a decision by the Development Permit Board, in terms of exercising the discretionary authority given by City Council.

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it does not seek a relaxation of the By-law provisions, as the property qualifies for exemptions available in the By-law.

The Staff Committee recommends approval of the development application, subject to the recommended conditions.

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B. Boons  
Chair, Development Permit Staff Committee

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D. Morgan  
Development Planner

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J. Kujala  
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 submission of Transfer of Heritage Density Letter "B";

**Note to Applicant:** The standard form letter must be completed by the owners of both the donor and receiver sites, detailing the agreement to sell/purchase 3,726 sq. ft. of heritage density. The letter must also confirm the balance of transferable heritage density remaining on the donor site. A copy of the Letter B template is available from the Project Facilitator ([604] 871-6478).

#### A.1.2 submission of an "operations plan" for the restaurant;

**Note to Applicant:** The plan should include information regarding proposed hours of operation, whether the restaurant will only be available for Holt Renfrew customers, or also to the general public, how the restaurant will be accessed by customers, how deliveries will be handled, etc.

#### A.1.3 confirmation of the scope of work under this development permit application;

**Note to Applicant:** The floor plan for the "Georgia Street Level" as well as the "Dunsmuir Street" and "Granville Street" elevations are indicated as "background (reference) information only," yet they also include proposed alterations (e.g. stairs from the Georgia Street Level to the rooftop restaurant, elevations of the restaurant, etc.). Revised plans must clearly indicate the proposed scope of work, as well as information provided "for reference only."

#### A.1.4 deletion of the steel and glass canopy where it projects beyond the property line; and

#### A.1.5 design development to the exhaust vents, north elevation, to minimize exhaust odors and noise.

**Note to Applicant:** Relocate the exhaust vents on the north elevation so that they are not directly aligned with the tennis courts, with special consideration to reducing exhaust odors and noise levels.

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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, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated August 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 **October 31, 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 The roof-top level outdoor seating area may not be enclosed without the approval of the Director of Planning.
  - B.2.3 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.
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### Processing Centre - Building and Fire comments

The following comments have been made by the Processing Centre - Building and are based on the architectural drawings submitted for the proposed Development Permit. This is a preliminary review in order to identify issues which do not comply with Vancouver Building By-law #8057.

1. There must be confirmation from a structural Engineer that the existing roof structure can support the loads from the new rooftop cafe, both live load (4.8 kPa) and dead loads.
2. \* The new interconnecting stair between the new rooftop cafe and the top floor of the existing retail building must conform to Articles 3.2.8.3 to 3.2.8.9 of the Building By-law, otherwise, the applicant will need to apply to the Office of the Chief Building Official for an Equivalency.
3. Washrooms and water closets are to be provided in accordance with City Bulletin 2003-011-BU. There are currently only a sufficient number of water closets to accommodate a maximum of 150 persons, even though the dining area is large enough to have more than 150 occupants as per Table 3.1.16.1 of the Building By-law. In lieu of providing additional water closets it will be necessary to post a sign indicating that the maximum permitted occupant load shall not exceed 150.
4. As there will be a horizontal exit to the Dunsmuir Street office tower, the applicant will need to demonstrate that there is sufficient exit capacity in the office tower to accommodate both the occupant load of the tower plus the occupant load from the proposed rooftop cafe, as per Articles 3.4.3.2 and 3.4.3.4 of the Building By-law.

\* 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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