

## SUMMARY AND RECOMMENDATION

**1. REZONING: 500-650 West 57th Avenue (Pearson Dogwood)**

**Summary:** To rezone 500-650 West 57th Avenue from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a mixed-used development comprising approximately 2,700 residential units including 540 affordable housing units; approximately 114 Pearson supportive units; 12,196 sq. m (131,281 sq. ft.) of commercial space; 19,835 sq. m (213,514 sq. ft.) of health related facilities including a community health centre and complex residential care facility; a 69-space childcare; a new adult day centre; a 2.5-acre public park; and a 1.0-acre urban farm. A height of 91.0 metres (299 feet) and a floor space ratio (FSR) of 2.83 are proposed.

**Applicant:** IBI Group Inc.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of June 27, 2017.

**Recommended Approval:** By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

A. THAT the application by IBI Group Inc. on behalf of Onni Pearson Dogwood Holdings Corp., the registered owners, to rezone 500-650 West 57th Avenue [*Lots 1 to 5, all of Block 1004, District Lot 526, Plan 20607; PIDs: 002-395-355, 002-395-363, 002-395-380, 002-395-398 and 002-395-401 respectively*] from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.75 to 2.83 FSR and the height from 9.1 m (30 ft.) to 91.0 m (299 ft.) to permit a mixed-use development including:

- approximately 2,700 residential units totalling 250,619 sq. m (2,697,732 sq. ft.), including 361 turnkey social housing units and land available to construct 179 social housing units;
- approximately 114 Pearson supportive units totalling 8,430 sq. m (90,744 sq. ft.);
- 12,196 sq. m (131,281 sq. ft.) of commercial space;
- 19,835 sq. m (213,514 sq. ft.) of health related facilities including a community health centre and complex residential care facility;
- a 69-space childcare;
- a new adult day centre;
- a 2.5-acre public park; and
- a 1.0-acre urban farm

generally as presented in Appendix A of the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the prepared form of development be approved by Council in principle, generally prepared by IBI Group Architects, received February 10, 2017 along with a design addendum received on April 17, 2017, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard for the following:

Note: With regard to Parcel or Phasing numbers refer to Figure 4: Proposed Development Phasing and with regard to Streets refer to Figure 7: Transportation Network, both contained in the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)".

### Urban Design

1. Design development to ensure an appropriate massing transition to the single-family neighborhoods at the site edges by providing minimum upper level step backs of 10 ft. for residential buildings.

Note to Applicant: This applies to buildings located along 59th Avenue and Heather Street, as well as along the west portion of 57th Avenue across from Langara Gardens.

2. Design development to provide further articulation of the form of residential buildings located at the site edges to ensure compatibility with surrounding single-family neighbourhoods.

Note to Applicant: Buildings should be designed to express a smaller incremental scale and avoid a long monolithic appearance. Particular attention should be paid to buildings exceeding 150 ft. in frontage. Modulation of the form is anticipated, noting that shallow articulation of surface elements is generally ineffective in achieving adequate variation.

3. Design development to ensure views to the courtyards and central open spaces are maintained along the diagonal pedestrian passage ways.

Note to Applicant: The spacing between buildings should ensure visual porosity into the site at the pedestrian level, as well as maintaining visual interest through the compression and expansion of the path width. It is recommended to provide a clear dimension of approximately 30 ft. at the 'compression points' at the residential quadrants (northwest and southwest) and 40 ft. at the higher density, mixed-use quadrants (northeast and southeast).

4. Design development to the 16-storey building at the northwest corner of the Park to ensure the tower reads a 'focal point' within the overall design.

Note to Applicant: A high standard of architectural design is expected, and a distinct form and character relative to the overall context.

5. Design development to the ground floor elevations along 57th Avenue and Cambie Street to contribute to the street character and provide an engaging interface for pedestrians.

Note to Applicant: Architectural quality and variety is expected in the design of ground floor facades, including further articulation. Long, unrelieved storefronts should be avoided.

6. Design development to provide a minimum 6 ft. setback adjacent at-grade retail uses along 57th Avenue.

Note to Applicant: This is consistent with drawings and analysis of the setbacks at 57th Avenue provided in response to advice from the Urban Design Panel.

7. Provide common roof deck access and green roofs at low and mid-rise roof tops and podiums to meet the expectations of the Pearson Policy Statement with regards to 'Visible Greenery'.

Note to Applicant: Green roofs should meet the expectations of the Planning Administration Bulletin *Roof-mounted Energy Technologies and Green Roofs: Discretionary Height Increases*. An amenity room should be provided to support common roof decks. Amenity rooms should be modest in size and setback from the roof perimeter to reduce their visual prominence.

8. Design development to strengthen the commercial use at the northwest corner of Pearson Plaza to improve the pedestrian connection leading to 57th Avenue;

Note to Applicant: This can be accomplished by wrapping the storefront glazing and plaza paving treatment around the corner at the entry to the pedestrian link (High Street Commons) which leads to retail and clinical uses at 57th Avenue. This is in reference to the corner commercial unit, noting that a commercial use along the full length of the pedestrian connection is not anticipated.

9. Design development to ensure public pathways and sidewalks are designed to meet Universal Design Standards, and to embody the principles of a 'Wellness Walkway' comfortable for persons of all ages and abilities.

