

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: March 27, 2012 Contact: Kent Munro Contact No.: 604.873.7135

RTS No.: 9410 VanRIMS No.: 08-200

VanRIMS No.: 08-2000-20 Meeting Date: April 17, 2012

TO: Vancouver City Council

FROM: Director of Planning

SUBJECT: CD-1 Rezoning: 960-982 Howe Street

RECOMMENDATION

- A. THAT the application by CEI Architecture Planning Interiors on behalf of The Manufacturer's Life Insurance Company Inc. to rezone 960-982 Howe Street (Lots 12-19 Block 72, District Lot 541, Plan 210 P.I.D. Numbers 015-456-021, 015-456-064, 015-456-099, 015-456-170, 005-407-133, 005-407-532, 005-407-613 and 005-725-291) from DD (Downtown District) to CD-1 (Comprehensive Development) to permit a 16-storey office building with retail uses on the ground floor be referred to a Public Hearing, together with:
 - (i) plans prepared by CEI Architecture and Endall Elliot Associates, received February 21 2012;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

B. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1 and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Sign By-law generally as set out in Appendix C for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C;
 - FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.
- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as set out in Appendix C;
 - FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.
- E. THAT Recommendations A, B C and D be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY *

This report assesses an application to rezone 960-982 Howe Street from DD (Downtown District) to CD-1 (Comprehensive Development) to permit the development of a 16-storey office building with retail spaces on the ground floor. The proposed rezoning, if approved, would remove residential uses as a permitted use for this site and increase the total maximum density from 6.0 FSR to 11.21 FSR. The maximum height would increase from the current outright limit of 45.72 m (150 ft.) to 61.57 m (202 ft.).

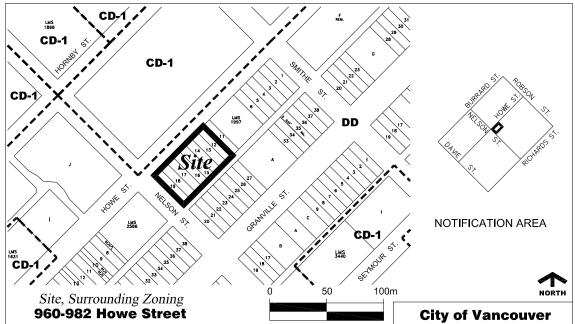
Staff have reviewed the application, concluded that the proposal is supported by existing policy, particularly those which encourage the development of office space in the CBD (Central Business District) and CBD shoulder area and are recommending that the application be approved with conditions, subject to a Public Hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- Downtown Official Development Plan, Downtown District "Area H" (1975)
- View Protection Guidelines (D. Heather Bay to the Lions)(1989)
- Rezoning Policy for the Central Business District (CBD) and CBD Shoulder (Areas A, B, C1 & F and Areas C3 & H) (2009)
- DD (except Downtown South) C-5, C-6, HA-1, HA-2) Character Area Descriptions (1975)
- Downtown (Except Downtown South) Design Guidelines (1975)
- Central Area Pedestrian Weather Protection (except Downtown South) (1978)
- Green Buildings Policy for Rezonings (2009)
- Community Amenity Contributions through Rezonings (2004)
- Metro Core Jobs and economy Land use Plan: Issues and Directions report (2007)
- Vancouver Economic Action Strategy (Vancouver Economic Commission 2011).

The applicant proposes a 16-storey office building with retail uses on the ground floor at the north-east comer of Howe Street and Nelson Street. The application would require amending the zoning from DD to CD-1 to increase the maximum Floor Space Ratio (FSR) for Commercial and Retail uses from 6.0 to 11.21. The CD-1 By-law would also set a height limit of 61.57 m (202 ft.) to reflect the view protection limits above this site. Access to underground parking and loading areas would be from the public lane.



Map 1 - Site and Surrounding Zoning

Strategic Analysis

Site and Context

The rezoning site, illustrated in Figure 1 above, is a 60.96 m by 35.58 m (200 ft. by 120 ft.) downtown site at the intersection of Howe and Nelson Streets, on the southern edge of the

Central Business District. Adjacent development includes residential, retail, office and institutional uses as follows:

- Northwest Robson Square courthouse
- West Offices with ground floor retail
- Southwest former office building converted to residential use with ground floor retail and service uses
- Southeast and across the public lane retail commercial uses fronting onto Granville Street
- Northeast office uses with ground floor retail and service uses.

Land Use and Density

The application proposes retail and service commercial uses on the first two floors, and office uses for the remainder of the building all of which are currently permitted under the existing Official Development Plan (ODP) for the Downtown District. The application proposes an increase in density from 6.0 FSR to 11.21 FSR.

The Metro Core Jobs and Economy Land Use Study determined that there was an acute potential shortfall of commercial job space in the Downtown. In order to enhance the economic vibrancy of the Downtown, Council adopted policies to increase zoning capacity for the development of job space to accommodate economic and job growth. These policies are incorporated in the Downtown Official Development Plan, Downtown District and the Rezoning Policy for the Central Business District (CBD) and CBD Shoulder (Areas A, B, C1 & F and Areas C3 & H). The site is in Area 'H'.

The rezoning policy for the CBD and CBD Shoulder, where this site is located, provides specific guidance for its commercial (non-residential) intensification. It is fundamental that new development is non-residential for the City to meet the long-term demand for job space. The applicant's proposal for an office building that maximizes the potential job space for this site meets the needs and intent of the policies to ensure the economic vitality of downtown.

While residential uses are currently permitted, no residential uses are proposed. Since The Rezoning Policy for the CBD and CBD Shoulder favours non-residential employment uses in this area, the recommended CD-1 By-law does not include residential uses. The CD-1 By-law will permit a wide range of non-residential uses to support future employment opportunities. Because all of the increased density is in the form of office space which advances this important policy direction, staff support the proposed increase, subject to the conditions noted and approval of the form of development.

