

SUMMARY AND RECOMMENDATION

**3. REZONING/HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
475 Howe Street and 819 West Pender Street**

Summary: To rezone 475 Howe Street and 819 West Pender Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 30-storey office building with commercial/retail uses at grade, a floor space ratio of 21.5, a floor area of 37 367.7 square metres (402,222 square feet), an overall height of 423.2 feet (129 metres), and seven levels of underground parking with 158 parking stalls. The existing class "A" heritage building at 475 Howe Street would be designated as a protected heritage property and would be retained and restored with a Heritage Revitalization Agreement (HRA).

Applicant: Selwynn Dodd, Iredale Group Architecture.

Recommended Approval: By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Iredale Group Architecture, on behalf of Old Stock Exchange Building Properties Ltd. and 819 West Pender Street Ltd. (Swiss Real Investments Ltd. and Credit Suisse AG), to rezone 475 Howe Street (*Lots 11, 12 and 13, Block 21 District Lot 541 Plan 210; PIDs: 002-583-780, 002-584-344 and 002-584-441 respectively*) and 819 West Pender Street (*PID: 006-624-731; Lot A Block 21 District Lot 541 Plan 20419*) from DD (Downtown District) to a CD-1 (Comprehensive Development) District, to increase the floor space ratio from 9.0 to 21.5 to allow for the construction of a 30-storey office tower, with retail uses at grade, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Iredale Architecture Group, and stamped "Received City Planning Department, October 6, 2011", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to the upper portion of the building to further refine and enhance its architectural contribution to the city skyline and the public view corridor.

Note to Applicant: The proposed building elements, including the architectural screen must be contained within the view shadow of the Fairmont Pacific Rim Building. Design development should further refine and architecturally integrate the rooftop mechanical penthouse, elevator override service volumes, other service equipment including window washing infrastructure and/or photovoltaic panels, if proposed, to minimize any incursion beyond the view shadow.

2. Design development to further refine the detailing of the tower façade to fully demonstrate the design intent of the passive design features (solar shade fins) in combination with the mullion details, glass color and transparency, fritting and expected energy performance.

Note to Applicant: Superior detailing and execution of the façade details are critical to achieving the proposed building aesthetic. Detailed sections and elevations demonstrating high quality material treatments are required. Glass samples along with full performance specifications are also required.

3. Design development to fully demonstrate the various green wall treatments' viability and longevity, as one of the important components to the overall building design and composition.

Note to Applicant: Measures such as adequate soil depth, plant selection, maintenance, water, and sunlight access are critical aspects that must be demonstrated to ensure their viability and longevity.

4. Design development to northwest corner to improve the proximity between the proposed office tower and the existing residential units in Jameson House across the lane.

Note to Applicant: This can be achieved by modifying the northwest corner of the office building for the portion of the tower that overlaps with Jameson House, with the remaining tower floor-plate providing a 1'-6" setback as illustrated within Appendix E, page 12. Floor area can be reallocated to other areas of the building provided that it does not further compromise Jameson House or increase the amount of building bulk over the former Stock Exchange Building. See also condition 7.

5. Design development to improve privacy between the proposed office building and the existing residential units in the Jameson House.

Note to Applicant: Measures that significantly reduce direct sight lines between the two occupancies must be implemented as a permanent component externally integrated with the glazing treatment.

6. Design development to minimize the lighting impacts of the office occupancy on the existing residential units in Jameson House.

Note to Applicant: In addition to measures that significantly reduce direct sight lines between the two occupancies, building features that reduce light impacts from the office occupancy, particularly during late-night hours should be implemented.

7. Design development to the proposed new building massing to lessen its visual impact over the former Stock Exchange Building.

Note to Applicant: Design development should consider reduction of level 14 to be consistent with levels 12 and 13 below and should also include the treatment of the soffit with high quality materials as to not distract from the prominence of the former Stock Exchange Building. See also condition 4.

8. Design development to the lower massing to better integrate into the overall tower composition.
9. Provision of a conceptual lighting strategy to ensure appropriate lighting levels and CPTED performance, while minimizing glare for nearby residents.
10. Provision of a pedestrian wind study.

Sustainability

11. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Platinum, including a minimum of 80 points in the LEED® rating system and, specifically, a minimum of 13 points under Optimize Energy Performance.

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.

12. Confirmation that the building demonstrates and advances the City's objective for carbon neutrality in achieving a 40% to 50% reduction in energy consumption from 2010 levels.

Note to Applicant: Under the Higher Buildings Policy, the building must be designed to meet the energy performance target of 115 kwh/m²/year of energy on the site.

Crime Prevention Through Environmental Design (CPTED)

13. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;

- (iii) mail theft; and
- (iv) mischief in alcove and vandalism, such as graffiti.

