

**Refers Item No. 3
Public Hearing of March 10, 2014**

MEMORANDUM

March 7, 2014

TO: Mayor Robertson and Councillors

CC: Penny Ballem, City Manager
Sadhu Johnston, Deputy City Manager
Lynda Graves, Administrative Manager, City Manager's Office
Janice MacKenzie, City Clerk
Michael Magee, Chief of Staff, Mayor's Office
Kevin Quinlan, Director of Policy and Communications, Mayor's Office
Rena Kendall-Craden, Director of Communications
Brian Jackson, General Manager, Planning and Development Services
Peter Judd, General Manager of Engineering
Bill Aujla, General Manager, Facilities and Real Estate Services
Frances Connell, Director of Legal Services
Dwayne Drobot, Planner, Planning and Development Services

FROM: Matt Shillito
Assistant Director, Planning and Development Services

SUBJECT: CD-1 Rezoning, 650 West 41st Avenue (Oakridge Centre) - RTS #10430

On February 18, 2014 the above-referenced rezoning application was referred to public hearing. This memorandum reports to Council on a number of matters, including information requested at time of referral. Further, staff are recommending additional changes to Appendix A and Appendix B. Specifically, this memo addresses the following:

1. Changes to Appendix A - Additional uses and floor area restrictions in the CD-1 By-Law
2. Changes to Appendix B - Sustainability Conditions
3. Changes to Appendix B -Park Conditions
4. Changes to Appendix B -Groundwater Conditions
5. Phasing of Amenities
6. Changes to Appendix B -delivery dates for Civic Centre, Social Housing and Secured Market Rental Conditions
7. Clarification regarding Canada Line Station Infrastructure
8. Targeted Consultations

1. Changes to Appendix A - Additional uses and floor area restrictions in the CD-1 By-Law

This recommendation makes minor amendments to Appendix A

DISCUSSION

Appendix A of the Policy Report dated February 12, 2014, entitled “CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)”. Appendix A of the report presents a draft By-law for the text amendment that is the subject of this application. During the preparation of the draft By-law, but prior to the posting of the By-law, some changes were requested by the applicant to add the uses of Community Care Facility, School - Elementary or Secondary, and School - University or College. The applicant also requested that maximums be placed on the amount of allowable commercial for the -project.

The bold italicized text below shows the minor changes between the draft By-law provisions as presented in Appendix A of the referral report and how they now appear in the draft By-law in the Public Hearing agenda package. No Council action is required as the posted By-law is correct.

RECOMMENDATION

THAT Appendix A to the referral report dated February 12, 2014, entitled “CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)” be amended as follows:

In section 4.2 - Uses, add the following:

- Institutional Uses, limited to Child Day Care Facility, Church, *Community Care Facility*, Public Authority Use, *School - Elementary or Secondary, School - University or College* or Social Service Centre;

In Section 6 - Floor area and density - add a new section 6.6 and renumber the remaining to read as follows:

6.6 There shall be a maximum of 168,059 m² of floor area for non-residential use.

2. Changes to Appendix B - Sustainability Conditions

This change clarifies what will happen in the short term for Oakridge Centre while the process of selecting the neighbourhood energy utility provider is being competed. The minor wording changes that were required resulted in replacing the entire condition with the wording in the recommendation.

For ease of reference, the changes to the conditions of Sustainability in Appendix B are shown in a black lined version of the conditions in Schedule A to this Memorandum.

DISCUSSION

The City is in the process of selecting utility providers to develop a neighbourhood energy system (NES) for the Cambie corridor, which will be planned in consultation with Cambie landowners. Large development sites, including Oakridge Centre, are critically important anchor sites for the establishment of a corridor-wide NES network. Staff recommend that the conditions of rezoning be amended to include provisions that support the development of a neighbourhood-scale approach to thermal energy supply, while allowing the applicant team to continue with planning of a thermal energy strategy that meets the needs of the development. This change clarifies both near- and long-term expectations regarding thermal energy supply at Oakridge Centre.

