



## REFERRAL REPORT

Report Date: March 20, 2020  
Contact: Theresa O'Donnell  
Contact No.: 604.673-8434  
RTS No.: 13833  
VanRIMS No.: 08-2000-20  
Meeting Date: April 28, 2020

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design, and Sustainability  
SUBJECT: CD-1 Rezoning: 443 Seymour Street

### **RECOMMENDATION**

- A. THAT the application by Chris Dikeakos Architects Inc., on behalf of 601 West Pender Holdings Ltd. (Reliance Properties), to rezone 443 Seymour Street [*PID 015-612-694; Lot B (Explanatory Plan 9806) Block 23 District Lot 541 Plan 210*] from Downtown District (DD) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 9.00 to 22.47 to allow construction of a 29-storey commercial office building with a total floor area of 39,036.5 sq. m (420,199 sq. ft.) and building height of 104.8 m (343.9 ft.) be referred to a Public Hearing together with:
- (i) plans prepared by Chris Dikeakos Architects Inc., received on November 1, 2019;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, including approval in principle of the form of development, subject to the Conditions of Approval 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 the new CD-1, generally as set out in Appendix C, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C, for consideration at the public hearing.

- C. THAT, subject to enactment of the new CD-1 By-law, the Noise Control By-law be amended to establish regulations for the new CD-1 in accordance with 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 new CD-1 By-law.

- D. THAT Recommendations A through C be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 bylaw rezoning the property, and 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 evaluates an application to rezone 443 Seymour Street. The proposal is for a 29-storey commercial office building with retail at grade. The total floor area is 39,036.5 sq. m (420,199 sq. ft.) and floor space ratio (FSR) is 22.47.

This application helps to advance the City's economic policies through the creation of new office and job space in the Central Business District (CBD). The application has been assessed and the proposed uses and form of development are supported, subject to design development and other conditions in Appendix B. It is recommended that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the conditions outlined in Appendix B.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council policies for this site include:

- Rezoning Policy for the Central Business District (CBD) and CBD Shoulder (2009) – Area B

- Metro Core Jobs and Economy Land Use Plan (2007)
- Employment Lands and Economy Review: Phase 1 and Next Steps (2019)
- Downtown (except Downtown South) Design Guidelines (1975, last amended 1993)
- Downtown Official Development Plan (1975)
- DD (except Downtown South) C-5, C-6, HA-1 and HA-2 Character Area Descriptions – Character Area A (Financial District) (1975, last amended 2003)
- Community Amenity Contribution Policy Update (2020)
- Development Cost Levy By-law (2008, last amended 2018)
- View Protection Guidelines (1989, last amended 2011)
- Green Buildings Policy for Rezoning (2009, amended 2018)
- Transportation 2040 Plan (2012)
- Public Art Policy for Rezoned Development (1994, last amended 2014)

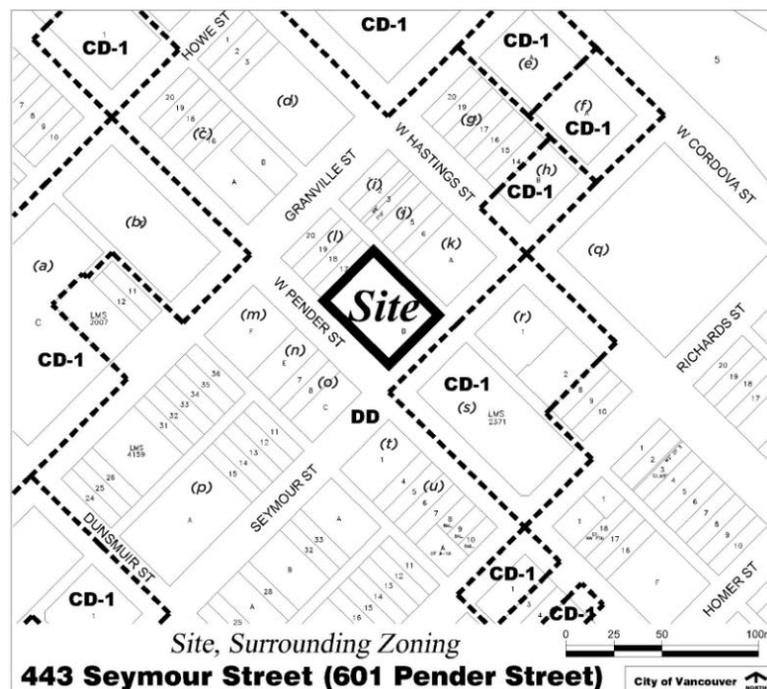
## REPORT

### Background/Context

#### 1. Site and Context

This site is located on the northeast corner of Seymour Street and West Pender Street, shown in Figure 1. The current zoning is Downtown District (DD) and is within Area B of the Downtown Official Development Plan (DODP). It is occupied by a 1969 six-storey parkade with retail at grade and underground parking accessed from Seymour Street. The lot dimensions are 119.1 ft. along Seymour Street and 156 ft. along Pender Street for a total site area of 18,699.7 sq. ft.

Figure 1 – Site and Surrounding Context



Immediately surrounding the property are a number of office, hotel, institutional, and residential buildings with heights up to 31 storeys. Of note are the 10-storey A-listed heritage Rogers Building, a 31-storey residential tower (Conference Plaza), and the SFU Morris J. Wosk Centre for Dialogue, a three-storey A-listed academic building. To the rear of the property is a City lane that has been programmed with public art and public space, called Alley Oop.

Within the surrounding blocks are the Granville and Waterfront Skytrain stations and a number of notable taller buildings, including the Exchange Tower, Delta Hotel, and the 28-storey Harbour Centre, of which the observation deck top reaches 558 ft.

## 2. Policy Context

**Metro Core Jobs and Economy Land Use Plan** – In 2007, this land use plan identified a shortfall in job space, and that zoning and policy changes would be required to meet Vancouver's 30-year economic needs. The plan identified unique sub-areas in the Metro Core and associated policy directions for each. The CBD sub-area was identified as the region's premier business and cultural district with policies to increase opportunities for new hotels, restaurants, retail, cultural venues, and other business support services. The goal was to intensify development capacity for future job growth and economic activity in the Metro Core.

**Rezoning Policy for the CBD and CBD Shoulder** – Based on directions set out in the above plan, this policy was introduced to allow sites to come forward for additional heights and densities for non-residential buildings in the CBD. The policy permits an intensification of land uses to allow the City to close the gap in job space availability and to improve the economic climate, while restricting residential.

**Employment Lands and Economy Review (ELER)** – In 2019, the City launched Phase 1 of the ELER, which is a comprehensive review of Vancouver's land use and economic policies aiming to understand the supply needed to support businesses and jobs. Based on the current land use capacity, the forecast for job growth shows that 15.4 million sq. ft. of new office space is needed between 2016 and 2051 to meet the demand. This analysis has informed work currently underway for Phase 2 of the ELER, in which intensification of land uses and new policies will be developed to address this shortage, to be completed by summer 2020.

## *Strategic Analysis*

### 1. Proposal

The rezoning application is for a commercial office building with a height of 104.8 m (343.9 ft.) and a total floor area of 39,036.5 sq. m (420,199 sq. ft.). Shown in Figure 3, this includes:

- 5,273 sq. ft. of retail space at grade;
- 414,912 sq. ft. of office space on levels 2 to 29, with amenity space on the top two levels;
- 8 levels of underground parking containing 215 vehicle parking spaces, 15 disability spaces, 12 loading spaces, and 246 bicycle spaces.