Table 1 below indicates how major office development has been accelerating since the beginning of 2009. Included in the "Approved Rezoning and DP" total for the Metro Core are three projects (1021 West Hastings Street, 745 Thurlow Street and Telus Gardens) totalling 1,1700,00 sq. ft., where site activity has begun and Building Permits are expected to be issued soon.

Completed	SQUARE FEET	PROJECTS
Metro Core	293,000	4
Rest of City	52,000	1
City total	345,000	5
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Under Construction		
Metro Core	434,000	3
Rest of City	331,000	1
City total	765,000	4
Approved Rezoning and DP		
Metro Core	1,750,000	7
Rest of City	749,000	2
City total	2,499,000	9
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Total January 2009 to March 2012	3,609,000	18

Table 1 - New Office Floor Space (Major Developments*) in Vancouver since January 2009

Height and Form of Development (Note Plans: Appendix D)

The application proposes a 16-storey building with a maximum height of 61.26 m (201 ft.) The current zoning permits a basic maximum height of 45.7 m (150 ft.), which the Development Permit Board may increase to 137.2 m (450 ft.). The proposed height is therefore well within the height that may be conditionally permitted in this sub-area of the Downtown District. A limited portion of the rooftop meeting room extends above the height defined by View Protection Guideline D - Heather Bay to the Lions. Staff consider that the impact of this portion is not significant in the context of existing development as seen from Heather Bay. Based on a detailed review of the View Protection Guidelines and the proposed form of development, a maximum building height of 61.57 m (202 ft.) is recommended in the CD-1 By-law in order to permit the proposed form while protecting the view corridor.

A two-storey base with approximately 1 746 m 2 (18,880 sq. ft.) of floor area at-grade includes 604 m 2 (6,500 sq. ft.) of tenant spaces fronting onto both streets that could be used to accommodate future retail, commercial or restaurant uses. Typical floor plates in the office portion above are 55.5 m by 33.2 m (182 ft. by 109 ft.) and contain approximately 1 736.3 m 2 (18,690 sq. ft.). Staff note that the proposed dimensions are designed to accommodate a wide range of office tenants in the downtown district.

Shadow studies have been provided by the applicant and reviewed by staff. The proposed building will have a minor shadowing effect on the north sidewalk of Howe Street and the Granville Street district, which is an active, entertainment-oriented pedestrian area. The primary shadow impact on Howe Street would occur at 1:00 pm during the equinox, when it falls into a portion of the sidewalk occupied by a parkade exit ramp (see page 5 of Appendix D). Staff are satisfied that the shadows created by the proposed building in this area are acceptable.

^{*}Major Developments are those that add at least 50,000 sq ft of office space Source: City of Vancouver Development tracking as of March 2012

The shadow studies indicate that the main effect of the proposed building on Granville Street would be increased shadow area on the south sidewalk along approximately 20 m (66 ft.) of Granville Street frontage, but this is limited to the Summer solstice period at 5:00 pm (see page 5 of Appendix D). At the standard study times, there is no shadow impact on Granville Street.

The proposed building will have some effect on private views from the residential dwelling units at 1010 Howe Street, which is located on the other side of Nelson Street. While the proposed height may be permitted in this part of the Central Business District without rezoning, staff have considered the effect on these residential units facing Nelson Street by comparing the proposed building with what could be constructed on the site under current zoning (6.0 FSR and an outright height limit of 45.72 m (150 ft.)). View studies provided by the applicant indicate that the main incremental effect of the proposed building compared to current zoning would be a loss of view from the sixth floor of 1010 Howe Street to the Scotiabank tower on Georgia Street, and a loss of view from the twelfth (top) floor to the Toronto Dominion tower, also on Georgia Street (see page 6 and 7 of Appendix D). However, the net effect on distant views is limited to selected angles because the majority of the added density is located on the far side of the subject site. Based on the view studies provided, the effect of the proposed building on views from 1010 Howe Street is not substantially different from development forms already permitted by the existing zoning.

Staff support the proposed form of development, subject to the conditions noted in Appendix B.

Landscaping

The design for this relatively small site proposes a number of interesting landscape features. In order to provide pedestrian interest, a public plaza is proposed with interpretive art integrated into the paving design. (See Appendix B item (c) 3 for the condition that would secure a public right of way across this plaza.) Seating is provided in the plaza which will take advantage of the midday sun. A green wall is proposed for the lane edge.

As part of the design for LEED® Gold certification, an extensive rainwater collection system has been proposed with rainwater, harvesting shelves, a kinetic rainwater feature in the plaza and a collection cistern in the building. Some of this collected water will be re-used for drip irrigation.

Public Realm and Setbacks

The application proposes improvements to the sidewalks and boulevards located on public property, which staff generally support. In order to ensure that optimal width is available to support 'pedestrian priority' travel and future active street uses, Planning and Engineering staff recommend that at least 5.5 m (18 ft.) of open space be provided from the curb edge to the building face (see Appendix B, items (b) 1 and (c) 4). This is also reflected in the recommended CD-1 By-law requirements for minimum building setbacks from the property lines on Nelson Street and Howe Street. The local priority given to pedestrian travel and activity would be especially challenged on the Nelson Street frontage, where the combination of the proposed building and an existing public washroom facility could reduce the travel width for pedestrians to only 2.13 m (7 ft.). Staff, therefore, recommend that the public washroom be moved out of the public realm and integrated into the new building, so that it

remains public and directly accessible from the public sidewalk. Staff would work with the applicant to facilitate this relocation.

Parking, Loading and Circulation

The application meets the requirements of the Parking By-law.