RECOMMENDATION

- A. THAT the conditions of approval of the form of development, as presented in Appendix B of the Policy Report dated February 12, 2014, entitled “CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)”, be amended to replace Conditions 61 and 62 of the Conditions of Approval of the Form of Development with the following:
61. The proposed approach to site heating and cooling, developed in collaboration with the City and the City's designated NES utility provider, shall be provided in detail prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
 62. Detailed HVAC and mechanical design must be to the satisfaction of the General Manager of Engineering Services and shall adhere to the following general requirements:
 - a. the thermal energy system, including all equipment and infrastructure associated with the generation, transfer, and distribution of thermal energy to buildings within the development (i.e. the thermal energy centre, heat generating/transfer/recovery equipment, thermal energy distribution piping, and energy transfer stations) shall be designed as an integral component of the Cambie corridor NES. New floor area in the development shall adhere to the City's Neighbourhood Energy Connectivity Design Guidelines, and shall connect to and receive heat energy from a thermal energy centre at a mutually agreed location, unless otherwise approved by the General Manager of Engineering Services;
 - b. building mechanical design shall optimize opportunities for recovery of waste heat from cooling within the development; any additional sources of heating and domestic hot water energy must be approved by the General Manager of Engineering Services;
 - c. all energy for space heating, domestic hot water and ventilation make-up air for all new floor area within the development shall be provided by the thermal energy system for the development using hydronic systems without distributed building-scale heat generating equipment (such as electric resistance heat, gas fired make-up air heaters, boilers, heat pumps, water heaters, heat-producing fireplaces etc.);

- d. on-site groundwater extraction wells shall not be used for heating supply, and any groundwater extracted for the purpose of space cooling shall be limited to an amount that can be used to offset the development's potable water demand;
- e. the thermal energy centre for the development shall include adequate space and design provisions to support integration with and connection to off-site energy sources and customers for the purpose of integrating with the corridor-wide NES.

Note to applicant: At the building permit stage, the applicant will be required to submit final detailed drawings for review. Design shall provide suitable space for the installation of the equipment with adequate provisions for connection to off-site neighbourhood energy system distribution piping and communications conduit. Such equipment may include, but is not limited to energy transfer stations and/or boiler equipment. Space requirements will consider the larger energy concept for the development and corridor.

- B. THAT the conditions of by-law enactment, as presented in Appendix B(b) of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be amended to replace Condition #33 of the Conditions of By-law Enactment with the following:

33. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for integration of the development into a Cambie Corridor Neighbourhood Energy System (NES), which may include but are not limited to agreements which:

- a. require that the development's thermal energy system, including all equipment and infrastructure associated with the generation, transfer, and distribution of thermal energy within the development (i.e. the thermal energy centre, heat generating/transfer/recovery equipment, thermal energy distribution piping, energy transfer stations, etc.) be developed, owned and operated by the City-designated NES utility provider, or transferred (at a cost that represents the developer's direct costs associated with developing the thermal energy system, approvable by the BCUC) to the City-designated NES utility provider at such time that one becomes available;
- b. require that the applicant work collaboratively and in good faith with the City and the City-designated NES utility provider to devise a strategy and timeline for meeting on-site thermal energy requirements as well as integrating the thermal energy system for the development with a broader corridor-wide network;
- c. require the developer to undertake performance monitoring of the thermal energy system for the development on a reporting schedule, containing information, and prepared in a form as requested by the General Manager of Engineering Services; and
- d. grant the City-designated NES utility provider access to all buildings, parkades, utility corridors, equipment and infrastructure associated with the thermal energy system for the development for the purpose of installing, operating, and/or maintaining NES services.

Note to Applicant: Until a City-designated NES utility provider has been identified, the Applicant will be prohibited from entering into any energy supply contract for thermal energy services without prior approval from the General Manager of Engineering Services.

3. Changes to Appendix B -Park Conditions

These changes provide clarity to timing and securing of the Park Space. The minor wording changes that were required resulted in replacing the entire condition with the wording in the recommendation.

For ease of reference, the changes to the Park conditions in Appendix B are shown in a black lined version of the conditions in Schedule A to this Memorandum.

DISCUSSION

This memorandum recommends changes to some of the conditions regarding the rooftop park.