## 2. Land Use

The rezoning application proposes commercial uses, including office and service uses. In addition to those proposed, the draft CD-1 By-law in Appendix A allows for a wider range of non-residential uses to support future employment opportunities, namely cultural and institutional uses.

The site is located in Area B of the Downtown District, regulated by the DODP. This application for an office building aligns with the CBD Rezoning Policy, which sets out land uses to intensify job space within the Downtown area.

The DODP is structured in such a way that if a site within its boundaries is rezoned to Comprehensive Development (CD-1) District, the rezoned site is automatically removed from the DODP. Accordingly, amendments to the DODP are not required. While the rezoned site would be taken out of the DODP upon enactment of a CD-1 rezoning bylaw, urban design and land use requirements from the DODP are applied when evaluating a rezoning application for its fit as a new CD-1 District within the Central Business District. Should this application be approved, it would allow the creation of a new CD-1 District with uses consistent with the intent of the DODP and the CBD Rezoning Policy.

## 3. Density, Height, and Form of Development

**Density** – Under Area B within the DODP, the maximum permitted density is 9.0 FSR. The CBD Rezoning Policy allows consideration of additional density through rezoning for non-residential uses. This application proposes to increase the density to 22.47 FSR, equivalent to an overall floor area of 420,199 sq. ft.

**Height** – Area 5 of the DODP allows a base height limit of 300 ft. with the ability of the Development Permit Board to increase the basic maximum height to 450 ft., subject to view cones and urban design performance. The proposed building height exceeds the base height, reaching the underside of the Queen Elizabeth view cone at 343.9 ft.

**Form of Development** – The proposed form is a single tall tower that extends up to the view cone. The building is set back 12 ft. from the 10-storey Rogers Heritage 'A' building to the west

**Figure 3 – View of the Proposal Looking Northwest**



and has additional setbacks for the Pender and Seymour street frontages. Setting the building back on three sides achieves a number of urban design principles.

First, instead of the building sitting directly against the shared property line with the Rogers Building, the tower is set 12 ft. away from the shared property line above the sixth floor. This spacing is designed to improve the working environment for office occupants facing the interior courtyard. Shadow studies have shown that while the Rogers courtyard is already partially shadowed by its own massing and nearby developments, the addition of a new tower to the east would add negligible additional shadows onto this courtyard. The 12 ft. spacing still allows some visual relief and more pleasant experience for office occupants than if an adjacent building's wall was right on the shared property line.

Also, by setting the building back from the property line along the Pender and Seymour frontages, public views of the Rogers Building's heritage façade are respected and its heritage elements continue to remain prominent, as shown in Figure 4.

**Figure 4 – View of the Ground Floor at West Pender and Seymour Streets**



The building setback from Seymour Street also achieves a total 80 ft. tower separation from the Conference Plaza, a residential tower located directly across the street. Rezoning in the CBD have typically seen office-to-residential tower separations range from 60 to 75 ft. In this case, the 80 ft. tower separation is a distance comparable to what is typically required between two residential towers, ensuring privacy for residents in the Conference Plaza as well as for sunlight to penetrate between buildings. Despite the setbacks, the building still achieves an average floor plate of approximately 15,400 sq. ft. This size remains on the higher end of downtown office floor plates, which in recent years, have ranged from 7,000 sq. ft. to almost 18,500 sq. ft.

#### 4. Public Realm

The building incorporates design features to activate the public realm, while providing retail continuity and pedestrian connectivity. The site directly abuts Alley Oop to the north. Alley Oop was created out of a partnership between the Downtown Vancouver Business Improvement Association (BIA) and the City's VIVA Vancouver Program to enhance this City lane as an inviting and active public space. Brightly coloured street art and a basketball hoop have been installed to animate the space.

Figure 5 below shows further improvements to the lane by continuing the pattern of landmark pink with hanging lights to brighten the space. Retail entrances and café seating introduce an active frontage along Seymour Street, strengthening the connectivity to Alley Oop. The developer has expressed a commitment to coordinate with the BIA and other stakeholders during any future design of the lane.

**Figure 5 – Site Plan and Proposal for Alley Oop**



Additional conditions in Appendix B seek an improved public realm.

**Urban Design Panel** – The proposal was unanimously supported by the Urban Design Panel on February 5, 2020 (see Appendix D) with two recommendations. These recommendations were for the applicant to reconsider additional setbacks on levels 4 and 5 to enhance neighbourliness to the Rogers Building and further design development for the canopy to avoid conflict with street trees.

**Conclusion** – Based on an urban design analysis, staff support the development of the proposal with additional refinements in Appendix B. Design development conditions seek to ensure the execution of its design narrative, maintain the high quality materiality implied, and enhance the design detailing with activation of the public realm.

## 5. Housing

**Existing Tenants** – As there is no existing housing on the site, this rezoning would not displace any residential tenants.

## 6. Office Development

Figure 6 below shows major office developments since the policy changes for Metro Core and areas outside of the Downtown.

Under the “Approved Rezoning and Development Permit” total for the Metro Core is new job space totalling 1,900,000 sq. ft. This is a substantial increase from the five-year period prior to the policy changes when very little office space, particularly in the stand-alone office buildings that the business community favours, was built due to high land costs resulting from residential speculation in the CBD. If this application is approved, approximately 420,199 sq. ft. would be added to this total, closing the gap in the need for office space.

**Figure 6 – New Office Floor Space (Major Developments\*) in Vancouver since 2016**

Completed	Floor space (sq. ft.)	Jobs (est.)	# of Sites
Downtown	525,000	2,190	6
Rest of Core	775,000	3,230	10
Rest of City	152,000	630	4
<b>City Total</b>	<b>1,452,000</b>	<b>6,050</b>	<b>20</b>

Under Construction	Floor space (sq. ft.)	Jobs (est.)	# of Sites
Downtown	2,701,000	11,250	12
Rest of Core	532,000	2,220	10
Rest of City	180,000	750	1
<b>City Total</b>	<b>3,413,000</b>	<b>14,220</b>	<b>23</b>

Approved Development Permit or Rezoning Application	Floor space (sq. ft.)	Jobs (est.)	# of Sites
Downtown	1,900,000	7,920	4
Rest of Core	1,623,000	6,760	13
Rest of City	408,000	1,700	3
<b>City Total</b>	<b>3,931,000</b>	<b>16,380</b>	<b>20</b>

Completed, Under Construction, or Approved Rezoning or Development Permit	Floor Space (sq. ft.)	Jobs (est.)	# of Sites
Downtown	5,126,000	21,360	22
Rest of Core	2,930,000	12,210	33
Rest of City	740,000	3,080	8
<b>City Total</b>	<b>8,796,000</b>	<b>36,650</b>	<b>63</b>

*\*Major Developments are those that add at least 50,000 sq. ft. of office space.*

*Source: City of Vancouver development tracking as of March 1, 2019.*

## 7. Parking and Transportation

**Parking and Loading** – The proposed building’s underground parkade is to be accessed from the lane, which represents an improvement to the existing in and out vehicle access from Seymour Street. Eight levels of underground parking include 215 vehicle parking spaces, 15 disability spaces, 12 loading spaces, and 246 Class A bicycle spaces. Two Class B loading and two Class A loading spaces are proposed at the lane.