Environmental Sustainability

At the date this application was made (October 24, 2011), Council's Rezoning Policy for Greener Buildings required that all rezonings meet a minimum equivalent of LEED® Gold, with a minimum of 63 points including six optimize energy performance points, one water efficiency point and one stormwater point. The applicant is required to register the project with the Canada Green Building Council (CaGBC), and to submit proof of application for certification. A recommended condition of rezoning requires that these policy goals are met and that the green design is shown on the drawings at the development permit stage (see Appendix B, item (b) 22). The applicant has submitted a LEED® scorecard indicating a target score of at least 63 points, which meets the minimum points required (see Appendix G).

Environmental Protection staff advise that there is soil and groundwater contamination and that a Remediation Agreement (Soil Agreement) will be required. (See Appendix B - Item (b) 23).

PUBLIC INPUT

Notification, Open House and Public Response

A notification letter, dated November 14, 2011, was mailed to 4,313 surrounding property owners and a public open house was held on November 29, 2011, which approximately 29 members of the public attended. Following the open house, six written comments were received. There was support for the creation of office space and parking to serve existing local businesses and concern that the building would block views from the existing residential building at 1010 Howe Street.

It should be noted that the existing Downtown Official Development Plan provisions controlling maximum building height would permit a building of this height without rezoning (Table 1 in Section 4. Height). Additionally, the separation distance between the proposed building and the residential building from which the concerns were raised is 24.4 m (80 ft.), which meets the Guideline for residential-to-residential facing windows. The residential-to-office window facing condition that would be created here is considered to be less sensitive, so this condition would be acceptable. Refer to Appendix E for a full summary of public input.

PUBLIC BENEFITS

In response to City policies that address changes in land use and density, this application for rezoning offers the following public benefits:

Development Cost Levies (DCLs) — Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is subject to the City-wide DCL, which has a rate, as of

September 30, 2011, of \$121.96 per m² (11.33 per sq. ft.). Based on the proposed floor area of the project, this proposal would generate DCLs of approximately \$3,037,550.

Public Art Program - The Public Art Program requires that rezonings involving a floor area of 9 290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets equal to \$19.48/m² (\$1.81/sq. ft.) to public art as a condition of rezoning. Based on the proposed floor area of 24 981.60 m² a public art budget of approximately \$485,237 would be anticipated.

Community Amenity Contribution (CAC) - In the context of the City's Financing Growth Policy, the City anticipates the offer of a Community Amenity Contribution from the owner of a site that is being rezoned to address the impacts of rezoning. Contributions are generally evaluated and negotiated by staff in light of the increase in land value expected from rezoning approval. On review of the applicant's pro forma, Real Estate Services staff advise that there is no increase in land value created by the proposed rezoning primarily because of the elimination of residential uses as permitted uses, so no CAC is expected from this proposal. A public benefits summary is provided in Appendix F.

FINANCIAL

Approval of the report recommendations will have no financial implications with respect to the City's operating expenditures, fees, or staffing.

CONCLUSION

Staff have reviewed the application to rezone 960-982 Howe Street from DD to CD-1 to permit a maximum building height of 61.57 m (202 ft.) and to increase the maximum permitted density from 6.0 FSR to 11.21 FSR to permit a 16-storey office building with retail uses on the ground floor.

Upon review and analysis, staff recommend this proposal and recommend that it be referred to a Public Hearing, together with the draft CD-1 By-law contained in Appendix A, and that, subject to Public Hearing, the application be approved subject to conditions contained in Appendix B, including approval in principle of the form of development as shown in plans included in Appendix D.

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960-982 Howe Street DRAFT ZONING AMENDMENTS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1 Land Uses

1.1 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

Cultural and Recreational Uses limited to:

- Arcade
- Artist Studio Class A
- Club
- Community Centre or Neighbourhood House
- Fitness Centre
- Hall
- Library
- Museum or Archives
- Theatre;

Institutional Uses limited to:

- Child Day Care Facility
- Church
- Detoxification Centre
- Hospital
- Public Authority Use
- School Elementary or Secondary
- School University or College
- Social Service Centre;

Office Uses:

Retail Uses limited to:

- Adult Retail Store
- Farmers' Market
- Grocery or Drug Store
- Liquor Store
- Pawnshop
- Retail Store
- Secondhand Store
- Small-scale Pharmacy;

Service Uses limited to:

- Animal Clinic
- Auction Hall
- Barber Shop or Beauty Salon
- Beauty and Wellness Centre
- Cabaret
- Catering Establishment
- Hotel
- Laboratory
- Laundromat or Dry Cleaning Establishment
- Neighbourhood Public House
- Photofinishing or Photography Laboratory
- Print Shop
- Production or Rehearsal Studio
- Repair Shop Class B
- Restaurant
- School Arts or Self-Improvement
- School Business
- School Vocational or Trade
- Sign Painting Shop
- Wedding Chapel;

Utility and Communication Uses limited to:

• Radiocommunication Station; and

Accessory Uses customarily ancillary to any use permitted by this section.

- 2. Floor Area and Density
- 2.1 For the purposes of this by-law the site area is 2 229 m² (24,000 sq. ft.)
- 2.2 The floor space ratio for all uses must not exceed 11.21.
- 2.3 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 2.4 Computation of floor space ratio must exclude, where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length.

3 Setbacks

- 3.1 On Nelson Street minimum 1.65 m setback from property line for ground level storey and second storey.
- 3.2 On Howe Street minimum 1.56 m setback from property line for ground level storey and second storey.

4 Height

The building height, measured above the base surface, must not exceed 61.57 m.