- a. Flexibility has been added to Condition #23 below to provide for other means of securing the park space rather than a \$48,500,000 letter of credit.
- b. The 6-acres of air space parcel for the park can be taken as one or more parcels on the site rather than one parcel to allow for flexibility in location
- c. The conditions recognize that the park will be governed by the City's Parks Control By-law.
- d. The timing for ultimate delivery of the park has changed to June 30, 2024, recognizing that the applicant will still be using portions of the rooftop for construction staging.

RECOMMENDATION

THAT the conditions of by-law enactment, as presented in Appendix B(c) of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be amended to replace Conditions #19-23 of the Conditions of By-law Enactment with the following:

19. Enter into one or more agreements, as required by the Director of Legal Services and Park Board General Manager to secure the applicant's obligation to design, build, maintain, repair and replace a 9 acre park on the roof of the commercial portion of the rezoning site. This agreement or agreements will address but not be limited to the following issues:
 - a. conveyance in fee simple to the City of one or more air space parcels together comprising a total of 6 acres of the park with the balance of the 9 acres to be secured by a statutory right of way granted to the City; The SRW is to be a blanket charge (defined by sketch plan) and to be modified to volumetric plan based on the as-built conditions. The modification is to be registered prior to occupancy of the final residential building;
 - b. the entire 9 acre park will be permanent public park for the life of the development;

- c. obligation to design and construct the park is at the sole cost of the applicant;
- d. Park design must be approved by Park Board following a Park Board public consultation process;
- e. the City will be responsible for programming, operation and control of the park and hours of access to the park in its sole discretion;

Note to Applicant: any programming proposed by the owners of the shopping centre (Ivanhoe Cambridge) will be subject to the City of Vancouver's Parks Control By-law, and permitted through the Park Board permit process

- f. the park will function like any other park in the City of Vancouver with respect to access, use, and hours of operation and it will be regulated under the City of Vancouver's Parks Control By-law;
 - g. there will be a minimum of 6 points of entry to access the park from the street and or mall, including access points which are open during non-mall hours;
 - h. there will be no distinction between the City's rights to program, operate and control the portions of the park within the air space parcel versus the portions of the park within the statutory right of way;
 - i. the fully constructed 9 acre park must be operational and delivered to the City (including transfer of the air space parcel(s) and registration of statutory right of way) no later than June 30, 2024; delivery of park by June 30, 2024 will be secured by arrangements acceptable to the DLS including no development and no occupancy covenants;
 - j. repair, replacement, and maintenance of the park shall be at the sole cost of the owner of the retail and commercial portion of the development, unless otherwise agreed to by the City, and the responsibility for repair, replacement, and maintenance of the park and the costs thereof will be included in the air space reciprocal easement and cost sharing agreements;
20. Grant an option to purchase the park air space parcels to the City for 6 acres of the 9 acre park.
 21. Grant a blanket statutory right of way to the City for the balance of the 9 acres of the park which statutory right of way will be reduced and defined by plan upon completion of construction of the park.
 22. The City will grant an option to purchase in favour of the registered owner of the Rezoning Site to purchase the 6 acre air space parcel owned by the City and used for park, which option to purchase may only be exercised if a bona fide application is submitted to the City for the redevelopment of the entire Rezoning Site, but in any event may not be exercised before that date which is 60 years from the date such option to purchase is registered in the Land Title Office. The purchase price to be paid to the City will be the fair market value

to be paid by the City to assemble and acquire in fee simple a 2.83 acre site which is within a 10 block radius of the Rezoning Site, plus the outstanding unamortized value of the capital improvements made in accordance with the rezoning conditions within the park space (for certainty, the park space includes the 6 acre air space parcel owned by the City and the 3 acre SRW in favour of the City included in the park space) and the value of the remaining term of 100 years of maintenance costs for same, the latter as determined in the reasonable discretion of the City Manager and the Director of Finance.

23. If the applicant has not delivered the full 9 acres of fully constructed park by December 31, 2028 then the City may elect to construct the park itself on a dirt site which will be subdivided from the rezoning site. This requirement will be secured through an option to purchase a 2.83 acre dirt site on the rezoning site as well as security for the cost of constructing and maintaining the park acceptable to the Director of Legal Services which may include letters of credit or a mortgage. The option to purchase will for a nominal purchase price.