Per the Parking Bylaw, the proposal is short two disability spaces, along with three Class A and four Class B loading spaces. Parking and loading will have to meet the Parking By-law requirements at the development permit stage. Additional Engineering conditions are set out in Appendix B.

**Nearby Transportation Infrastructure** – Located downtown, the site is well served by public transit. The Waterfront and Granville Skytrain Stations are two blocks away, along with frequent bus service along Pender Street. The site is adjacent to the City’s cycling network in which the nearby Dunsmuir Street is an “All Ages and Abilities” protected route that connects to the seawall and other cycling networks.

## 8. Environmental Sustainability

**Green Buildings** – The *Green Buildings Policy for Rezoning*s requires that applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. This application has opted to satisfy the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modeling analysis detailing building performance strategies to meet the energy use intensity, greenhouse gas and thermal demand targets

**Green Sites** – The *Urban Forest Strategy* sought to preserve, protect, and strengthen Vancouver’s urban forest and tree canopy for the future. Council amended the *Protection of Trees By-law* in 2014 to maintain a healthy urban forest, requiring that permission be granted to remove trees that meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

The site does not contain any trees covered under the *Protection of Trees By-law* with three City trees located along Pender Street to be retained. The sidewalk on Seymour will be upgraded with three new street trees and four additional site trees, planters with seating, and a green roof with perennial plants for a bird-friendly habitat. Even with limited open space, the landscape plan proposes green elements to enhance access to nature, subject to further conditions in Appendix B.

## **PUBLIC INPUT**

**Public Notification and Open House** – An information sign was installed on the site on November 28, 2019. The City’s Rezoning Centre webpage ([www.vancouver.ca/rezapps](http://www.vancouver.ca/rezapps)) was updated to include the proposal, open house information, and an online comment form. Approximately 2,909 notifications were distributed within a two-block radius of the site on January 3, 2020. Approximately 42 individuals attended the open house on January 22, 2020.

**Public Comments** – A total of 19 responses have been submitted to the City for the application, consisting of nine comment sheets and 10 emails (see Figure 7). The proposal received support for its design, architectural expression, height, and efforts to enhance Alley Oop. Members of the adjacent residential building communicated concerns that the proposal would limit their mountain views, privacy, and lower the price they may get for their condo unit.

**Figure 7 – Notification and Public Response**

Total Notifications	2,909
Open House Attendees	42
Comment Sheets	9
Other Feedback	10

A full description of the public consultation summary can be found in Appendix E.

## **Response to Public Comments**

**Impacts to Adjacent Residential** – Staff explained that the applicant’s building is set back from the neighbouring strata tower to provide an 80 ft. distance. This distance exceeds a typical office-to-residential tower separation in the downtown area, which is often between 60 to 70 ft. Staff have provided additional design conditions in Appendix B to enhance privacy and liveability for residential neighbours.

**Building Height** – It was explained that under the base zoning, the applicant could achieve a 300 ft. tall building under a development permit, which would reach approximately the same height as the adjacent residential tower. It was also explained that Downtown Vancouver is an area in which taller buildings are expected, especially given the site’s proximity to employment, transit, and other services.

Staff have assessed the public comments and conclude that the proposed development is supportable, subject to conditions contained in Appendix B.

### **PUBLIC BENEFITS**

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

#### **Required Public Benefits**

**Development Cost Levies (DCLs)** – Development Cost Levies (DCL) collected from new development help pay for facilities made necessary by growth including parks, childcare facilities, replacement housing and various engineering infrastructure.

The site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 420,199 sq. ft. of commercial floor area. Based on rates in effect as of September 30, 2019, total DCLs of approximately \$8,672,908 would be anticipated from this development.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

**Public Art Program** – The *Public Art Policy for Rezoned Developments* requires that rezonings with a floor area of more than 9,290 sq. m (100,000 sq. ft.) contribute public art or provide 80% cash in lieu as a condition of rezoning. Public art budgets are based on a rate of \$1.98 per sq. ft. With 420,199 sq. ft. of floor area proposed, a public art budget of approximately \$831,994 (or \$665,595 (80%) cash in lieu) is anticipated. The Public Art rate is finalized at the development permit stage and is subject to Council approval of periodic adjustments to address inflation.

#### **Offered Public Benefits**

**Commercial Linkage Contribution** – Within the context of the City's financing growth framework, it is anticipated that an applicant offers a public benefit contribution to address the impacts of rezoning. The City's *Community Amenity Contribution Policy Update* applies a commercial linkage contribution of \$15.78 per sq. ft. on the net additional floor area for commercial-only rezonings in the Downtown area for leasehold commercial space.

Based on a density increase from 9.00 to 22.47 FSR, a contribution of \$15.78 per sq. ft. is offered on the additional 251,908 sq. ft. of additional floor area. This equates to a commercial linkage contribution of approximately \$3,975,108. Conditions in Appendix B prohibit subdivision of the office and retail space and further prohibit the separate sale of any office and retail space.

Staff recommend that the offering be accepted and that, in accordance with the Council direction for commercial linkage contributions, it be allocated towards childcare and/or affordable housing in and around the Metro Core. See Appendix G for a summary of the public benefits for this application.

***Financial Implications***

As noted in the section above, the applicant has offered a cash commercial linkage contribution of \$3,975,108 to be allocated towards childcare and/or affordable housing in and around the Metro Core area.

Based on the rates in effect as of September 30, 2019, total DCL approximately \$8,672,908 would be expected from this development.

The applicant will also be required to provide new public art on site at an estimated value of \$831,994, or make a cash contribution to the City for off-site public art in the approximate amount of \$665,595 (80%).

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget.

***CONCLUSION***

Staff have reviewed the application to rezone 443 Seymour Street for a 29-storey commercial office building and conclude that the height, density, and land uses are consistent with the *Rezoning Policy for the Central Business District and CBD Shoulder*. If approved, the project will contribute to increasing job space and to advancing the City's economic development objectives.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A and with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix F.

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**443 Seymour Street  
PROPOSED CD-1 BY-LAW PROVISIONS**

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

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

*[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Designation of CD-1 District**

2. The area shown within the heavy black outline in Schedule A is hereby designated CD-1 ( ).

**Uses**

- 3.1 Subject to approval by Council 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 issues development permits are:
  - (a) Cultural and Recreational Uses;
  - (b) Institutional Uses;
  - (c) Office Uses;
  - (d) Retail Uses;
  - (e) Service Uses; and
  - (f) Accessory Uses customarily ancillary to any use permitted in this section.

**Floor Area and Density**

- 4.1 Computation of floor space ratio must assume that the site consists of 1,737.2 m<sup>2</sup> being the site size at the time of the application for the rezoning evidenced by this By-law, prior to dedications.
- 4.2 The floor space ratio must not exceed 22.47.
- 4.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:

- (a) patios or roof gardens only if the Director of Planning first approves the design of sunroofs and wall; and
  - (b) 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.
- 4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
- (a) amenity areas, except that the exclusion must not exceed, in aggregate, 10% of the permitted floor area; and
  - (b) unenclosed outdoor areas underneath the building overhangs, at grade level, except that such areas must remain unenclosed for the life of the building.
- 4.6 The use of floor area excluded under sections 5.4 and 5.5 must not include any use other than what which justified the exclusion.