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960-982 Howe Street PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by CEI Architecture Planning Interiors and Endall Elliot Associates and stamped "Received City Planning Department, February 21, 2012", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development

1. Provision of a 5.5 m (18 ft.) setback from the curb to the face of building at the first and second floors.

Note to Applicant: Intent is to provide sufficient space to support pedestrian travel as a transportation priority in the downtown, and to provide sidewalk space to accommodate future active uses such as retail and restaurant. To avoid reducing the amount of commercial floor area, an offsetting extension into the corner plaza will be considered.

2. Relocation of the public washroom from the Nelson Street sidewalk to the site, in consultation with the General Manager of Engineering Services.

Note to Applicant: Intent is to remove the washroom housing as an impediment to pedestrian travel on Nelson Street, while retaining the facility in the immediate area.

3. Design development to the exterior finish of the building to create visual variety and interest on the larger expanses of wall that will be visible from the public realm.

Note to Applicant: Given current height limits on Granville Street, the lane elevation will likely be more visible than usual for a downtown building. Consider the integration of visible shading devices as way to decrease solar gain and increase building articulation. Given the unusually good solar exposure, consider the integration of an energy producing system on the lane façade.

4. Design development to mitigate the privacy impact to the adjacent residential units at 1010 Howe Street.

Note to Applicant: While the basic form and height may be permitted, some refinement of the south façade to reduce the potential for overlook from the office space to residential units that are directly across from this side of the building is to be considered.

Engineering

- 5. Provision of improved parking and loading design including, but not limited to the following:
- 5.1 Provision of additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 1.22 m (4 ft.) from the end of the stall as per the Parking By-law;
- 5.2 Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for encroaching columns between parking stalls;
- 5.3 Provision of adequate stall length;
 - Note to applicant: The regular stalls along gridline 4 are required to be a minimum of 5.5 m (18 ft.) in length.
- 5.4 Provision of an improved plan showing the design elevations on both sides of the parkade ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls;
- Provision of a section drawing showing elevations and the minimum unobstructed 2.3 m (7 ft. 6 in.) of vertical clearance, and the location of all security gates for the main ramp;
- 5.6 Provision of an improved plan showing the turning swaths for the 3 Class B loading spaces;
 - Note: Please refer to the City of Vancouver's Parking and Loading Design Supplement and Bicycle Parking Design supplement where appropriate during design development.
- 6. Provide a traffic study to assess the impacts and traffic volumes of allowing traffic to enter the laneway from Nelson Street. The traffic study should include truck counts/turning movements (for a typical day and daily peak hour) to record the size and frequency of deliveries for the entire lane block and record all instances of traffic congestion in the lane. It should also note where the vehicles stopped and for what duration, where possible. The study should consider a bicycle facility on Nelson Street and alternate vehicle routing to the site. For more information, contact Dave Kim at 604-871-6279.
- 7. Provide a complete technical table with required parking, loading, bicycle space calculations and the number of spaces being provided.

8. Provision of an additional Class A loading space (5 in total).

Note to applicant: 4 Class B loading spaces are required and 3 are being provided. 2 Class A spaces can be used to substitute for a Class B space.

Note to applicant: The pole in the lane may require relocation and loading throats and additional bay widths may be required. Consultation with a transportation engineer is encouraged.

- 9. Provision of door openers on the bicycle room doors to hold the door open and facilitate greater ease of entry/exit for cyclists.
- 10. Delete all non-standard sidewalk treatments adjacent the site on public property and show standard 4 ft. exposed aggregate band at the curb and broomed finished saw cut sidewalk to the property line.
- 11. Show four-piece street tree surrounds at all new street tree locations.
- 12. Proposed bike racks on public property are to be typically shown adjacent the curb. A separate application is required to the General Manager of Engineering Services.

Note to Applicant: Class B bicycle parking (bike racks) supplied on public property do not count against your development permit class B bicycle parking requirement which must be met on site.

13. A canopy application is required.

Note: Canopies must be fully demountable and drained to the buildings internal drainage systems.

- 14. All plaza surface drainage is to remain on-site and not to be drained over property lines to public property.
- 15. Provision of separated garbage storage and pick up facilities for each use is required. Please clarify locations and pick up operations.

Landscape

- 16. Design development to the 16th floor terrace to group the modular planting trays in a hierarchy of spaces, such that some open space is provided for social gatherings by users of the adjacent meeting room. Seating should be incorporated into the terrace design.
- 17. Provision of a clearer walking route from the public sidewalk at the south corner of the plaza on a diagonal line to the public sidewalk at the north corner of the plaza.

Note to Applicant: The raised basalt slabs will need to be reconfigured in order to allow this pedestrian desire line to function.

- 18. Consideration to integrate the plaza paving design into the ground floor commercial space as well as the lobby.
 - Note to applicant: The plaza paving design (including materials) could extend from the plaza through the commercial space and interior lobby. The same pattern and materials could continue on both sides of the glass walls in order to clearly express the transparency of the plaza and building design.
- Provision at the time of full development permit of architectural and landscape details illustrating the rainwater collection system. A written description of the rainwater management plan should be included.
- 20. Provision, at the time of development permit application, of a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- 21. Provision at the time of full development permit application of large scale sections (1/4"=1' or 1:50) illustrating the soil depths of all proposed planters. The planter depth should meet the criteria of the BCNLA Landscape Standard for Planting on Slab.

Sustainability

22. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including a minimum of 63 points in the LEED® rating system selected for this project, six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project are also required under the policy.

CONDITIONS OF BY-LAW ENACTMENT

(c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the Director of Planning, the Manager of Environmental Protection and the General Manager of Engineering Services, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 1. Consolidation of Lots 12 to 19, Block 72, DL 541, Plan 210 to create a single parcel.
- 2. Provision of a site Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
- 2.1 Provision of improved sidewalks adjacent the site to meet the current standards at the time of construction;

Note: This site is not located within the Downtown South specialty treatment area, standard commercial sidewalk treatments of exposed aggregate, broomed finished sidewalks with sawcut panels with standard 4 piece tree surrounds are to be installed around the site.