4. Changes to Appendix B -Groundwater Conditions

This change to the note to applicant recognizes that both City of Vancouver and Metro Vancouver by-laws apply to this site.

For ease of reference, the changes to the groundwater condition in Appendix B are shown in a black lined version of the conditions in Schedule A to this Memorandum.

DISCUSSION

The applicable regulations and requirements that govern the use of groundwater including any proposal to discharge it into the sewer system are governed by both by-laws. This is important to note as the site's current use of groundwater and associated discharge volumes is costing the City a high annual rate for treatment. Discharging any extracted groundwater, even used for cooling purposes, to the City's sewer system is not permitted unless it meets the GVS&DD Sewer Use Bylaw, offsets potable water demand, and is satisfactory to the General Manager of Engineering Services.

RECOMMENDATION

THAT the conditions of by-law enactment, as presented in Appendix B(c) of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be amended to replace Condition #15 of the Conditions of By-law Enactment with the following:

15. Clarification of the site's existing and proposed uses of groundwater sources.

Note to Applicant: It is understood that groundwater is currently used to partially cool the existing development; additional detail is sought regarding the developer's intent to use this source, including proposed extraction rates, any proposed infrastructure refurbishments, groundwater disposal strategy, and opportunities to offset potable water demand. Use of groundwater cannot

adversely impact the aquifer, local water levels, or neighbouring properties and must meet all Provincial requirements. Discharging any extracted groundwater, even used for cooling purposes, to the City's sewer system will no longer be permitted unless it meets the GVS&DD Sewer Use Bylaw, offsets potable water demand, and is satisfactory to the General Manager of Engineering Services.

5. Phasing of Amenities

This section introduces a final date for provision of amenities.

Section 10 (Phasing of Construction and Amenities) of the Council Report sets out the applicant's phasing plans at a high level. Table 3, "Timing of Amenities" includes anticipated dates for the completion and delivery to the City of the various amenities. These dates and the corresponding dates in the conditions of by-law enactment in Appendix B are based on the applicant's current phasing plan.

Staff acknowledges that the phasing plan may change somewhat as the project moves forward through its anticipated 10 - 15 year buildout. The amenity agreements will include appropriate flexibility to permit adjustments to the timing of delivery of amenities based on criteria approved by the City.

The amenity agreements will also include a final date by which the social housing, civic centre and park must be delivered. If these three amenities have not been delivered by the final date of December 31, 2028 then the City will have the right to elect to construct such amenities itself, at the sole cost of the applicant. The City's right to construct the civic centre, social housing and park itself will be secured with options to purchase a dirt site for the park and dirt site or air space parcels for the Civic Centre and social housing, and financial instruments such as letters of credit and/or mortgages to secure the cost of constructing such amenities.

6. Changes to Appendix B -delivery dates for Civic Centre, Social Housing and Secured Market Rental Conditions

These changes to the conditions in Appendix B reflect the information in the Council Report.

DISCUSSION

Staff note there was a discrepancy between the dates contained in Section 10 of the Council Report and the draft Conditions of Approval contained in Appendix B(c). The changes to the condition's dates reflect the dates in the table in the Council Report, and the final date of delivery of amenities noted in Part 5 of this memo.

RECOMMENDATION

THAT the conditions of by-law enactment, as presented in Appendix B of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be amended as follows:

Civic Centre

- (a) that the reference to “December 31, 2021” in subsection (e) and (f) of Condition # 24 be replaced with “June 30, 2019”;
- (b) that the reference to “December 31, 2021” in subsection (g) of Condition # 24 be replaced with “December 31, 2028”;

Social Housing

- (c) that the reference to December 31, 2021 in subsection (f) of Condition # 27 and in Condition #29 be replaced with “December 31, 2028”

7. Clarification regarding Canada Line Station Infrastructure

TransLink has requested additional wording. This section identifies the cost of future station upgrades required in 2045.

Staff wish to clarify the section on Canada Line Capacity in the Council Report. On page 22, under the heading "Station Capacity", the report states "Currently, Oakridge-41st Ave Station elements (stairs, escalators, walkways, faregates, and platforms) are functioning at an acceptable level of service during peak periods, and will function at an acceptable level of service after full build-out of the proposal."