Note to Applicant: The network of pedestrian pathways and sidewalks located throughout the site and secured as public right-of-ways are to be designed to contribute to community health in general and, in particular, to respond to the special needs of those with challenges posed by illness, disability or age. There will be four primary user-groups in the Pearson Dogwood site: patients and residents in the health care facilities, residents, employees and volunteers in the health care facilities, and employees and patrons of the commercial units. The site design should promote equitable access for all user groups. Some of the elements of the Wellness Walkway may include shade trees for

sun-sensitive patients, consistent curb letdowns, very smooth wide sidewalks for wheelchairs, regularly-spaced seating, way finding, and points of beauty.

## Landscape

10. Design development to improve the residential interface along Heather Street and at the corner of Cambie Street and 59th Avenue (the southeast corner of the site) by providing additional parkade-free growth zones, with more substantial tree buffers.

Note to Applicant: This will mitigate the neighbourhood loss of the Poplar rows, currently providing a green buffer edge.

11. Design development to the commercial street edges and pedestrian mews to activate and promote pedestrian movement, providing opportunities for smaller, finer grain retail, merchant displays, seating, etc. and ensuring interesting visual connections into internal outdoor public spaces.

12. Design development to ensure that all open spaces (including public/private courtyards, plazas, Park, walkways, mews) generally follow the natural grade, with minimum need for walls, ramps or stairs, with walls having a 2 ft. height maximum.

Note to Applicant: This will allow for visual and functional continuity of the open spaces.

13. Design development to extend Pearson Plaza design vocabulary and nodal functionality around the corner to High Street Commons.

Note to Applicant: The intent is to create a transition zone from the Plaza to the more passive pedestrian mews and 57th Avenue.

14. Design development to provide additional usable spaces (extensive green roofs) on additional rooftop terraces, planted with additional trees (see Urban Design condition 7).

Note to Applicant: The intent is to provide spaces for resident interaction, as well as increase the Urban Forest, by providing a minimum of one tree per four residents, as a general rule.

15. Design development to ensure the public plazas and courtyards have maximum functionality and enhanced community experience. Dedicated planter beds should be flush with grade. Raised beds may be considered if integrated with public realm elements such as seating and urban agriculture

Note to Applicant: This will require the parkades to be deeper to allow for head room. The effect can be achieved by sinking the planters deeper into the parkade, while still allowing adequate depth of soil.

16. Design development to ensure that existing relocated trees are coordinated with parkade-free-growth zones.
17. Design development to further detail, define and develop the Stormwater Management Strategies applicable to the landscape plans, determining specific strategies that will be met for each parcel.  
  
Note to Applicant: This should be in compliance with Rezoning Policy for Sustainable Large Developments, with references to current Integrated Rainwater Management Plan and Green Infrastructure standards.
18. Provision of maximized tree growing medium and planting depths for tree and shrub planters over parkades, to exceed BCSLA standard and to ensure long term viability of the landscape.  
  
Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes.
19. Provision of planting beds at the base of each retaining or terraced wall, allowing the walls to be grounded into the landscape.
20. Consideration to incorporate the principles of the City of Vancouver, Bird Friendly Design Guidelines for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City.  
  
Note to Applicant: Refer to the following documents:
  - a) Bird Friendly Design Guidelines - Explanatory Note
  - b) Bird Friendly Landscape Operational Guidelines
21. Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
22. New proposed street trees should be coordinated and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
23. At the time of development permit application, provide:
  - a) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- b) Section details at a minimum scale of 1/4"=1' scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- c) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- d) Confirmation of a high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
- e) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

## Social Policy

- 24. Design development to ensure that the 69-space childcare is licensable by Community Care Facilities Licensing and meets the intent of the City's Childcare Design Guidelines and Childcare Technical Guidelines. A minimum gross indoor area of 765 sq. m (8,235 sq. ft.) and not less than 745 sq. m (8,020 sq. ft.) of outdoor area, with adequate space for each program, is required.

## Housing

### *Social Housing*

- 25. Ensure no less than 50% of the social housing units are suitable for families with children as per the City's Guidelines for High Density Housing for Families with Children.

Note to Applicant: Applicant to work with City staff to agree the final unit mix as part of each development permit application and to determine if the inclusion of family childcare units within the development is feasible.

- 26. Design and construct the social housing in line with the City's Housing, Design and Technical Guidelines, including the requirement to deliver a minimum of 5% of units within each social housing building or parcel as wheelchair accessible.

Note to Applicant: Applicant to work with City staff to agree the location and unit type for the accessible units. Applicant to work with City staff and the Persons With Disabilities Advisory Committee (PwDAC) to explore potential and design requirements to achieve 50% of the social housing as accessible.

### *Market Housing*

27. Ensure that no less than 68% of the market housing units are suitable for families with children, as per the City's Guidelines for High Density Housing for Families with Children, with no less than 10% of all market units being three bedroom units, unless otherwise agreed to by the Director of Planning.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

Note to Applicant: The City's Guidelines for High Density Housing for Families with Children is currently under review. Future development permit applications will be expected to respond to the latest version of the Guidelines at that time.