- 2.2 Provision of standard concrete lane entry on the north side of Nelson Street at the lane entry east of Howe Street;
- 2.3 Provision of public amenities in the proposed corner plaza including a drinking fountain, bicycle air pump and comfortable seating which incorporates skateboard resistant design features;
- 2.4 Relocation of the public toilet structure from the Nelson Street sidewalk onto the site including adequate lighting and electrical energy for the toilet's operation. (There is currently a pedestrian scale light and transformer kiosk located adjacent the toilet facility to allow for its operation). Arrangements are to include consultation with BC Hydro and Engineering Services;
- 2.5 Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground;
- 2.6 Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required;
- 2.7 Provision of pedestrian countdown timers at the Howe Street/Nelson Street intersection to support improved pedestrian movements at this intersection.

- 3. Provision of a statutory right of way over the corner plaza area to allow for public access and use of the space and features;
- 4. Provision of statutory rights of way over the setback areas to achieve a 5.5 m (18 ft.) boulevard width on both Howe Street and Nelson Street frontages to be measured from the curb.
- 5. Provision of legal agreements and statutory rights of way to accommodate the relocated toilet facility with all costs for the relocation to be fully at the Owners expense.

Soil and Water Contamination

- 6. That the property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
- 7. Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated there from on terms and conditions satisfactory to the Manager of Environmental Protection, General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Public Art

8. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * * *

960-982 Howe Street DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"960-982 Howe Street [CD-1]

[By-law #]

B (DD)"

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

Amend Schedule A (Activity Zone) by adding the following:

"[CD-1 #]

[by-law #]

960-982 Howe Street"

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

1. Council repeals section 4.1.5, and substitutes: "4.1.5 CD-1 District Parking Requirements

Unless otherwise provided in Schedule C or in a CD-1 By-law:

- (a) the parking requirements for a CD-1 District located within the area depicted on Map 4.3.1, must be calculated in accordance with section 4.3; and
- (b) the parking requirements for a CD-1 District located outside of the area depicted on Map 4.3.1, must be calculated in accordance with section 4.2."
- 2. In section 5.1.1, Council strikes out "In", and substitutes "Unless otherwise provided in Schedule C or a CD-1 By-law, in".
- 3. In section 6.1.1, Council strikes out "In", and substitutes "Unless otherwise provided in Schedule C or a CD-1 By-law, in".
- 4. In section 7.1.1, Council strikes out "In", and substitutes "Unless otherwise provided in Schedule C or a CD-1 By-law, in".
- 5. In section 16, after the words "Schedules A", Council strikes out "and", and substitutes ",", and after the letter "B", Council adds "and C".