The applicant's transportation consultant has provided analysis regarding the existing levels of service and two potential 2045 scenarios; one with the Oakridge Centre development and the other without. The analysis found that some station elements will likely be over capacity by 2045. Based on the analysis it is also likely that, should the development be approved, some station upgrades will be required prior to (or shortly after) build-out in order to maintain an acceptable level of service. TransLink staff have advised that a source of funding for these upgrades, valued at approximately \$7.7M, has not been identified.

Focusing new, higher density development near rapid transit lines is an established regional planning priority. Through TransLink, the region has funded (with cost sharing from senior levels of government) capacity improvements along those lines as required. For example, on the Expo Line, as demand has increased, TransLink has added more trains and have or are planning to modify a number of stations which are reaching the limits of their original capacity, including Main St-Science World, Burrard, Commercial-Broadway, and Metrotown Stations. Generally, development in the region hasn't been required to fund capacity upgrades at nearby stations.

8. Targeted Consultations

As part of Council's decision to refer this item to Public Hearing, staff were asked to provide a brief summary of the input received through the targeted consultations for Oakridge Centre.

- Fairchild Strata Council + residents: Residents expressed concern that the new street would become a shortcut for people in the area. This was especially important as there is

a pedestrian link between 45th Avenue adjacent to their site to the Oakridge Centre property.

Staff Comment: Staff worked with the applicant team to ensure that the new street was designed to prevent shortcutting. Staff will work with the applicant to ensure the design of new street accommodates a safe pedestrian crossing.

- Hemingway Strata Council + residents: Many residents expressed support for the application. There were comments and concerns regarding safety and access to the shopping centre along 45th Avenue, with concerns raised regarding vehicular traffic and conflicts with pedestrians.

Staff Comment: Staff will be working on the design of 45th Avenue through the Development Permit process. There are no primary vehicular access points to the shopping centre along 45th Avenue. 45th Avenue will also be designed for pedestrians with wider sidewalks and crosswalks to reduce conflicts between pedestrians, cyclists, and vehicles.

- UDI U40 Tour: Many attendees expressed support for the project, indicating it was a good location for density around a transit route.
- Tikva Housing + UBC SALA Tour: Both groups expressed support for the project, indicating it was a good location for density near transit. Attendees from Tikva housing were supportive of the inclusion of social housing in the project.
- The Terraces Strata Council + residents: Many concerns were raised by the Terraces residents regarding the proposal. The main concern was the proposed density and height of the development (especially the 44-storey tower), noting that it was too high and too much in this location. There were specific concerns related to shadows and overlook from the towers nearest the terraces. The other main concern was the build-out of Oakridge Centre over a 10-15 year timeframe, and that the residents would be subject to an extended period of construction noise, dust, and disruption.

Staff Comment: Staff have worked with the applicant team to increase the separation between the two tallest towers and the Terraces building through the revised application. Staff have also included design conditions to sculpt the southern tower to improve shadow performance on the Terraces. Staff acknowledge that there is an extended construction period for the project, but note that some of the construction locations on site will be several blocks away from the Terraces.

- The Vancouver Board of Trade, Community Affairs Committee, Urban Infrastructure Sub-Committee: The Committee was supportive of the development, noting that it was a good location for jobs in the City.
- Oakridge Seniors Centre: There were multiple meetings with the Oakridge Seniors Centre. The Seniors Centre members were concerned that they would lose their autonomy with the move from Oakridge Centre to the Civic Centre. As well, there was concern that the Centre would have the space required to deliver programming for their members.

Staff Comment: Staff have worked with the Oakridge Seniors Centre and the applicant to increase the size of the Oakridge Seniors Centre within the Civic Centre to 2,500 square feet, with access to their space directly from grade, and in close proximity to a hand-dart drop off location. Staff have also worked with the Seniors Centre to clarify their functional plan. Staff will also work with the Seniors Centre through the design of the Civic Centre to achieve a design that maximizes use of the dedicated space as well as provide access to the various multipurpose rooms to expand programming options.