Landscape

14. Provision of a diversity of high-quality landscape types incorporating all season greenery to create vibrant interior and exterior environments to improve the livability of building occupants.
15. Design development to the enhancements of the public realm interface to provide landscaped open spaces with substantial greenery and visual interest to benefit the pedestrian environment.
16. Provision of adequate planting-medium depth within planters on slab to meet the BCSLA latest standard.
17. Provision of a legal survey.
18. Provision of a fully labeled Landscape Plan, Sections and Details at the complete Development Permit submission stage in the spirit of the submission presented as part of the Rezoning application, October 2011.
19. Provision of a detailed and comprehensive landscape design rationale to be coordinated with the landscape plan drawings.
20. Proposed plantings to be consistent with the City of Vancouver Waterwise Planting Guidelines.
21. Provision of a high-efficiency automatic irrigation system specified in all common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.

Note to Applicant: The irrigation system design and installation shall be in accordance with the Irrigation Association of BC Standards and Guidelines latest standard. Notation to this affect should be added to the drawings.
22. Illustration on the Landscape Plan and the Site Plan of all at-grade utilities such as gas meters, electrical transformers, and mechanical vents.

Note to Applicant: All utilities should be located, integrated, and fully screened in a manner that minimizes their impact on the architectural expression and the building's open space and public realm.
23. Protection of existing street trees or the provision of new street trees adjacent to the development site in consultation with Park Board and to the satisfaction of the City Engineer.

Note to Applicant: Provide a notation on the Landscape Plan, "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and

18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311". Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Amit Gandha, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

Engineering

24. Prior to submission of a Development Permit Application, the applicant is requested to engage the services of a transportation consultant to review the parking design and provide recommendations for improvements to the following: a) measures to assign right-of-way to either the inbound or outbound vehicle; b) measures to manage the inability of two vehicles travelling in opposite directions to pass each other; and c) the suitability of the transition slope at the top and bottom of the parking ramps.
25. Clarification is required for the small projection above the 3rd floor level of the new building which is encroaching over Pender Street (see elevation A402, and section A502). This doesn't appear on the plan view, and might possibly be a sun screen.
26. Delete the two stairwell door-swings out over the lane (A301).

Areaway Details

27. A BC Land Surveyor building location certificate is required post construction showing the location of all encroachments.

Note to Applicant: The location of the exterior wall for the areaway is required.

Note to Applicant: An application to the City Surveyor is required.
28. The reconstructed areaway must meet the following criteria:
 - (i) the minimum areaway roof slab loading shall be in accordance with the loading requirement in the Vancouver Building By-Law Division B - Part 4 - 4.1.5 (12kpa distributed load and 54kN concentrated load);
 - (ii) the walking surface of the areaway roof structure if not broom finished concrete (glass prisms blocks), shall have a minimum coefficient of friction of 0.6, and a minimum wet coefficient of friction of 0.6;
 - (iii) Engineering will require originally signed and sealed copies of the structural drawings (Job No: MSC-1467 SK-1 of 1) for the proposed modifications to the areaway roof structure and for the precast concrete glass paver panels (from Circle Redmont), as per the note on SK-1 of 1, for our review and records prior to construction;
 - (iv) Engineering will require a Product Data Sheet from the supplier of the glass blocks (Circle Redmont) including specifications for loading, slip resistance and shatter resistance;

- (v) the walking surface of the exterior areaway roof structure exclusive of the precast glass paver panels and any adjacent sidewalk repairs shall be finished in accordance with the City of Vancouver Street Restoration Manual and shall match adjacent sidewalk standard for the area;
- (vi) the areaway shall be waterproofed to the satisfaction of the property owner;
- (vii) the top surface of the areaway roof shall be installed at grade to match the adjacent sidewalk;
- (viii) the property owner shall be responsible for obtaining all the required permits for the reconstruction work. A Street Use Permit from Engineering Services will be required for the exterior reconstruction work within the street right-of-way;
- (ix) no uses deemed essential to the operation of the building or any of its tenants shall be allowed in the areaway;
- (x) no new equipment shall be installed in the areaway that would preclude its removal in the future, i.e., heating systems (boilers), electrical systems, water valves, utilities etc.; and
- (xi) no hazardous materials shall be stored in the areaway.

Heritage

29. Submission of an updated Statement of Significance and Heritage Conservation Plan for the former Stock Exchange building that complies with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Note to Applicant: The updated Conservation Plan should include the following:

- (i) detailed window inventory and rehabilitation schedule;
- (ii) details and interpretation plan for the reconstructed trading floor area; and
- (iii) retention and rehabilitation of historic areaways and prism lights.

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 and to the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lot A, Plan 20419, and Lots 11, 12 and 13, Plan 210; All of Block 21, DL 541 to form a single parcel.

2. Release of Easement and Indemnity Agreements L72784 (existing building encroachments from Lot A onto City street) and N28008 (existing horizontal lighting encroaching from Lot A onto City street); prior to building occupancy. Note a letter of undertaking will be required at zoning enactment with discharge prior to building occupancy.
3. Provision of an updated, amended or replacement encroachment agreement for all existing and/or proposed encroachments onto City property prior to building occupancy.