#### **Building Height**

5. The building height, measured above the base surface, must not exceed 104.81 m.

#### **Zoning and Development By-law**

6. Sections 2 through 14 of the Zoning and Development By-law apply to this CD-1.

\* \* \* \* \*

**443 Seymour Street  
CONDITIONS OF APPROVAL**

*Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions by staff prior to the hearing will be noted in the Summary and Recommendations. Any further changes to the conditions approved by Council will be contained in its decision. Please consult the hearing minutes.*

**PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Chris Dikeakos Architects Inc., received on November 1, 2019 and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.*

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:

**Urban Design**

- 1.1 Design development to further refine the architectural expression and material treatment with regards to:
  - a) Maintain the level of exceptional detailing implied to accomplish and construct the proposed design aesthetic in its final rendition;
  - b) Demonstrate refinement of the building's overall articulation, maintaining a consistent rigorous design language and rendition of elements sufficient to ensure the iteration of the developed design is consistent with/superior to that shown in the proposal;
  - c) Further develop the integration of the proposal's scale and relationship with the historic heritage streetscape ensuring appropriate contextual fit consistent with the character of the area;
  - d) Ensure satisfactory access to daylight with reasonable separation for a suitable working environment throughout the proposal and with its neighbors;
  - e) Ensure the design, massing, and setbacks maintain a sensitive transition to the surrounding neighborhood for satisfactory contextual fit;
  - f) Maintain the use of unique authentic, high quality, durable materials consistent to or superior then that shown in the drawings and images of the application; and,
  - g) Design development to examine strategies for passive techniques to improve sustainability and green building performance (e.g. Fenestration type, solar shading devices and green roof technologies).

Note to Applicant: The above is to be understood in the context a natural progression and enhancement of a proposal in which the broad principles are satisfactory but still requires positive design development consistent with best practice principles and appropriate to the next stage of a more detailed design.

- 1.2 Design development to further improve the relationship with the Rogers Building by examining the setbacks and neighborliness of the proposal with adjustment of the architectural form as required.

Note to Applicant: Particular regard should be paid to levels 4 and 5 in line with the Urban Design Panel's recommendations.

- 1.3 Design development to the building canopy examining further how the use of solidity and transparency in its configuration may ensure opportunities for light at the ground plane and to ensure mitigation of any conflict with street trees.

- 1.4 Demonstrate the proposal mitigates any substantial impact on the visual privacy of those living in nearby towers and their access to daylight.

Note to Applicant: The applicant can satisfy this condition by the submission of material/studies demonstrating best efforts to investigate access to daylight, the mitigation of any concerns resulting, confirming no significant impact and exploring incorporation of architectural features to enhance visual privacy as appropriate.

- 1.5 Ensure all built elements, appurtenances and elevator overruns are clearly indicated on drawings and fully demonstrate compliance with the view cone's height restriction.

#### *Public Realm Interface and Civic Realm*

- 1.6 Design development to further enhance the design narrative of the proposal for the integration with Alley Oop while working with stakeholder groups as required to support the success of Alley Oop as a public space.

- 1.7 Design development to the at-grade landscaping and public realm interface with provision of all details necessary to confirm a lively public realm interface to include:

- a) Design development to the overall outdoor surface treatment to be high quality, visually interesting, and cohesive throughout;

Note to Applicant: Special attention is needed at the material transition from public realm to the private property edge. Explore with the City of Vancouver opportunities for a unified public realm paving surface in order to achieve an enhanced public realm.

- b) Explore further frontage improvements to provide an enhanced pedestrian experience examining the solidity, deepness, and lightness to the building face as it transitions to the public realm;

- c) Examine the means to create a more coordinated fluid pedestrian realm developing the strategies for the street furniture, bollards, benches, pedestrian-scale lighting, bike racks, guard rails, decorative grilles, planters etc.; and,
- d) Explore means to refine commercial entrances to satisfactorily address the public realm with architectural features and fenestration patterns that emphasize a scale which strengthens the connection between public and private space.

Note to Applicant: Entries at grade may be identified by use of lighting, materiality, colour, texture, projecting canopies, entry recesses or wayfinding cues.

*Standard Conditions*

- 1.8 Design development to confirm integration of all rooftop mechanical equipment, including elevator override service volumes, photovoltaic panels, window washing infrastructure, cell tower, antennae elements or any other service equipment within the proposed mechanical enclosure and to ensure service equipment does not protrude into the public view cone beyond the allowable height.

Note to Applicant: The roof should remain uncluttered, as proposed, with all equipment being housed with the appurtenances. Where possible, enclosures should be of non-opaque materials and contribute to the overall architecture of the building.

- 1.9 Design development to provide universally accessible connections for pedestrians and people using wheelchairs, to all common open space areas throughout the site.
- 1.10 Design development to confirm continuous weather protection at grade that is integrated with the building design, demountable and provides pedestrian comfort.
- 1.11 Provision of a conceptual lighting strategy to ensure appropriate lighting levels and Crime Prevention through Environmental Design (CPTED) performance, while minimizing glare for nearby residents.
- 1.12 Identification on the architectural and landscape drawings any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/>.

- 1.13 Design development to respond to CPTED principles, having particular regards for:
- a) Defensibility and reducing opportunities for loitering;
  - b) Theft in the underground parking;
  - c) Break and enter;
  - d) Mail theft; and,
  - e) Mischief in alcoves and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

### **Sustainability**

- 1.14 Design development to maximize access and usability of rooftops for outdoor enjoyment, urban agriculture, and extensive green roofs, etc.
- 1.15 Explore additional strategies to improve green building performance and identify any significant thermal bridges and their resolution on design drawings.
- 1.16 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. Requirements are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning—Process and Requirements* (amended April 28, 2017 or later).

### **Landscape Design**

#### *Rezoning Conditions*

- 1.17 Design development to address the conflict between building canopy and the street trees' canopy. Refer also to Urban Design condition 1.3.
- 1.18 Design development to address viability of green canopy including construction details, irrigation and maintenance access.
- 1.19 Design development to improve public realm interface at street level to integrate more with offsite civic realm. Refer to Urban Design conditions.

Note to Applicant: Explore arrangements of landscape features such as paving design and materials, planters, benches, bollards, and others.

- 1.20 Design development to maximize outdoor amenity areas on rooftop. Refer to Urban Design condition 1.6.

Note to Applicant: Provide clarification and confirmation of Landscape Programming and Design and consider providing trees for summer shade.

- 1.21 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:
  - a) Maximize natural landscape best management practises;

- b) Minimize the necessity for hidden mechanical water storage;
- c) Increase the amount of planting to the rooftop areas, where possible;
- d) Use permeable paving;
- e) Employ treatment chain systems (gravity fed, wherever possible);
- f) Use grading methods to direct water to soil and storage areas;

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (IRMP), Vol.1 & 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

- 1.22 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

- a) Detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- b) A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
- c) An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: The sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

*Standard Conditions*

- 1.23 Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- 1.24 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to applicant: the sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- 1.25 Provision of a Tree Management Plan.