- UBC SALA Students: Staff and the applicant team held a Mock Urban Design Panel workshop to walk the students through the project, and then break out into groups to hear their comments on the project. The Students noted this was a good location for density, and raised comments regarding accessibility of the rooftop park, as well as good pedestrian connections to the transit station, and other amenities in the area.

Staff Comment: Staff have worked with the applicant to ensure a minimum of 6 generous access points to the Park. Through the development permit process, staff will ensure that generous pedestrian connections are provided through the design of 41st Avenue, 45th Avenue, Cambie Street, and the New Street.

- BCIT Real Estate Club: Many attendees expressed support for the project, indicating it was a good location for density around a transit route. There were comments provided regarding the use of the Car Club, and ensuring that it was accessible to all residents, shoppers, and area residents.
- Oakridge Langara Area Residents (OLAR): Many concerns were raised by OLAR. Some of the main concerns were regarding Canada Line Capacity, including the need to understand the increased growth along the line in Vancouver and Richmond, increased traffic and the lack of a comprehensive traffic study of the area, and the lack of a revised Policy Statement prior to acceptance of a rezoning application.

Staff Comment: As noted in the Council Report, staff have worked with TransLink to understand what increases in capacity are available in the future based on population growth in Vancouver and Richmond, and have determined that there are options to increase capacity to meet future increases in demand. Staff note that the City's transportation plan (Transportation 2040), developed a set of strategies and actions to accommodate the anticipated regional growth of 1 million residents and 600,000 jobs by 2040, all with a reduction in motor vehicle traffic on city streets. A development-specific transportation study was completed for Oakridge Centre. Finally, staff note that Council directed staff to accept a rezoning application for Oakridge Centre that varied from the 2007 Policy Statement in density and height in July 2012.

- ULI - general membership: Many attendees expressed support for the project, indicating it was a good location for density around a transit route.
- Riley Park South Cambie Vision Implementation Committee (RPSC): Concerns were raised by the RPSC Committee regarding the height, inclusion of social housing, and increased traffic in the neighbourhood. The Committee was pleased that there was a new Civic Centre being constructed on site, which would potentially lower the demand at Hillcrest Centre.

- Cycling + Transit advocates (HUB, Get on Board BC, BEST (Better Environmentally Sound Transportation), PEDAL): The groups expressed support for the project, and were pleased with the inclusion of bicycle lanes along the site and the relocation of the Heather Street Bikeway to Heather Street. Members urged staff to explore safe and well-located bicycle parking for patrons and staff of Oakridge Centre.
- Oakridge Retail Advisory Board: Members of the Board expressed support for the project, and were excited about the opportunities for a revitalized Oakridge Centre.
- SFU Urban Studies Tour: Many attendees expressed support for the project, indicating it was a good location for density around a transit route.
- Langara Urban + Rural Planning Program: Many attendees expressed support for the project, indicating it was a good location for density around a transit route.
- Active Transportation Planning Committee: The Committee expressed support for the project, and was pleased with the planning for pedestrians and cyclists for Oakridge Centre.
- City of Vancouver's Seniors Advisory Committee: The Committee received a presentation for information from city staff. The committee encouraged the inclusion of the Seniors Centre in the proposal, and encouraged the City to support inclusion of housing for seniors (including social housing) for the development.
- Adjacent Business Improvement Areas: Concerns were raised by some BIAs that saw many shops locate in their area because there was no room in Oakridge Centre. In particular, the representatives from South Granville commented that their area has become very successful over the years based on chain stores that have stores located in other Ivanhoe/Cambridge malls. The concern is that these stores would leave the BIA area and relocate to the expanded Oakridge Centre. Concerns were also raised that the Oakridge expansion will fetter chances of attracting new retail to BIAs.

Staff Comment: As part of the proposal, staff commissioned an independent retail impact analysis for the project. The analysis indicated that Vancouver is underserved by retail when compared to the regional average, and that will continue as Vancouver's population increases. The analysis also concluded that there would be no major impacts on the adjacent BIA areas.