28. Ensure no less than 5% of the market housing units in each phase are designed to be wheelchair accessible.

Note to Applicant: Applicant to work with City staff and PwDAC to explore potential and design requirements for 50% of the accessible social housing

### *Pearson Replacement Units*

29. Provide an updated resident relocation, phasing and demolition plan prior to consideration of the Development Permit by Development Permit Board or Director of Planning as applicable for each phase, which demonstrates and documents that:
- (i) The Pearson residents (or their representative) and the Pearson Redevelopment Committee have been actively engaged on the development proposals for the Pearson replacement units, including both the proposed replacement unit types within that phase and the models of care;
  - (ii) The Pearson residents (or their representative) have indicated their preferred unit type and that the development application for each phase responds to those preferences;
  - (iii) Relocated Pearson residents will be provided with the necessary support to facilitate moving at no cost to the residents;

- (iv) The current Pearson residents will be prioritised for relocation into the replacement units and where a unit is offered to a non-Pearson resident, evidence will be provided to demonstrate that the needs of existing Pearson tenants have been met; and
- (v) Where required, appropriate interim accommodation has been identified and agreed to the by the resident (or their representative).

Note to Applicant: The above noted requirements which relate to engagement with the Pearson residents must be documented with a notarized declaration including copies of all communication to residents.

- 30. Prior to issuance of occupancy permit, provide a final resident relocation report that confirms the outcome of the resident relocation plan and includes confirmation that individualised support plans have been prepared and agreed to by each of the residents (or their representative) moving in to that phase of the development;
- 31. Prior to issuance of a Demolition Permit for all, or part of, the existing George Pearson Centre, provide confirmation that residents located within the area requiring demolition have been appropriately relocated into alternate accommodation that has been agreed to by the resident (or their representative).

#### Parks

- 32. The design, construction and programming of the park is to be determined through a separate, Park Board led process.

Note to Applicant: The Park Board led process will confirm the amenities to be included in the park. Elements such as a public bike share (PBS) station and retention pond, shown in the rezoning package, are not supported. Refer to the engineering conditions for specific direction on the locations of PBS stations.

- 33. Park Board does not support the draining of private stormwater on to park land, *unless* it has no effect on service level, ecological and arboricultural objectives that the park needs to meet. In the case of this site, Park Board does not see stormwater retention as workable given the mature tree inventory and service levels that Park Board will need to provide. Temporary detention in peak events might be possible, contingent on final Park Board park design.
- 34. Design development of the site to ensure a public pathway on a 3 m statutory right-of-way (SRW) adjacent to the west edge of the park, and on a 6 m statutory right-of-way (SRW) on the east edge of the park site.

Note to Applicant: Existing mature trees will be considered in the alignment of the pathways.



35. Park Board arborist approval required for tree protection plan for all trees within the farm, park, and street trees. Plans to be submitted for Park Board approval at each phase of development.
36. Park Board arborist approval required for any impacts on, or planned removal of, existing street trees.
37. Park Board arborist review of tree health and retention within the park and farm sites will be required.

**Sustainability**

38. The development shall meet the Greenhouse Gas Intensity (GHGI) performance limits by building type of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), to the satisfaction of the General Manager of Engineering Services and Director of Sustainability.

Performance Limits (i.e. shall not exceed)	
Building Type	GHGI (kgCO2/sq. m)
Residential Low-Rise (< 7 Storeys)	5
Residential High-Rise ( 7+ Storeys)	6
Office	3
Retail	3
Hotel	8
All Other Buildings	EUI 35% below 90.1-2010

39. All buildings in the development shall meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), 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. The requirements for Low Emissions Green Buildings 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. Because this is a large phased development it is expected that the individual development permits will meet the intent of the current Green Buildings Policy. For more detail on the above requirements and what must be submitted at each stage, refer to the bulletin *Green Buildings Policy for Rezonings - Process and Requirements* (amended April 28, 2017 or later).

40. For buildings in development Phases 1 and 2, in lieu of the requirements in Condition (b) 39, the applicant may choose to meet the requirements of the preceding *Green Buildings Policy for Rezonings* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist, must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration of the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

## Engineering

41. 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 & construction (i.e. 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.
42. Provision of garbage storage and pick-up space in the parking level of buildings, no more than one storey below grade. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins.

Note to Applicant: Pick up operations should not rely on bins being stored on the street or lane for pick up bins are to be returned to storage areas immediately after emptying.

43. Provision of a detailed Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex.

Note to Applicant: The Strategy must include an implementation plan identifying the space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services. The City encourages the Pearson Dogwood team to provide a report on the plan within 18 months of occupancy to track diversion at the site.

44. Provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable

transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any legal agreements required by this Strategy on terms and conditions acceptable to the City.

Note to Applicant: The Strategy must include details on how the development will prioritize walking, cycling, and public transit, and support low carbon vehicles.

45. Provision of an Integrated Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site, to the satisfaction of the Chief Building Official, the General Manager of Engineering Services and the Director of Planning.

Note to Applicant: The development's Integrated Rainwater Management Plan must address the City's Integrated Rainwater Management Plan. Post-development flows cannot exceed the site's pre-development flows. Updates to the Integrated Rainwater Management Plan (IRMP) shall be resubmitted at each project phase to confirm that rate and volume targets have been achieved.