6. After Schedule B, Council adds:

Schedule C CD-1 Districts Parking Requirements

Address	By-law #	CD-1#	Parking Requirements

* * * * *

960-982 Howe Street FORM OF DEVELOPMENT

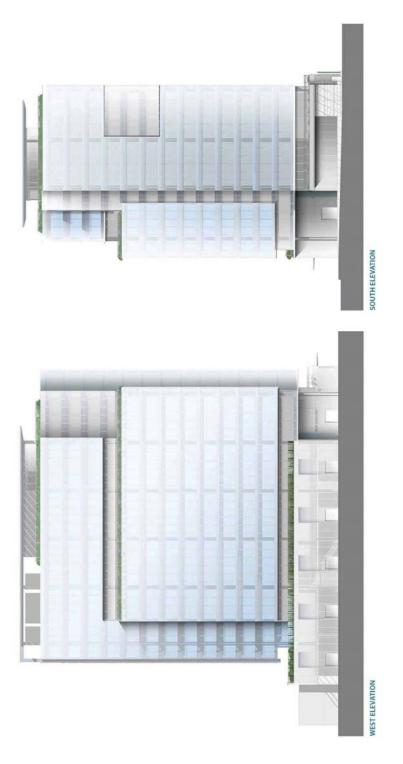


Figure 1: Building Elevations - West and South

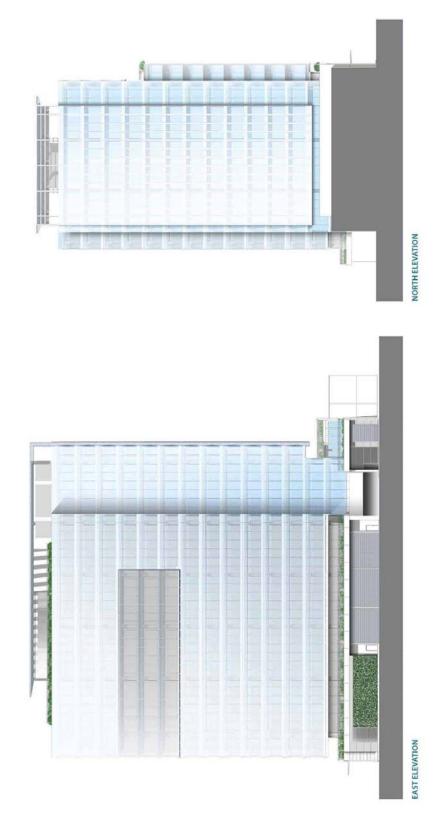


Figure 2: Building Elevations - East and North

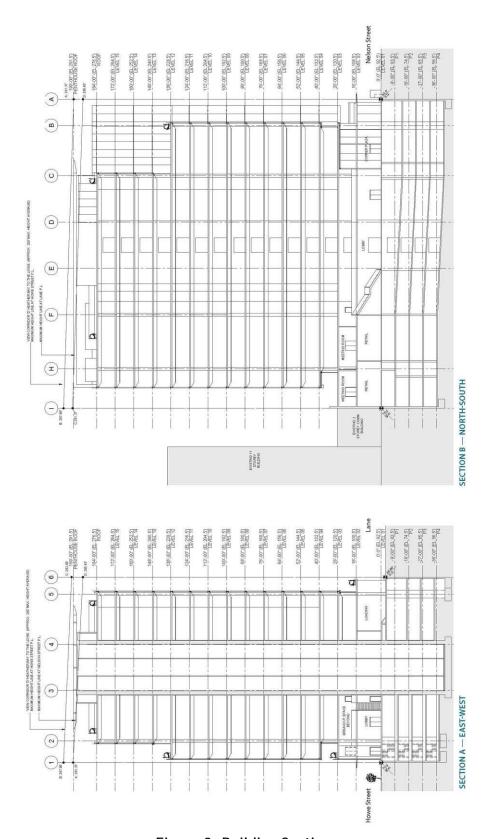


Figure 3: Building Sections

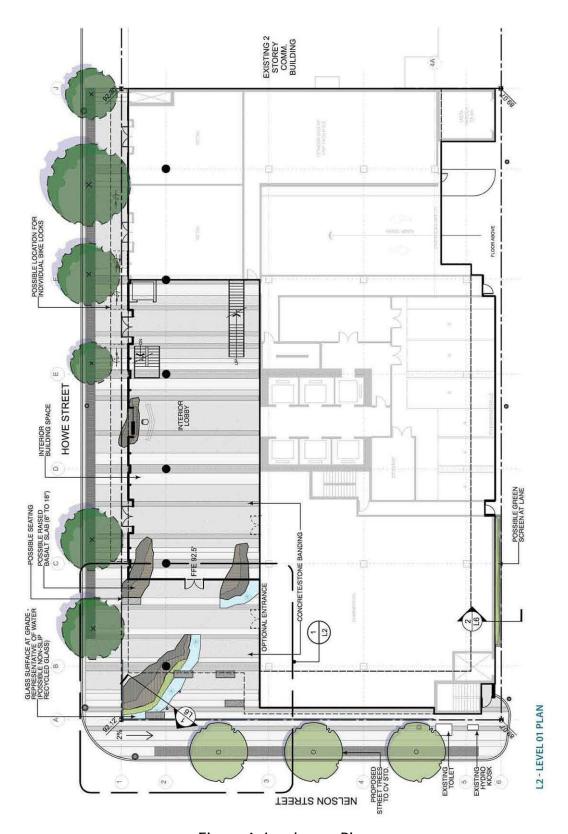
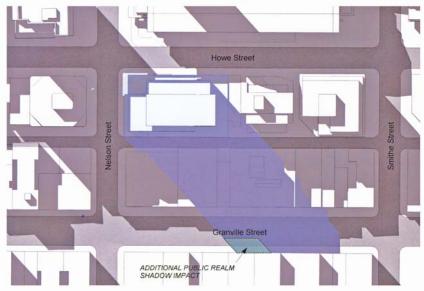


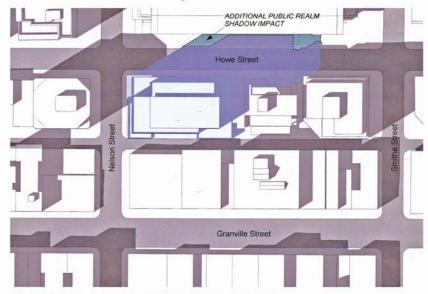
Figure 4: Landscape Plan

Summer Solstice Shadow Study: Granville Street



200 ft High Massing - June 21 @ 5:00 PM Standard Time (+ 1Hr PDT)

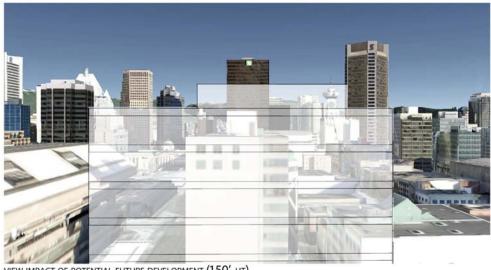
Equinox Shadow Study: Granville Street



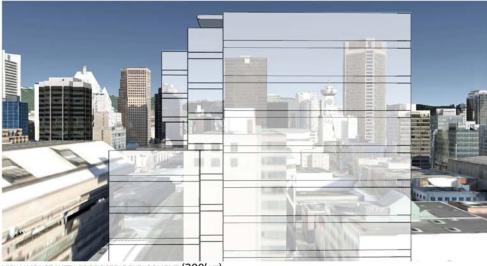
200 ft High Massing - March 21 @ 1:00 PM Standard Time (+ 1Hr PDT)

Figure 5: Shadow Studies

View Analysis - 1010 Howe Street



VIEW IMPACT OF POTENTIAL FUTURE DEVELOPMENT (150' HT)



VIEW IMPACT WITH PROPOSED DEVELOPMENT (200' HT)

Note:

150 ft. is current height limit under current DD Zoning and 202 ft. is proposed for CD-1 zone

Figure 6: View Analysis from 12th floor 1010 Howe Street.

View Analysis - 1010 Howe Street

VIEW FROM 6TH FLOOR CORNER UNIT LOOKING EAST



VIEW IMPACT OF POTENTIAL FUTURE DEVELOPMENT (150' HT)



VIEW IMPACT WITH PROPOSED DEVELOPMENT (200' HT)

Note: 150 ft. is current height limit under current DD Zoning and 202 ft. is proposed for CD-1 zone

Figure 7: View Analysis from 6th Floor 1010 Howe Street.

960-982 Howe Street Additional Information

Public Input: A notification letter was sent to 4,313 nearby property owners on November 14, 2011 and rezoning information signs were posted on the site on November 14, 2011.