- ULI Cascadia Conference Tour: Many attendees expressed support for the project, indicating it was a good location for density around a transit route.
- Vancouver Board of Trade Young Professionals: Attendees expressed support for transit oriented development and the economic benefits of an expanded Oakridge Centre in Vancouver. Attendees also focused on including affordable options for new home buyers, as well as the inclusion of amenities and access to the rooftop park as shown in the proposal.



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MS/DD/hs

SCHEDULE A

BLACK LINED COPY OF REVISED APPENDIX B CONDITIONS

FOR REFERENCES PURPOSES ONLY

2. Changes to Appendix B - Sustainability Conditions

33. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for ~~connection to~~ *integration of the development into a* Cambie Corridor Neighbourhood Energy System (NES), which may include but are not limited to agreements which:
- a. ~~Require~~ *require* that the development's thermal energy *system, including all equipment and infrastructure associated with the* generation, transfer, and distribution ~~equipment, including by not limited to the central of thermal energy within the development (i.e. the thermal energy centre, heat generating/transfer/recovery equipment,~~ thermal energy distribution piping ~~which interconnects buildings within the development, and thermal energy transfer stations within individual buildings, etc.)~~ be *developed,* owned and operated by the City-designated ~~utility provider for the Cambie Corridor South Service Area~~ *NES utility provider, or transferred (at a cost that represents the developer's direct costs associated with developing the thermal energy system, approvable by the BCUC) to the City-designed NES utility provider at such time that one becomes available;*
 - b. ~~Require that buildings within the development connect to the City-designated NES prior to occupancy or post-occupancy through a deferred services agreement in cases where the General Manager of Engineering Services determines at the time of development permit issuance that a system will not be available for immediate connection.~~ *require that the applicant work collaboratively and in good faith with the City and the City-designated NES utility provider to devise a strategy and timeline for meeting on-site thermal energy requirements as well as integrating the thermal energy system for the development with a broader corridor-wide network;*
 - c. ~~Require that all space heating and domestic hot water requirements of all buildings within the development be supplied by the City-designated NES. However,~~ *require the developer to undertake performance monitoring of the thermal energy system for the development on a reporting schedule, containing information, and prepared in a form as requested by* the General Manager of Engineering Services ~~may allow for the recovery of waste heat from cooling for individual buildings, or by way of a neighbourhood scale approach if supplied by the City's designated NES provider;~~ *and*
 - d. ~~Grant~~ *grant* the ~~city~~ *City*-designated NES utility provider access to ~~the development's central energy centre, private streets, NES customer buildings and any other spaces as required~~ *all buildings, parkades, utility corridors, equipment and infrastructure associated with the thermal energy system for the development* for the purpose of

installing, operating, and/or maintaining NES ~~related utility infrastructure and services.~~

Note to Applicant: Until a City-designated NES utility provider has been identified, the Applicant will be prohibited from entering into any energy supply contract for thermal energy services *without prior approval from the General Manager of Engineering Services.*

3. Changes to Appendix B -Park Conditions

Rooftop Park

19. Enter into one or more agreements, as required by the Director of Legal Services and Park Board General Manager to secure the applicant's obligation to design, build, maintain, repair and replace a 9 acre park on the roof of the commercial portion of the rezoning site. This agreement or agreements will address but not be limited to the following issues:

- a. conveyance in fee simple to the City of ~~an one or more~~ air space ~~for parcels together comprising a total of~~ 6 acres of the park with the balance of the 9 acres to be secured by a statutory right of way granted to the City; The SRW is to be a blanket charge (defined by sketch plan) and to be modified to volumetric plan based on the as-built conditions. The modification is to be registered prior to occupancy of the final residential building;
 - b. the entire 9 acre park will be permanent public park for the life of the development;
 - c. obligation to *design, and construct the park is at the sole cost of the applicant.* ~~repair, replace, and maintain will be included in air space reciprocal easement and cost sharing agreements and owner will not be permitted to pass along the costs of repair, maintenance, or replacement to any of the residential portions of the development.~~
 - d. Park design must be approved by Park Board following a Park Board public consultation process;
 - e. the City will be responsible for programming, operation and control of the park and hours of access to the park in its sole discretion;
- Note to Applicant: any programming proposed by the owners of the shopping centre (Ivanhoe Cambridge) will be subject to the City of Vancouver's Parks Control By-law.*
- f. the park will function like any other park in the City of Vancouver with respect to access, use, and hours of operation *and it will be regulated under the City of Vancouver's Parks Control By-law;*
 - g. there will be a minimum of 6 points of entry to access the park from the street and or mall, including access points which are open during non-mall hours;
 - h. there will be no distinction between the City's rights to program, operate and control the portions of the park within the air space parcel versus the portions of the park within the statutory right of way;