46. All planting on street right-of-way are to be maintained by the adjacent property owner and note on landscape plan.
47. All plant material within the same continuous planting area which is located on street right-of-way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m, measured from the sidewalk.
48. All plant material within the street right-of-way which are located outside of the areas described in condition 47 shall not exceed 1 m in height, measured from the sidewalk. Exceptions will be approved on a case-by-case basis by the City of Vancouver's Street Activities Branch.
49. Provision of a CIP light broom finish concrete sidewalk with saw cut joints for all CoV SRW sidewalks and walking paths.
50. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet the provisions of the parking by-law and the Parking and Loading and Design Guidelines. Please contact Dave Kim of the Neighbourhood Parking and Transportation Branch at 604-873-6279 for more information or refer to the following link:

<http://former.vancouver.ca/engsvcs/parking/admin/developers.htm>

- (i) Provision of Class B loading spaces to the satisfaction of the General Manager of Engineering Services. Any loading relaxations to be dealt with on a site by site basis.
- (ii) Design development to achieve convenient on-site 'stairs free' loading access to all uses from the loading spaces.
- (iii) Design development to achieve convenient access from Class A bicycle parking to the provided end of trip facilities for all non-residential uses.
- (iv) All Class A bicycle spaces must be located on the P1 parking level or at grade.
- (v) All Class B bicycle spaces to be located on private property in close proximity to the lobby or building entrance with 'stairs free' access and weather protection.
- (vi) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
- (vii) Dimension all stall widths, column encroachments, and maneuvering aisle widths.

Note to Applicant: Ensure column sizing and placements comply with the Parking and Loading Design Supplement. A column 2' in length must be set back 2' from either the opening to or the end of the parking space. A column 3' long may be set back 1'.

- (viii) The slope and crossfall within the parking and loading areas shall not exceed 5%.
- (ix) Provision of on-site maneuvering for all Class B and C loading spaces. Provide improved plans showing the loading spaces with the required loading throats and maneuvering in 3 movements or less.
- (x) Provision minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. A minimum of 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

- (xi) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (xii) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, within the parking areas and at all entrances.

Note to Applicant: Ensure the various ramp designs meet the following requirements:

- a. The slope must not exceed 10% for the first 20' from the property line.
- b. The slope must not exceed 12.5% after the first 20' from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.
- c. Ramps which have a 15% slope and are exposed to the weather must be heated.
- d. Provision of two-way traffic flow in the main ramp (Section I.B) - 9'x9' corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.
- e. Corner cuts are required at the top and bottom of ramps to provide adequate radii for continuous two-way traffic flow where 200 or more vehicles are being served.
- f. Parking ramps must be designed to position vehicles perpendicular to the street to facilitate ease of vehicle ingress and egress from either direction of travel in the lane.

#### *Low Carbon Energy*

- 51. All buildings in the development connected to a City-Recognized Low Carbon Energy System shall adhere to the following conditions:
  - (i) The proposed approach to site heating and cooling, developed in collaboration with the City, shall be provided in detail prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
  - (ii) Detailed design of the Low Carbon Energy System(s), including but not limited to building HVAC, mechanical heating system and domestic hot water system must be submitted and approved by the General Manager of Engineering Services prior to issuance of building permit.
  - (iii) The energy system for the development shall be designed in such a way as to enable energy metering and the monitoring of performance metrics during system operation for the purpose of optimizing system performance and preparing system performance reports. The applicant shall refer to *the*

*Performance Monitoring and Reporting Requirements for Low Carbon Energy Systems* (updated February 2014 or later) for a summary of minimum requirements. The applicant will be required to demonstrate compliance with these requirements prior to issuance of building permit.

- (iv) Final detailed design of the Low Carbon Energy System(s) must be to the satisfaction of the General Manager of Engineering Services.

## CONDITIONS OF BY-LAW ENACTMENT

- c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning, Urban Design and Sustainability, the General Manager of Parks and Recreation, the General Manager of Community Services, 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:

Note: With regard to Parcel or Phasing numbers refer to Figure 4: Proposed Development Phasing and with regard to Streets refer to Figure 7: Transportation Network, both contained in the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)".

### Engineering

- 1. Arrangements to the satisfaction of the General Manager of Engineering Services, the Approving Officer, and the Director of Legal Services for the following.
  - (i) Subdivision of Lots 2 to 5, Block 1004, DL 526, Plan 20607 to create Phase 1 parcels A, B, C and E and the dedication of those portions of Internal Street 2 and 58th Avenue not encumbered by Dogwood Facility buildings.
  - (ii) Registration of a No Development Covenant over the remainder of the development site to secure the subsequent subdivisions for the development sites, transit parcel, park and farm parcels, housing parcels, childcare parcel and road dedications.
  - (iii) Registration of Statutory Right-of-Way (SRW)/Option to Purchase agreements over the proposed public roads for the rest of the site. The 66 ft. wide roads are to be defined by a Reference Plan of Statutory Right-of-Way suitable for registration at the Land Title Office. The SRW for road purposes (66 ft. wide) is to be operable upon notice to exercise the option and the option is to be exercised and the portions of roads dedicated prior to occupancy of each of the applicable phased parcels.
  - (iv) Registration of a Statutory Right-of-Way (SRW) over the "High Street Commons", "Pearson Plaza", "Transit Plaza", "Cambie Walk Retail Plaza" and the site-wide system of internal

walkways, for 24-hour pedestrian and cyclist access and recreational use by the public. 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 modifications are to be registered prior to occupancy of each of the applicable phased parcels. Maintenance of these areas is to be the responsibility of the adjacent property owners.