- 1.26 Coordination for the provision of new street trees or any proposed City owned tree

removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and 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 long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion.*"

- 1.27 Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

- 1.28 Provision of an outdoor Lighting Plan.

## Engineering

- 1.29 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or Licence. Applications for provincial Approvals or Licences can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.
- 1.30 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (e.g., consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.31 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- 1.32 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final

design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

1.33 Provision of generous and continuous weather protection on both frontages.

1.34 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Provide TDM Plan as a separate package with complete information on TDM measures proposed including the appropriate worksheets. The following additional information and clarifications are required to accept the TDM measures proposed:

- a) ACT-01 – Additional Class A bicycle parking
  - (i) Identify the number and location of the additional Class A bicycle parking on plans. Additional Class A bicycle parking spaces must meet the standards and minimums identified in the Parking By-law, and/or applicable Design Guidelines.
- b) ACT-02 – Improved Access to Class A bicycle Parking
  - (i) Provision of concept design for excellent design of lighting, finishes, grades, convenience.
  - (ii) Provision of operational and design specifications for automated bicycle parking (if applicable).
  - (iii) Identify the number and location of the Class A bicycle parking provided above grade on plans, as well as note the access route to reach the Class A bicycle parking from the outside.
- c) ACT-05 – Bicycle Maintenance Facilities
  - (i) Note and dimension location of facilities on plans.
  - (ii) Bicycle maintenance facilities to be located with convenient access to from Class A bicycle spaces.
  - (iii) Provision of an operational plan detailing:
    - A description of the amenities to be provided,
    - A means of providing access to all residents, commercial tenants, and the public (if applicable), and
    - Plan for maintaining these amenities.
  - (iv) If available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.
- d) ACT-06 – Improved End-of-Trip Amenities
  - (i) Provision of concept design for improved end-of-trip amenities.
  - (ii) Identify the location, number and type of end-of-trip amenities being provided on plans.
- e) COM-01 – Car Share Spaces

- (i) Identify/note/dimension car share spaces on plans.
  - (ii) Spaces to be located with convenient, public access at-grade, or on the first level of parking.
- f) COM-02 – Car Share Vehicles and Spaces (include standard car share agreement conditions with the TDM agreements)
  - (i) Identify/note/dimension car share spaces on plans.
  - (ii) Spaces to be located with convenient, public access at-grade, or on the first level of parking.
  - (iii) Provide detailed information as to how and a design to enable members of the car sharing organization access into the building's underground parking 24 hours a day, 7 days a week.
- g) SUP-01 – Transportation Marketing Services
  - (i) Provision of a description of the services to be provided.
  - (ii) If available, provision of any additional information regarding this measure (e.g., online signup portals or additional marketing materials) that demonstrates how the property owner will offer this service.
- h) SUP-02 – Real-Time Information
  - (i) Identify the general locations for proposed displays on plans.
  - (ii) Provide description of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed, and service provider.
- i) SUP-03 – Multimodal Wayfinding Signage
  - (i) Identify the general locations for proposed displays on plans.
  - (ii) Provide conceptual design of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed.
- 1.35 Provision of end-of-trip facilities as per By-law. 9 water closets, 7 wash basins, 9 showers, and 308 clothing lockers (50% full sized) are required.
- 1.36 Provision of parking, loading, bicycle, passenger loading spaces and end of trip facilities be provided and maintained in accordance with the requirements of the Vancouver Parking By-law, except that:
  - a) Provision of 4 Class B loading space and 1 Class A passenger loading to be provided at grade with the remaining required Class A passenger loading and Class A loading spaces may be provided in the underground parkade with convenient access on the first level of parking.
  - b) Provision of 4 additional Class A loading spaces in lieu of 2 Class B loading spaces.
- Note to Applicant: Proposed reductions may be considered at the Development Permit stage with acceptable Loading Analysis and a Loading Management.
- 1.37 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.

- a) Provision of a maximum of 40 bicycle spaces not including bicycle lockers in one room with individual entrances, lockers 5% oversized.
  - b) Relocation of Class B bike parking to eliminate encroachments on public property and right-of-ways.
  - c) Provision of a minimum 1.2 m wide access route to the bicycle parking spaces.
  - d) Provision of minimum 2.4 m width for two-way flow on the bicycle access ramp.
- 1.38 Design development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.
- a) Provision of Class B loading to be provided fully on private property.
  - b) Provision of convenient, internal, stair-free loading access to/from all site uses.

- 1.39 Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:

- a) Provision of all parking spaces on the west wall to be moved in line with the structural columns and provide curb stops at the end of the stalls.

Note to Applicant: the following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:

- b) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
  - c) All types of parking and loading spaces individually numbered, and labeled on the drawings.
  - d) Dimension of column encroachments into parking stalls.
  - e) Show all columns in the parking layouts.
  - f) Dimensions for typical parking spaces.
  - g) Dimensions of additional setbacks for parking spaces due to columns and walls.
  - h) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
  - i) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
  - j) Areas of minimum vertical clearances labeled on parking levels.
  - k) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
  - l) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
  - m) Existing street furniture including bus stops, benches, etc. to be shown on plans.
  - n) The location of all poles and guy wires to be shown on the site plan.
- 1.40 Garbage pick-up operations appear challenging. Manoeuvre diagrams and a confirmation letter from a waste hauler provider is requested.

- 1.41 Delete all portions of the building façade and the dashed-line feature (A-101) proposed to encroach over the north property line into the lane.
- 1.42 When submitting Landscape plans, please place the following statement on the landscape plan: This plan is “NOT FOR CONSTRUCTION” and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.”

### **Rainwater Management**

- 1.43 Provision of an updated Rainwater Management Plan (RWMP) submitted with the DP application which includes the following:
  - a) Provide the results of the feasibility investigation into incorporating a Rainwater Harvest and Re-use on this site. As the current volume of 24 mm rainwater retention is low, the applicant is highly encouraged to incorporate this system and note the following:
    - (i) Refer to The City of Vancouver Plumbing By-law 2019 as it specifies a number of requirements for Alternate Water Source Systems, which includes rainwater harvesting and re-use.
    - (ii) The Plumbing By-Law specifies permitted surfaces that can be used for rainwater harvesting and re-use purposes as well as mandatory uses for treated non-potable water. Approval by the Office of the Chief Building Official is required if seeking to use treated non-potable water for any other uses.
    - (iii) Provide calculations showing that the non-potable water demands are sufficient to restore the volume generated by 24mm of runoff from the catchment area within a maximum of 48-72 hours.
    - (iv) If non-potable water demands are not sufficient to restore the volume generated by 24 mm of runoff from the catchment area within 48-72 hours, the designer must specify appropriate provisions to restore this capacity within a maximum of 48-72 hours.
  - b) Provide an updated site map detailing how rainwater will be directed or retained in each area. Include the following:
    - (i) All routing of rainwater throughout the site.
    - (ii) Area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
    - (iii) Summary table of the catchment areas.

Note to Applicant: Consider grading hardscapes into adjacent landscaping where possible to increase the volume of rainwater retained on site. Coordination with the landscape architect and a grading plan will be required to support this proposal.

- c) Remove treatment flow rate for water quality treatment device. Instead, provide total contributing area to the device, percent imperviousness, TSS removal criteria and total annual capture requirements.