i. the fully constructed 9 acre park must be operational and delivered to the City (including transfer of the air space parcel and registration of statutory right of way) no later than ~~December 31, 2018~~ *June 30, 2024*; delivery of park by ~~December 31, 2018 will be secured by a letter of credit. If the Park is not completed and operational by December 31, 2018 then City may elect to cash letter of credit~~ *June 30, 2024 will be secured by arrangements acceptable to the DLS including no development and no occupancy covenants*;

j. ~~repair, replacement, and maintenance of the park shall be~~ *park will be designed, constructed, maintained, repaired and replaced* at the sole cost of the ~~applicant~~ *owner of the retail and commercial portion of the development, unless otherwise agreed to by the City, and the responsibility for repair, replacement, and maintenance of the park and the costs thereof will be included in the air space reciprocal easement and cost sharing agreements*;

~~Note to Applicant: the owner of the retail and commercial portion of the development (likely the remainder owner) will be responsible for maintenance, repair and replacement of the park for the life of the development.~~

~~20. Prior to enactment, applicant will deliver a letter(s) of credit to the City, in a form and on terms acceptable to the Director of Legal Services, in the amount of \$48,500,000 to secure delivery of the park by December 31, 2018.21. Grant an option to purchase the park air space parcels to the City for 6 acres of the 9-acre park.~~

~~22. 21. Grant a blanket statutory right of way to the City for the balance of the 9 acres of the park which statutory right of way will be reduced and defined by plan upon completion of construction of the park.~~

~~23.22.~~ The City will grant an option to purchase in favour of the registered owner of the Rezoning Site to purchase the 6 acre air space parcel owned by the City and used for park, which option to purchase may only be exercised if *an application is submitted to the City approves a for the* redevelopment of the entire Rezoning Site, but in any event may not be exercised before that date which is 60 years from the date such option to purchase is registered in the Land Title Office. The purchase price to be paid to the City will be the fair market value to be paid by the City to assemble and acquire in fee simple a 2.83 acre site which is within a 10 block radius of the Rezoning Site, plus the outstanding unamortized value of the capital improvements made in accordance with the rezoning conditions within the park space (for certainty, the park space includes the 6 acre air space parcel owned by the City and the 3 acre SRW in favour of the City included in the park space) and the value of the remaining term of 100 years of maintenance costs for same, the latter as determined in the reasonable discretion of the City Manager and the Director of Finance.

~~23.~~ *If the applicant has not delivered the full 9 acres of fully constructed park by December 30, 2028 then the City may elect to construct the park itself on a dirt site which will be subdivided from the rezoning site. This requirement will be secured through an option to purchase a 2.83 dirt site on the rezoning site as well as security for the cost of constructing the park acceptable to the Director of Legal Services which may include letters of credit or a mortgage.*

4. Changes to Appendix B -Groundwater Conditions

15. Clarification of the site's existing and proposed uses of groundwater sources.

Note to Applicant: It is understood that groundwater is currently used to partially cool the existing development; additional detail is sought regarding the developer's intent to use this source, including proposed extraction rates, any proposed infrastructure refurbishments, groundwater disposal strategy, and opportunities to offset potable water demand. Use of groundwater cannot adversely impact the ~~neighbourhood's groundwater~~ aquifer, *local water levels, or neighbouring properties* and must meet all Provincial requirements. ~~Groundwater may ultimately be discharged into~~ *Discharging any extracted groundwater, even used for cooling purposes, to* the City's sewer system ~~but must not increase volumes beyond what would already be if the systems were using~~ *will no longer be permitted unless it meets the GVS&DD Sewer Use Bylaw, offsets* potable water demand, *and is satisfactory to the General Manager of Engineering Services.*