Note to Applicant: The spaces for walking, cycling and motor vehicle travel should be designed to encourage slow cycling without the need for dismount or be separated to provide safety and comfort for all active modes.

2. Arrangements to the satisfaction of the General Manager of Engineering Services, the Approving Officer, and the Director of Legal Services for the delivery to the City of a fee simple dirt site for entrance to potential future Canada Line station. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
  - (i) Subdivision to create a parcel of not less than 8,000 sq. ft. at the southwest corner of Cambie Street and 57th Avenue;
  - (ii) Applicant will be responsible for servicing parcel;
  - (iii) Applicant will be responsible for ensuring that parcel meets *Environmental Management Act* requirements for applicable land use prior to transfer of parcel to City;
  - (iv) Parcel to be zoned for intended use;
  - (v) Parcel to be transferred to the City free and clear of any financial charges, liens and other encumbrances in Phase 1;
  - (vi) Anticipated that parcel will be transferred to City by the end of the first quarter of 2025 and must be transferred to City no later than the end of the first quarter of 2027;
  - (vii) If parcel is not transferred to the City by the end of the first quarter of 2027 then the City will be entitled to hold issuance of permits across any phase of the development at its sole discretion; and
  - (viii) option to purchase in favour of the City to secure transfer of parcel to City.

Note to Applicant: The foregoing agreements will include holds to ensure that the parcel is delivered when anticipated/required. The foregoing agreements may also include rights for the City to trigger delivery of the parcel if applicant's development is not proceeding according to intended timelines.

3. Arrangements are to be made for release of any redundant City charges on title prior to building occupancy including, but not limited to, the following:
  - (i) Easement and Indemnity Agreement 550948M (commercial crossings),
  - (ii) Restrictive Covenant N82508 (No Development - Lots 1, 3 & 5),
  - (iii) Options to Purchase N82506 & N82504 (Park Requirements - Lots 1, 3 and 5), and
  - (iv) Associated Equitable Charges N82505 & N82507.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of any occupancy permit for the site. Provision of a Letter of Commitment will satisfy this condition.

4. Make arrangements with Telus for the removal of their infrastructure located within Statutory Right of Way BW201354 on Lot 1. Provision of written confirmation from Telus and the subsequent release of the charge from title.

Note to Applicant: The release is to occur prior to occupancy and after the Telus works have been removed, relocated, and/or abandoned. Provision of a Letter of Commitment and written confirmation from Telus that arrangements are satisfactory will address this condition at the DP stage.

5. Make arrangements for the registration of a sewer Statutory Right-of-Way to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services if required.
6. Make arrangements for the registration of a public access Statutory Right-of-Way for the bike stop station to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services. SRW to be blanket charge and modified to a surface plan based on as-built conditions.
7. Make arrangements for the registration of a 33 m X 33 m Statutory Right-of-Way (SRW) for the potential future Canada Line Station construction staging and access at the southwest corner of 57th Avenue and Cambie Street to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.
8. Make arrangements for the registration of the following surface Statutory Right-of-Ways (SRW) for sidewalk purposes on 57th Avenue, 59th Avenue, Heather Street and Cambie Street, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services:



- (i) A 5 m x 5 m corner cut on the NW corner of the site, at the intersection of Heather Street and 57th Avenue.
- (ii) A 1 m SRW on the south side of 57th Avenue, from Cambie Street to Internal Street 2.
- (iii) A 3 m SRW on the north side of 59th Avenue, from Heather Street to Cambie Street.
- (iv) A 3 m x 3 m corner cut on the SW corner of the site, at the intersection of Heather Street and 59th Avenue.

Note to Applicant: The corner cut is required in addition to the 3 m SRW on 59th Avenue.

- (v) Make arrangements for the registration of surface Statutory Rights-of-Way (SRWs) for corner cuts on the SW and NW corners of Cambie Street and 58th Avenue to accommodate Class C truck maneuvering. Provide maneuvering diagrams for the largest truck required to access the site to determine the dimensions of the corner cut.

Note to Applicant: The SRWs are required to provide protected bike lanes, sidewalks and travel lanes as per the City geometric design. A legal survey of the existing dimension from the back of the City curb is required to determine the final setback/SRW dimension. The SRW areas will be free of any encumbrance such as structure, stairs, door swing, landscape and bicycle parking at grade but the encroaching building portions shown below grade and at the 3rd storey and above can be accommodated within the SRW agreement.

- 9. Provision of a natural watercourse agreement. Records indicate a natural watercourse passes through this site, a legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed.
- 10. 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 is provided.
  - (i) Provision for street improvements on the following streets:
    - a. The south side of 57th Avenue, from Heather Street to Cambie Street. Both sides of Heather Street, from 57th Avenue to 59th Avenue.
    - b. The west side of Cambie Street, from 57th Avenue to 59th Avenue.

- c. The north side of 59th Avenue, from Heather Street to Cambie Street.

Street improvements generally include the following: new curb and gutter, raised protected bike lanes, protected intersections, broom finish concrete sidewalks with saw cut joints, improved street and pedestrian LED lighting, traffic signals, boulevard landscaping, pavement, crossings, curb ramps, street furniture, and all incidental Roadworks to accommodate the street improvements.