Note to Applicant: Design of the proprietary treatment devices are typically performed by the manufacturer/service provider. 24mm relates to a 70% capture of annual average rainfall. 48mm relates to a 90% capture of annual average rainfall.

## **PART 2: CONDITIONS OF BY-LAW ENACTMENT**

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, Urban Design, and Sustainability, and the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### **Engineering**

- 2.1 Release of Easement & Indemnity Agreement 483312M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

- 2.2 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to Seymour Street and Pender Street to achieve a 5.5 metre offset distance from the back of the existing curb to the building face. The SRW will be free of any encumbrance such as vents, structure, stairs, planter walls, benches, bicycle parking, and plantings at grade (and is to accommodate the underground parking structure within the SRW agreement).
- 2.3 Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary to require the owner to prepare a detailed Transportation Demand Management (TDM) Plan for the approval of the General Manager of Engineering Services prior to Development Permit issuance, including a requirement to enter into a further legal agreement to ensure that the owner of the lands will construct, install, operate and continuously maintain the TDM measures in the approved TDM Plan, including the provision of funding by the owner towards the City's long-term TDM monitoring fund in the amount of \$2 per square metre of gross floor area.
- 2.4 Provision of a Services Agreement to detail the on-site 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, as follows.

- a) Provision of adequate water service to meet the fire flow demands of the project.
- (i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R. F. Binnie & Associates Ltd. dated October 21, 2019, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main on Seymour Street from West Pender to Hastings streets. The developer is responsible for 100% of the cost of the upgrading.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- b) Upgrade approximately 90m of 525mm SAN to 900mm SAN on Water Street between 141 Water St (MH\_\_FJD0II) and Abbott St (MH\_\_FJD0IE).

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

Note to Applicant: The City of Vancouver will deliver the sewer upgrade on Water Street at the developers cost. The applicant is to regularly inform the Integrated Water Management (IWM) Branch (Utilities.Servicing@Vancouver.ca) of their updated construction and occupancy schedule as the development progresses. This will assist the Integrated Water Management (IWM) Branch in scheduling the trunk delivery. If the IWM Branch is not kept informed of the developer's schedule, the occupancy permit approval may not meet the developer's schedule.

The developer is required to submit a flow monitoring study to confirm the extent of the upgrade, which is to be reviewed and accepted by City Engineer. The study shall provide data for minimum 3 months of wet weather flow and dry weather flow, to allow for model calibration and flow estimate verification. The required upgrades may be modified based on the outcomes of the flow monitoring study, at the discretion of the City Engineer. Contact utilities.servicing@vancouver.ca for direction prior to initiating any flow monitoring work.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Development to be serviced to the 200 mm SAN sewers in lane north of Pender Street.

- c) Provision of pedestrian improvements at the intersection of Seymour Street and Pender Street, which may require full signal reconstruction.

Note to Applicant: A detailed design is required to understand the extents of the work to achieve the intersection modifications.

- d) Provision of street improvements along Seymour Street adjacent to the site and appropriate transitions including the following:
  - (i) 1.22 m (4 ft.) wide front boulevard with street trees where space permits.
  - (ii) Minimum 3.05 m (10 ft.) wide broom finish saw-cut concrete sidewalk.
  - (iii) Hard surface treatment between the sidewalk and the building.
  - (iv) Curb ramps.
  - (v) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards.
  - (vi) Relocation of the existing utility kiosk (near the lane) to outside of the new sidewalk.
  - (vii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations.
  - (viii) Adjustment to all existing infrastructure to accommodate the proposed street improvements.

- e) Provision of street improvements along W Pender Street adjacent to the site and appropriate transitions including the following:

- (i) 1.22 m (4 ft.) wide front boulevard with street trees where space permits.
- (ii) Minimum 3.05 m (10 ft.) wide broom finish saw-cut concrete sidewalk.
- (iii) Hard surface treatment between the sidewalk and the building.
- (iv) Curb ramps.
- (v) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations.
- (vi) Adjustment to all existing infrastructure to accommodate the proposed street improvements.

- f) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- g) Provision of the existing service kiosk U0604EDAGR relocation.

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with Standard Specification of the City

of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition).

- h) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on Seymour Street adjacent to the site.
  - i) Confirmation that any existing poles in the lane adjacent the site will not be impacted, should any relocated pole be impacted, upgrading of the lane lighting to current standard will be required.
  - j) Provision of speed humps in the lane north of Pender Street between Seymour Street and Granville Street.
  - k) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
  - l) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 ft. long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.
- 2.5 Provision of a cash payment of \$141,000 for sewer upgrade planning and design work to support the development's increased sewer demands. This cash payment totals approximately 15% of the total sewer upgrade estimated cost and shall be paid prior to rezoning enactment, the remainder of which shall be provided prior to Development Permit issuance.
- 2.6 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

This proposed development is adjacent to existing BC Hydro electrical works. The applicant shall submit a surveyed clearance drawing to BC Hydro showing all BC Hydro plant and dimensioned clearances from the plant to the development. The applicant shall provide written confirmation from BC Hydro that all required clearances from BC Hydro plant have been satisfied. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>).

Note to Applicant: Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>). All third party service lines to the

development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.). The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at [umb@vancouver.ca](mailto:umb@vancouver.ca).

In addition, 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.

### **Sustainability**

- 2.7 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

### **Public Art**

- 2.8 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.

Note to Applicant: Contact Karen Henry, Public Art Program Manager at 604-871-8282 to discuss your application.

### **Commercial Linkage Contribution**

- 2.9 Pay to the City a contribution of \$3,975,108, to be allocated toward childcare facilities and/or affordable housing in and around the Metro Core area, which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City, and in a form and on terms and conditions satisfactory to the Director of Legal Services.

### **Non-stratification Covenant**

- 2.10 Enter into a Covenant pursuant to Section 219 of the Land Title Act prohibiting both the separate sale and the strata subdivision of the property.

### **Environmental Contamination**

- 2.11 If applicable:
- a) Submit a site profile to the Environmental Services (Environmental Protection);

- b) As required by the Manager of Environmental Services 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; and
- c) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and the 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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.

\* \* \* \* \*

**443 Seymour Street**  
**DRAFT CONSEQUENTIAL AMENDMENTS**

**DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 11879**

Amend Schedule A (CD-1 Zoning Districts regulated by Part 9) by adding the following:

“443 Seymour Street                      [CD-1 #]                      [By-law #]                      DD”

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

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

“[CD-1#]                                      [By-law #]                                      443 Seymour Street”

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443 Seymour Street  
ADVISORY PANEL REVIEW

**1. Urban Design Panel**

The Urban Design Panel (UDP) reviewed this rezoning application on February 5, 2020. A complete set of minutes can be found at (<https://vancouver.ca/your-government/urban-design-panel.aspx>). The application was supported with recommendations.

**EVALUATION: SUPPORT (6-0)**

**Introduction:** Rezoning Planner, Thien Phan, introduced this project. Carl Stanford, Development Planner, sought advice from the Panel with the questions below.