A Public Open House was held November 29, 2011 and was attended by 29 people. A total of 6 written comments were received - 2 supporting and 4 opposing the application.

Summary of Written Comments received:

Support - total 2	
Like design	2
Support for office uses and additional parking for area	2
Like green building elements	1
Opposed - total 4	
Too tall - blocks view from residences at 1010 Howe St	4

Comments of the General Manager of Engineering Services: The General Manager of Engineering Services has no objection to the proposed rezoning, provided that the applicant complies with conditions as shown in Appendix B.

Environmental Implications: The proposed rezoning neither contributes to nor detracts from the objective of reducing atmospheric pollution.

Social Implications: There are no major positive or negative social implications to this proposal. There are no implications with respect to the Vancouver Children's Policy or Statement of Children's Entitlements.

Minutes of Urban Design Panel December 14, 2011:

EVALUATION: SUPPORT (9-0)

• Introduction: Ian Cooper, Rezoning Planner, introduced the proposal for office space above retail. The proposal is located on the northeast corner of Howe and Nelson Streets. The site currently includes a Royal Bank branch and a parking lot. Mr. Cooper explained that the site is located under the Downtown Official Development Plan, Downtown District, Area H. He noted that the height is 150 feet and relaxable to 450 feet and that retail continuity is required. As well there is a view corridor over the site that limits the height to approximately 200 feet. The Green Buildings Policy for rezoning is in effect for this proposal and requires LEED® Gold and certification.

Sailen Black, Development Planner, further described the proposal noting that it will be a 16-storey office building with retail on the ground floor. He explained that new buildings on Howe Street are subject to sun and shade analysis to ensure sunlight on the public open space at the Courthouse. Also, building on Howe Street should observe the

approximate cornice line of the Sears building, although higher elements are permitted provided they are set back behind the street fronting façade.

Mr. Black described the design considerations noting that it is expected that the design of the ground floor should support the development of active uses like services, retail and a restaurant in the future. As well, view impacts to private residential units which face the site from the other side of Nelson Street should be considered.

Advice from the Panel on this application is sought on the following:

- Thinking of the proposed sequence of open, covered and enclosed spaces that create the public realm interface, including sidewalk widths, are there any opportunities for improvement to pedestrian level amenity in the current proposal?
- Considering the all-glass skin proposed, what do we see looking forward from the rezoning requirement for a more sustainable building, to future development stage issues of exterior expression and materiality?

Mr. Cooper and Mr. Black took questions from the Panel.

Applicant's Introductory Comments: Alan Endall, Architect, further described the proposal noting that it was a simple building that has a priority for efficient, flexible rectilinear floor plates. He noted that what is unique about the site is that it is able to accommodate larger floor plate sizes which are currently in demand in the downtown core by several large corporations and public sector tenants. Another role of the building is that it completes the street wall along Robson Square. Mr. Endall noted that they tried to make references to the linear planted edge of the law courts. Other considerations include a roof screen to screen the mechanical equipment and elevator machine room from views from neighbouring towers. They have also tried to introduce some subtle layering of glass tints and fritted glass patterns to modulate and provide visual interest to the large façade. The southeast corner, from sunrise to late afternoon, is in full sun exposure. They found through their energy modeling that vertical shading devices had minimal benefit to mitigating heat gain. Also, the west façade is in shade most of the day because of the surrounding towers. The building is a heating dominated building so a greater concern is heat loss. They also looked at the limitation of the amount of vision glazing to insulated wall areas. They are proposing a four sided structural glazing system that is basically a curtain wall glazing system using triple glazing with an argon fill, double low-e coatings, as well as a laying of frit patterns on the second surface to assist in dealing with solar heat gain. They are also planning on 9 foot ceiling heights that will allow more daylight into the building. Mr. Endall noted that it is not a strong retail street at the moment. They are introducing retail units together with a second floor meeting space that is a common area for the building, a two storey entry foyer that is an extension of the street with multiple entry points and shuttle court. The corner entry plaza gets mid day sunlight which is complimented by a large commercial space that fronts Nelson Street. The public toilet is staying in its current location, and given the option they would like to move it into the building. They are also looking at improving the environment along the lane.

Randy Sharp, Landscape Architects, described the landscape plans for the project. The linear concrete and stone paving of Robson Square extends along the retail and into the large lobby with a number of basalt outcrops. The stepping planters of Robson Square are reflected in the 2nd and 3rd levels and again at the 12th and 16th floors. A vertical green screen wall with evergreen climbers shades and protects the lane side of the building. Sustainable water management is integral to the project, and rain water will be collected into a large underground cistern and recycled for non potable uses. A water feature is planned at the entrance lobby.

The applicant team took questions from the Panel.

- Panel's Consensus on Key Aspects Needing Improvement:
 - Integrate the existing public toilet into the building;
 - Refinement of the public realm interface at the corner;
 - Engage a public art consultant at this stage of the design;
 - Consider simplifying the interior corner on Howe Street;
 - Consider integrating a photovoltaic system into the exterior finish.
- Related Commentary: The Panel supported the proposal and thought it was an elegant office building for the downtown and was respectful to the law courts.

The Panel thought the proposal fit the guidelines for the area and was clean in its simplicity with a strong horizontal line expression. They thought it made a great backdrop building and supported the height and density. They also acknowledged the rarity of these kinds of floor plates and appreciated the use and size. The Panel also thought it responded well to its context by virtue of its massing strategies, but thought the retail frontage on the west elevation needed to be developed. A number of Panel members thought there should be some design development of the public realm at the northwest corner.

The Panel suggested the roof top element be highly developed and more distinct and inventive as a way to end the building as it goes into the view cone. One Panel member suggested it was an opportunity to create a spark of delight at the top of the building that will be highly visible.