Note to Applicant: Specific public realm improvements on Cambie Street are subject to completion and adoption of the Cambie Corridor Public Realm Plan. The City will provide an approved geometric design for construction.

- (ii) Provision of Internal Street 1 including but not limited to a new concrete curb and gutter, sidewalk, pavement, tree boulevard, green infrastructure and lighting to the satisfaction of the General Manager of Engineering Services. Work to include adjustment or installation of related infrastructure to allow for the proposed road construction.
- (iii) Provision of Internal Street 2 including but not limited to a new concrete curb and gutter, sidewalk, pavement, tree boulevard, green infrastructure and lighting to the satisfaction of the General Manager of Engineering Services. Work to include adjustment or installation of related infrastructure to allow for the proposed road construction.
- (iv) Provision of the extension of 58th Avenue including but not limited to a new concrete curb and gutter, sidewalk, pavement, tree boulevard, green infrastructure and lighting to the satisfaction of the General Manager of Engineering Services. Work to include adjustment or installation of related infrastructure to allow for the proposed road construction.
- (v) Provision of a Temporary Transit Plaza including without limitation all structures, improvements, walkways, pavement, specialty pavement, surfacing, retaining walls, bollards, markings signage, Landscaping, lighting, railings, septs, seating, benches, furniture, bike racks, litter containers and all other works necessary for lighting, drainage and irrigation and all other facilities, improvements and works necessary or associated with or incidental to the aforementioned works as required in the opinion of the City Engineer and the Director of Planning to be constructed or installed or improved in connection with the development of Parcel D.

Note to Applicant: Specific public realm improvements on Cambie Street are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

- (vi) Provision of new traffic signals and geometric changes at Ash Crescent and 57th Avenue to accommodate separated bicycle facilities and pedestrian crossings.

Note to Applicant: When and if a rezoning application is received for Langara Gardens (subject to the timing of the Langara Gardens rezoning) then City staff would support cost sharing for this item between the applicant and the applicant for the Langara Gardens rezoning.

- (vii) Provision of new traffic signals and geometric changes at Internal Street 2 and 57th Avenue to accommodate separated bicycle facilities and pedestrian crossings.

- (viii) Provision of new traffic signals and geometric changes at Cambie Street and 58th Avenue to accommodate separated bicycle facilities.

- (ix) Provision of traffic signal improvements and geometric changes at Oak Street and 57th Avenue and at Oak Street and 59th Avenue.

Note to Applicant: The improvements were proposed in the Transportation Assessment report and are subject to further analysis during the development permit stage. When and if a rezoning application is received for Langara Gardens (subject to the timing of the Langara Gardens rezoning) then City staff would support cost sharing for this item between the applicant and the applicant for the Langara Gardens rezoning.

- (x) Provision of traffic signal improvements and geometric changes at Heather Street and 57th Avenue to accommodate semi-actuated traffic signals and separated bicycle facilities.

Note to Applicant: There are existing pedestrian signals. The improvements, subject to a detailed review of the intersection, may include full reconstruction of the signals. When and if a rezoning application is received for Langara Gardens (subject to the timing of the Langara Gardens rezoning) then City staff would support cost sharing for this item between the applicant and the applicant for the Langara Gardens rezoning.

- (xi) Provision of traffic signal improvements and geometric changes at Cambie Street and 57th Avenue.

Note to Applicant: The improvements, subject to a detailed review of the intersection, may include full reconstruction of the signals. When and if a rezoning application is received for Langara Gardens (subject to the timing of the Langara Gardens rezoning) then City staff would support cost sharing for this item between the applicant and the applicant for the Langara Gardens rezoning.

- (xii) Provision of traffic signal improvements and geometric changes at Cambie Street and 59th Avenue.

Note to Applicant: The improvements, subject to a detailed review of the intersection, may include full reconstruction of the signals.

- (xiii) Provision of improvements and geometric changes at the intersection of Heather Street and 59th Avenue including removal of the existing traffic circle and installation of a crosswalk with paint markings and signage.
- (xiv) Provision of a crosswalk with paint markings and signage on the south leg of the intersection of Heather Street and Internal Street 1 and a corner bulge on the south side of Internal Street 1.
- (xv) Provision of \$200,000, at the discretion of General Manager of Engineering Services, for traffic monitoring and calming measures to reduce vehicle traffic in adjacent neighbourhoods.

Note to Applicant: A letter of credit or cash deposit in the value of up to \$200,000 is required to be delivered prior to By-law enactment. Any balance or unused funds may be returned after 5 years of the occupancy of the last building.

- (xvi) Provision of upgraded street lighting on 59th Avenue, 57th Avenue, Cambie Street and Heather Street, and new pedestrian lighting on 59th Avenue (North Arm Trail) to current standards.

Note to Applicant: A review of the existing lighting is required to determine its adequacy. When and if a rezoning application is received for Langara Gardens (subject to the timing of the Langara Gardens rezoning) then City staff would support cost sharing for items on 57th Avenue between the applicant and the applicant for the Langara Gardens rezoning.

- (xvii) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
- (xviii) Provision of a new water main along Cambie Street from 57th to 59th Avenue, to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the costs.