1. Please comment on the architectural expression, and articulation of massing:
  - a. Is the scale and relationship with the neighbouring buildings appropriate and does the articulation of the proposed form establishes a clear base, middle and top?
  - b. Consider whether the articulation of the new building successfully integrates with the historical context of the streetscape including the Rogers Building.
  - c. Consider the expression, colour, reflectivity, shape, proportions, fenestration, material treatment, and detailing with regard to the above.
2. Please comment on the contextual fit and neighbourliness with consideration for:
  - a. Does the proposal adequately demonstrate the mitigation of substantial impact on the visual privacy of those living in nearby towers and their access to daylight?
  - b. Does the proposal adequately minimize the disruption of views from surrounding sites, and provide attractive views for existing adjacent developments?
  - c. Is the separation of the new building from the adjoining "Primary Evaluation 'A' Heritage" structure, the Rogers Building satisfactory in its relationship.
3. Please comment on the public realm interface with consideration to improve how the building transitions to and interfaces with the ground plane.

The applicant provided introductory comments.

**Panel's consensus on key aspects needing improvement:**

Having reviewed the project it was moved by Mr. Francl and seconded by Mr. Sharma and was the decision of the Urban Design Panel:

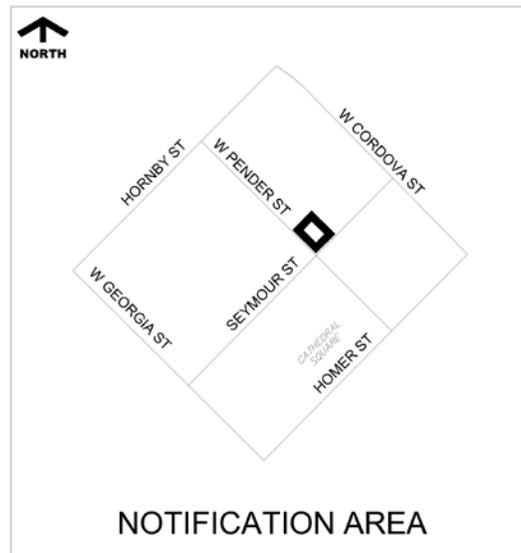
THAT the Panel **SUPPORTS** the project with recommendations to be reviewed by City Staff:

1. Design development to the canopy, the solidity and opportunities for light at the ground plain and conflict with street trees;
2. Reconsider the proposed relationship to the Rogers Building at levels 4 and 5 along the west property line, specifically its setbacks and neighbourliness.

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**443 Seymour Street  
PUBLIC CONSULTATION SUMMARY**

**Public Notification** – A rezoning information sign was installed on the property on November 28th, 2019. Approx. 2,909 notification postcards were distributed within the neighbouring area on or about January 3, 2020. Notification, application information, and an online comment form, was provided on the City’s Rezoning Centre webpage at [www.vancouver.ca/rezapps](http://www.vancouver.ca/rezapps).



**Community Open House** – A community open house was held from 4:30 pm to 7:00 pm on January 22, 2020 at the SFU Morris J. Wosk Centre for Dialogue at 58 West Hastings Street. Staff, the applicant team and a total of approximately 43 people attended the open house.

**Public Response** – In response to the open house, nine comment sheets and 10 emails were received.

**Notification and Public Response**

Total Notifications		2,909
Open House Attendees		42
Comment Sheets		9
Other Feedback		10

**Comments of Support:**

- **Appropriate height, massing and density (approximately 3 responses):** Respondents believed that the height, massing and density would fit well in the neighbourhood.
- **Quality design features (approximately 3 responses):** Respondents had a positive response to the architectural design of the building, citing it as having an attractive and unique façade that compliments the adjacent office towers.
- **Public realm enhancements (approximately 3 responses):** Respondents felt the improved public realm would create an attractive space for pedestrians, particularly in Alley Oop. Improvements to the lighting, paint and integration of electrical outlets were seen as positive features to the public realm at the lane.

**Comments of Concern:**

- **Inappropriate height, massing and density (approximately 4 responses):** Respondents were concerned that the height and density would disrupt private views.
- **Proposal will increase nearby housing prices and property taxes (approximately 2 responses):** Respondents felt that the proposal would decrease property values and impact property taxes for nearby residential buildings.
- **Supply an adequate amount of car-share/electric vehicle spaces (approximately 2 responses):** Respondents explained that there were insufficient car-share or electrical vehicle parking stalls within the proposal.
- **Proposal includes an oversupply of parking (approximately 2 responses):** Respondents acknowledged that the proposal offered a substantial amount of parking given that has adequate connections to public transit services within the downtown area.

The following are the miscellaneous comments received that were not ranked as highly:

- Support for enhanced setbacks to provide seating spaces.
- Insufficient parking.
- Need for more office in the city.
- Proposal offers adequate sustainability features.
- Support for the proposed amenities such as bicycle end-of-trip facilities.

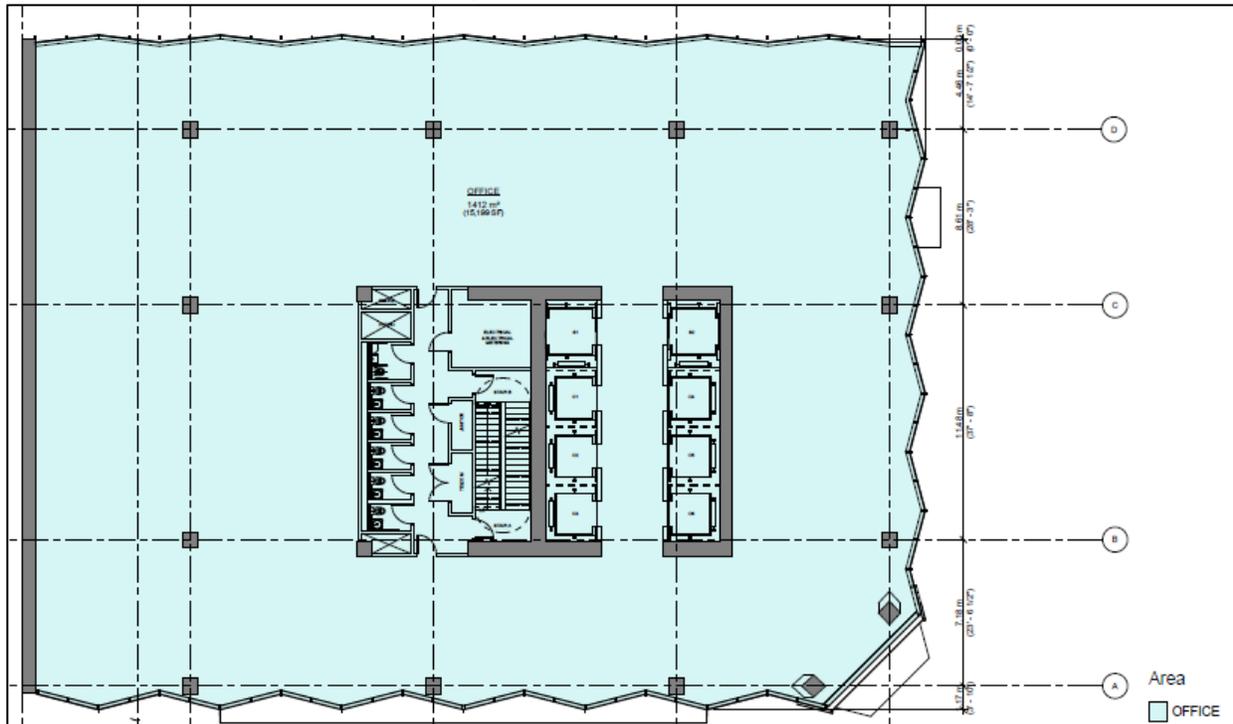
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443 Seymour Street  
FORM OF DEVELOPMENT DRAWINGS