The Panel noted that the glazing is the biggest element on the building and at the development permit level they expect to see a full materials board as well as a more detailed presentation of the skin. They said they will want to see how the frit gets deployed around the four sides of the building. A number of Panel members suggested the applicant bring a large scale mock up or other means to that will demonstrate the skin of the building. Also, several Panel members suggested adding a photovoltaic strategy to the skirt integrated with the frit.

One Panel member was concerned about the energy strategies considering the amount of glass on the building, and suggested the applicant bring an energy model to satisfy the engineers on the Panel when they come back for another review at the development permit stage. Another Panel member thought the shading devices should respond to the building's orientation.

The Panel agreed that the public toilet should be integrated into the building better. Also, some of the Panel members suggested the applicant consider the public art component sooner rather than later in the project, since it could be a significant part of the project expression and identity.

The Panel liked the landscape plans and the geological metaphor being proposed. However, some of the Panel thought the landscaping at the front entry needed work as the big basalt blocks might be a problem for pedestrians cutting across that part of the sidewalk. The mixture of intensive and extensive green terraces was supported as well as the rain garden.

Applicant's Response: Mr. Endall said he appreciated the Panel's comments. He
acknowledged their comments regarding the detailing of the skin and their intention is to
follow through on energy modeling.

Mr. Arbuckle said he appreciated the Panel's comments and thought they were positive and thoughtful. Also he stated that the glass portion of the building had not been resolved totally and that they have room to manoeuvre on how they use the frit. He added that they will work on the design and looked forward to bringing it back at the development permit stage.

Comments of the Applicant: The applicant has been provided with a copy of this report and has provided the following comments:

"We support the report's recommendations."

* * * * *

960-982 Howe Street Summary of Public Benefits

Project Summary:

16-storey office building with ground floor retail commercial space

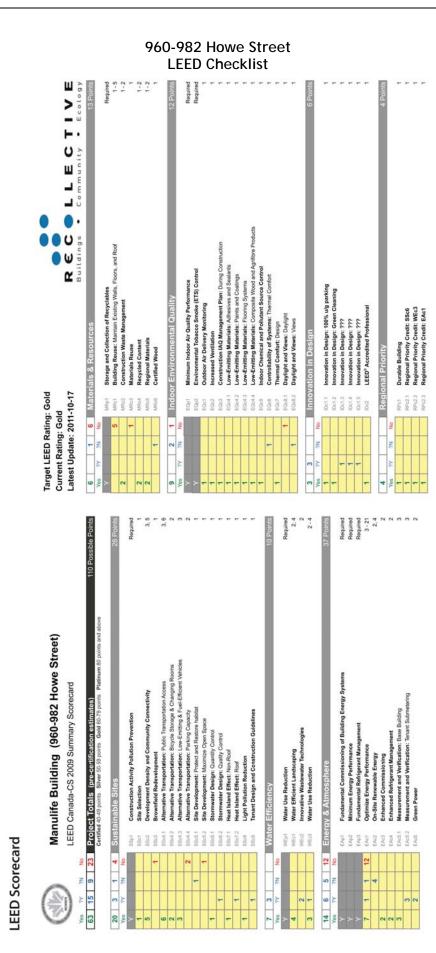
Public Benefit Summary:			
Proposal will generate DCL's and a Public Art contribution	Permitted under Current Zoning	Proposed Rezoning	
Zoning District	DD	CD-1	
FSR (site area)	6.00	11.21	
24,000 sq. ft.	144,000	268,908	
2 229.6 m ²	13,378	24,982	
Land Use	residential, office, commercial, institutional parking garage	office, commercial, institutional, parking garage	

	Public Benefit Statistics	Value if built under Current Zoning (\$)	Value of Proposed Rezoning (\$)
*,0	DCL	\$1,631,520	\$3,037,550
Required*	Public Art	\$0	\$485,237
R	20% Social Housing	\$0	\$0
	Community Amenity Contribution		
	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
Offered	Heritage (transfer of density receiver site)		
Offe	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		\$0
	TOTAL VALUE OF PUBLIC BENEFITS	\$1,631,520	\$3,522,787

Other: Public Plaza on corner of Howe St. and Nelson St.

^{*} DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.

For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transporation (22%); and Childcare (5%). Revenue allocations differ for each of the Area Specific DCL Districts.



960-982 Howe Street Additional Information

APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Street Address	960-982 Howe Street
Legal Description	(Lots 12-19 Block 72, District Lot 541, Plan 210 - P.I.D. Numbers 015-456-021, 015-456-064, 015-456-099, 015-456-170, 005-407-133, 005-407-532, 005-407-613 and 005-725-291)
Applicant	CEI Architecture Planning Interiors
Architect	CEI Architecture Planning Interiors and Elliot Endall Associates
Property Owner	The Manufacturer's Life Insurance Company Inc.

SITE STATISTICS

	GROSS	DEDICATIONS	NET
SITE AREA	2 229.6 m ² (24,000 sq. ft.)	nil	

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT	RECOMMENDED DEVELOPMENT (if different than proposed)
ZONING	DD	CD-1	
USES	Hotel, Light Industrial, Dwelling Units, Office, Retail and Service Commercial, Institutional, Parking Garage	Office, Retail and Service Commercial, Institutional, Parking Garage	
DWELLING UNITS	nil	nil	
FLOOR AREA	13 378 m ² (144,000 sq. ft.)	24 982 m ² (268,908 sq. ft.)	
MAX. FLOOR SPACE RATIO	6.0	11.21	
MAXIMUM HEIGHT	45.7 m (150 ft.)	61.27 m (201 ft.)	61.57 m (202 ft.)
PARKING SPACES		217	