Note to Applicant: A letter of undertaking will be required at zoning enactment with an updated, amended or replacement encroachment agreement completed prior to building occupancy.

Note to Applicant: Agreement #G76847 covers only existing ground-level encroachments from Lots 11 to 13. Upon completion of the proposed exterior work, a new BC Land Surveyor's Location Certificate will be required to confirm the extent of all building encroachments at that time, following which an application to the City Surveyor will be required to initiate the new agreement.

4. Clarification of the construction details of the existing canopies (E&I BG30714) adjacent the site and provision of an encroachment agreement should they not meet existing Vancouver Building By-law requirements.
5. 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.
 - (a) Upgrading of the areaways adjacent the site on Pender and Howe Streets to meet or exceed the Vancouver Building By-law requirements including the provision of an updated or replacement areaway legal agreement (see details to be addressed at the development permit stage in section (b) of Appendix B).
 - (b) Arrangements for the proposed sidewalk level areaway glass lights to replicate the historical areaway surface treatment. Legal arrangements will be required for the proposed areaway lights.
 - (c) Provision of standard sidewalk treatments around the site. Standard exposed aggregate banding, 4-piece exposed aggregate tree surrounds and broom finished sidewalks are required with deletion of non-standard treatments where they encroach onto public property.
 - (d) Provision of upgraded curb ramps at the intersection of Howe and Pender Streets (adjacent the site).

- (e) Provision of street trees adjacent the site where space permits.
- (f) Provision of \$15,000 in funding towards the installation of countdown timers and audible signals at the intersection of Howe Street and West Pender Street.
- (g) Provision of a standard concrete lane entry at the lane south of Hastings Street on the west side of Howe Street.
- (h) Upgrading of the existing sanitary sewer adjacent the site from 250 mm to 300 mm. A significant upgrade to the sanitary sewer and removal and replacement of the existing storm sewer (due to construction needs) or alternate arrangements to manage the sanitary flows from the site, all to the full satisfaction of the General Manager of Engineering Services, is required.

Note: Sewers impacted are located in the lane west of Hornby from the lane south of Hastings to Hastings Street and in Hastings Street from the lane west of Hornby to Burrard Street, approximately 130 m in total. Upgrades are estimated at \$700,000.00.

- 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.
- 7. 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) and are to be located on private property with no reliance on public property for placement of these features. 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.

Heritage

- 8. Prior to enactment of the rezoning by-law, the former Stock Exchange building is to be designated under the provisions of the *Vancouver Charter* as a protected heritage property including the exterior envelope and the elevator lobby located on the main floor, including the following fixtures and features:

- a) high vaulted plaster ceiling with 48 brightly painted (dark blue, crimson red and gold) coffer panels that feature fleurs-de-lis, climbing foliage and provincial coats of arms;
 - b) pointed archways flanking the lobby that are constructed of plaster and incised to resemble stone;
 - c) the walls with burgundy coloured marble baseboards with caramel coloured marble floor tiles;
 - d) the gilded silver and gold frieze (leaf design) on the north and south walls with simple cornice moulding above; and
 - e) rectangular panels directly above the elevator doors featuring a scroll pattern with a central shield (numbered one to three).
9. Prior to enactment of the rezoning by-law, the property owner shall enter into a Heritage Revitalization Agreement (HRA), which, among other things, ensures the rehabilitation and long-term protection of the former Stock Exchange building, to the satisfaction of the General Manager of Planning and Development Services and the Director of Legal Services, including the following:
- a) that all heritage rehabilitation work is to be carried out in compliance with, among other things, a Heritage Conservation Plan approved by the City;
 - b) that the Building not be occupied until the rehabilitation work associated with the HRA is completed;
 - c) that the Building be secured from vandalism during construction and that the appropriate professional or professionals experienced in rehabilitation and restoration work be retained to provide services to all aspects of the rehabilitation work; and
 - d) that the rehabilitation of the Building be completed in a timely manner to the satisfaction of the General Manager of Planning and Development Services and the Director of Legal Services.

Public Art

10. 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 to Applicant: 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 is 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.

- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street".
- E. THAT, subject to approval in principle of the rezoning, Council approve the heritage designation of the former Stock Exchange Building at 475 Howe Street, listed in the "A" evaluation category of the Vancouver Heritage Register, as a protected heritage property.
- F. THAT, subject to approval in principle of the rezoning, Council authorize entering into a Heritage Revitalization Agreement for the building at 475 Howe Street, to secure the restoration, long-term maintenance and preservation of such building, subject to conditions contained in Appendix B of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street";

FURTHER THAT the Director of Legal Services be instructed to prepare a Heritage Revitalization Agreement and accompanying by-laws and to process and bring forward for enactment the necessary by-laws related to the Heritage Revitalization Agreement.

(RZ/HD/HRA - 475 Howe Street and 819 West Pender Street)