Note to Applicant: The Site cannot be serviced off 59th Avenue unless the developer provides a new water main along 59th Avenue between Cambie Street and Heather Street. The site is located along a zone boundary and is serviced by 2 different pressure zones. The pressure zone boundary will need to be adjusted so the entire site is within a single pressure zone. Additional onsite water mains may be required as determined by the developer if the parcels cannot be serviced from existing water mains. The developer is responsible for 100% of the costs.

- (xix) Provision of a minimum of 4 new hydrants to provide adequate fire coverage. The developer is responsible for 100% of the costs.

Note to Applicant: The existing fire hydrant spacing is insufficient to support the proposed development.

- (xx) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading costs that may be required.
- (xxi) Provision of a condition assessment of the existing combined sewers along 59th Avenue between Heather and Cambie Street.
- (xxii) Provision of sewer separation of the existing combined sewers along 59th Avenue between Heather Street and Cambie Street, to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost to separate the existing combined sewers.
- (xxiii) Provision of a condition assessment and sewer separation of the existing combined sewers along Heather Street between 57th Avenue and 59th Avenue, and upgrades to the existing separated sewer system south of 59th Avenue to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of any sewer system upgrading and separation costs that may be required.

Note to Applicant: The existing separated sewer system south of 59th Avenue may need to be upgraded to meet the demands of this project. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer.

- (xxiv) Upgrades to the sewers along Heather Street will not be required if the storm and sanitary sewers are routed through the development. Registration of a sewer Statutory-Right-of-Way is required, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.
- (xxv) Provision of all new and existing 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. 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. If this development opts for a gas service, the gas riser must be installed on private property.

Note to Applicant: Ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

- 11. Arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for a Right-of-Way (SRW) for the provision of space to accommodate three Public Bike Share (PBS) Stations.

- (i) Size: At minimum, 3 PBS stations, of the following size shall be accommodated;
  - a. One large-sized station 43 m x 4 m (linear configuration) or 22 m x 8 m (back-to-back configuration) at the future transit plaza at Cambie Street and 57th Avenue.
  - b. One small-sized station 16 m x 4 m (linear configuration) at Heather Street and 59th Avenue.
  - c. One small-sized station 16 m x 4 m (linear configuration) at Heather Street and 57th Avenue.

Note to Applicant: The full length of the space is to be continuous. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m.

- (ii) Location: The 3 stations must be fully located on private property while still clearly visible to the public with 24-hour public access. Preferred locations are near the intersection of Cambie Street and 57th Avenue (transit plaza), Heather Street and 59th Avenue (bike stop), and Heather Street and 57th Avenue to allow easy access to the street. Alternate locations

for the small-sized PBS stations are at Cambie Street and 59th Avenue (minor plaza).

- (iii) Access: Consideration for placement of building elements (e.g. fire department connections, HVAC vents, etc.) and landscaping that require frequent access and maintenance directly adjacent to the PBS space. These elements shall not be in conflict or cause frequent disruption to the PBS station.
- (iv) Surface treatment: A hard surface is required with no utility access points within the PBS station footprint (except as noted below). Any utility access point within 1 m of the PBS space is to be identified and shown in a detailed drawing submitted. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
- (v) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
- (vi) Sun exposure: There must be a minimum of 5 m vertical clearance above the PBS space in order to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
- (vii) Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.

12. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of Shared Vehicle(s) and the provision and maintenance of Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:

- (i) provide the following number of Shared Vehicle(s) to the development for a minimum period of 3 years:
  - a. minimum 3 Shared Vehicles for parcels with more than 299 dwelling units,
  - b. minimum 2 Shared Vehicles for parcels with more than 149 dwelling units, and
  - c. minimum 1 Shared Vehicle for all other parcels with dwelling units.
- (ii) enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
- (iii) provide and maintain the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;

- (iv) make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
- (v) provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
- (vi) registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these condition; and
- (vii) provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: These shared vehicles and spaces are above and beyond the base parking requirement. Shared vehicle spaces are required to be a minimum width of 2.9 m.

### Low Carbon Energy Supply

13. As part of the *Low Carbon Energy Supply Feasibility Screening Study* required in the Conditions (c) 21 and 22, a feasibility study on the use of Passive House design (or alternate near zero emissions standard), should be included if chosen as the method for achieving low carbon in non-residential, mid-rise residential, and low-rise residential buildings in the development. The feasibility study must be completed prior to issuance of the first development permit in Phase 1, and to the satisfaction of the General Manager of Engineering Services and Director of Sustainability.

Note to Applicant: The feasibility study should include estimates of incremental costs and savings and operational cost savings (depending on building ownership type) of building to Passive House, and the effect on the low carbon business case.

14. The applicant will enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for a Low Carbon Energy System that may include, but are not limited to, agreements which:
  - (i) Require that any development and operation of a building connected to a City-recognized Low Carbon Energy System meet or outperform applicable performance requirements provided in the Form of Development Condition under Sustainability.
  - (ii) Require the delivery to the City of scheduled performance reporting on any Low Carbon Energy System(s), containing detailed information as required and to the satisfaction of the General Manager of Engineering Services.