Ground Floor Plan



Typical Office Floor Plan



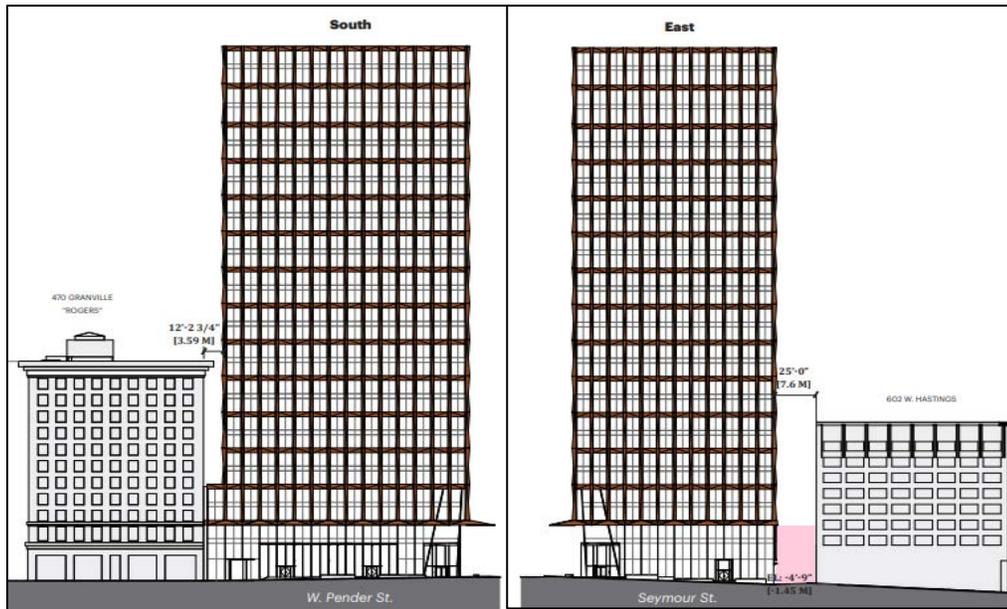
View Looking East and West towards Proposal



West Pender Street Streetscape with Proposal in Green



### South and East Elevations



### North and West Elevations



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**443 Seymour Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary**

To construct a 29-storey commercial office building.

**Public Benefit Summary**

The project would add employment space in the CBD, offer a commercial linkage contribution allocated to housing and childcare in the Metro Core area, contribute to public art, and provide a DCL payment.

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
Zoning District	DD (Area B)	CD-1
Floor Space Ratio (FSR)	9.00	22.47
Buildable Floor Space	15,634.8 sq. m (168,291 sq. ft.)	39,039.5 sq. m (420,199 sq. ft.)

**Summary of Development Contributions Expected Under Proposed Zoning**

City-wide DCL <sup>1</sup>	\$6,445,853
City-wide Utilities DCL <sup>1</sup>	\$2,227,055
Public Art <sup>2</sup>	\$831,994
Commercial Linkage Contribution	\$3,975,108
<b>TOTAL</b>	<b>\$13,480,010</b>

**Other Benefits (non-quantified components):** N/A

<sup>1</sup> Based on rates in effect as of September 30, 2019; rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's DCL Bulletin for details.

<sup>2</sup> Based on rates in effect as of 2014; rates are subject to adjustments, see [Public Art Policy and Procedures for Rezoned Developments](#) for details.

**443 Seymour Street**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Applicant and Property Information**

<b>Applicant/Owner</b>	601 West Pender Holdings Ltd. (Reliance Properties)
<b>Architect</b>	Chris Dikeakos Architects/Kohn Pedersen Fox (KPF)
<b>Address</b>	443 Seymour Street
<b>Property Identifier (PID)</b>	PID 015-612-694
<b>Legal Description</b>	Lot B (Explanatory Plan 9806) Block 23 District Lot 541 Plan 210
<b>Site Area</b>	1,737.2 sq. m (18,699 sq. ft.)

**Development Statistics**

	<b>Permitted Under Existing Zoning</b>	<b>Proposed Development</b>	<b>Recommended Development</b>
<b>Zoning District</b>	<ul style="list-style-type: none"> <li>• DD (Area B)</li> </ul>	<ul style="list-style-type: none"> <li>• CD-1</li> </ul>	
<b>Land Use</b>	<ul style="list-style-type: none"> <li>• Office, Retail, Service</li> </ul>	<ul style="list-style-type: none"> <li>• Office, Retail, Service</li> </ul>	
<b>Floor Area</b>	<ul style="list-style-type: none"> <li>• 15,634.8 sq. m (168,291, sq. ft.)</li> </ul>	<ul style="list-style-type: none"> <li>• 39,036.5 sq. m (420,199 sq. ft.)</li> </ul>	
<b>Maximum FSR</b>	<ul style="list-style-type: none"> <li>• 9.0 FSR</li> </ul>	<ul style="list-style-type: none"> <li>• 22.47 FSR</li> </ul>	
<b>Maximum Height</b>	<ul style="list-style-type: none"> <li>• Outright: 91.4 m (300 ft.)</li> <li>• Conditional: 137.2 m (450 ft.)</li> </ul>	<ul style="list-style-type: none"> <li>• 104.81 m (343.86 ft.)</li> </ul>	
<b>Parking Spaces</b>	<ul style="list-style-type: none"> <li>• Downtown non-residential: Max. 346 spaces</li> <li>• Disability: Min. 17 spaces</li> </ul>	<ul style="list-style-type: none"> <li>• Downtown non-residential: 215 spaces</li> <li>• Disability: 15 spaces</li> </ul>	<ul style="list-style-type: none"> <li>• Per Parking bylaw with an additional: 2 disability spaces</li> </ul>
<b>Loading Spaces</b>	<ul style="list-style-type: none"> <li>• Retail: Min. 2 Class B</li> <li>• Office: Min. 6 Class A &amp; 4 Class B</li> <li>• Passenger: Min. 4 Class A</li> </ul>	<ul style="list-style-type: none"> <li>• Retail: 1 Class B</li> <li>• Office: 3 Class A &amp; 1 Class B</li> <li>• Passenger: 7 Class A</li> </ul>	<ul style="list-style-type: none"> <li>• Per Parking bylaw with an additional: 1 retail Class B, 3 office Class A, 3 office Class B</li> </ul>
<b>Bicycle Spaces</b>	<ul style="list-style-type: none"> <li>• Office: Min. 231 Class &amp; 6 Class B</li> <li>• Retail: Min. 1 Class A</li> </ul>	<ul style="list-style-type: none"> <li>• Office: 239 Class A &amp; 6 Class B</li> <li>• Retail: 1 Class A</li> </ul>	
<b>Natural Assets</b>	<ul style="list-style-type: none"> <li>• 0 existing on-site by-law trees</li> <li>• 3 existing City trees</li> </ul>	<ul style="list-style-type: none"> <li>• Retain existing City trees</li> <li>• Add 3 new City trees and 4 on-site trees</li> </ul>	

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