15. As part of the *Low Carbon Energy Supply Feasibility Screening Study* required in the Conditions c) 13 and 14, include a feasibility study on the use of Passive House design (or alternate near zero emissions standard, as approved by the Director of Sustainability) for achieving low carbon in non-residential, mid-rise residential, and low-rise residential buildings in the development. The feasibility study must be completed prior to issuance of the first development permit in Phase 1, and to the satisfaction of the General Manager of Engineering Services and Director of Sustainability.

Note to Applicant: The feasibility study should include estimates of incremental costs and savings and operational cost savings (depending on building ownership type) of building to Passive House, and the effect on the low carbon business case.

16. The applicant will enter into such agreements as the Director of Sustainability and the Director of Legal Services determine are necessary that may include, but are not limited to, agreements which:
- (i) Require that any development of a building meet or outperform the GHGI performance limits by building type provided in Condition (b) 38.
  - (ii) For buildings meeting the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), 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.

### Social Policy

17. Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Community Services, for the provision of a 69-space childcare facility in phase 1. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to, the following requirements, all to be satisfied at no cost to the City:
- (i) construction and delivery of a turnkey and fully fit, finished, equipped and supplied 69 space childcare facility on Parcel C in Phase 1 which meets the City's Childcare Design Guidelines and Childcare Technical Guidelines;
  - (ii) fully fit, finished, equipped and supplied childcare facility to be transferred to the City;

- (iii) the childcare facility will have an indoor area of at least 765 sq. m (8,235 sq. ft.) on one level, a dedicated adjacent outdoor space of not less than 745 sq. m (8,020 sq. ft.), dedicated parking stalls and amenity and storage spaces;
- (iv) requirement to air space subdivide the parcel within which the childcare facility is situate and transfer the remainder parcel (housing the childcare facility) to the City free and clear of any financial charges, liens and other encumbrances prior to the issuance of an occupancy permit for any other development on Parcel C;
- (v) Anticipated that parcel will be transferred to City by the end of the first quarter of 2022 and must be transferred to City no later than the end of the first quarter of 2025;
- (vi) If parcel is not transferred to the City by the end of the first quarter of 2025 then the City will be entitled to hold issuance of permits across any phase of the development at it sole discretion;
- (vii) option to purchase in favour of the City to secure transfer of the childcare facility and the remainder parcel; and
- (viii) air space easement agreement will provide that shared systems to be maintained by owner(s) of one of the air space parcels and that costs of maintaining shared systems will be shared in fair and equitable manner between owners of all parcels, including the City as owner of the remainder parcel. Agreement to include other standard provisions including reciprocal indemnities between the owners.

Note to Applicant: The foregoing agreements will include holds to ensure that the parcel is delivered when anticipated/required.

## Housing

### *Social Housing (turnkey)*

18. Make arrangements to the satisfaction of the General Manager of Community Services, the General Manager of Real Estate and Facilities Management and the Director of Legal Services for the delivery to the City of turnkey social housing units in phase 1 and phase 2. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
  - (i) construction and delivery of a minimum of 138 social housing units in no less than 117,201 sq. ft. of buildable area to be designed, constructed and equipped in accordance with the City's Housing Design and Technical Guidelines in Parcel A of

Phase 1 along with required parking, storage and amenity spaces;

- (ii) construction and delivery of a minimum of 223 social housing units in no less than 188,811 sq. ft. of buildable area to be designed, constructed and equipped in accordance with the City's Housing Design and Technical Guidelines in Parcel D of Phase 2 along with required parking, storage and amenity spaces;
- (iii) in each of phase 1 and phase 2, air space subdivide the parcel within which the social housing units are situate and transfer the remainder parcel (housing the social housing units) to the City free and clear of any financial charges, liens and other encumbrances prior to the issuance of an occupancy permit for any other development on Parcel A and Parcel D respectively;
- (iv) anticipated that social housing remainder parcel in Phase 1 will be transferred to City by the end of the first quarter of 2022 and must be transferred to City no later than the end of the first quarter of 2024;
- (v) if the social housing remainder parcel in Phase 1 is not transferred to the City by the end of the first quarter of 2024 then the City will be entitled to hold issuance of permits across any phase of the development at it sole discretion;
- (vi) anticipated that social housing remainder parcel in Phase 2 will be transferred to City by the end of the first quarter of 2025 and must be transferred to City no later than the end of the first quarter of 2027;
- (vii) if the social housing remainder parcel in Phase 2 is not transferred to the City by the end of the first quarter of 2027 then the City will be entitled to hold issuance of permits across any phase of the development at it sole discretion;
- (viii) option to purchase in favour of the City to secure transfer of the social housing units and the remainder parcel in each of Phase 1 and Phase 2; and
- (ix) air space easement agreement will provide that shared systems to be maintained by owner(s) of one of the air space parcels and that costs of maintaining shared systems will be shared in fair and equitable manner between owners of all parcels, including the City as owner of the remainder parcel. Agreement to include other standard provisions including reciprocal indemnities between the owners.

Note to Applicant: The foregoing agreements will include holds to ensure that the parcel is delivered when anticipated/required.

*Social Housing (dirt sites)*

19. Make arrangements to the satisfaction of the General Manager of Community Services, the General Manager of Real Estate and Facilities Management and the Director of Legal Services for the delivery of two fee simple dirt sites (Parcels H2 and H3) in Phase 5 comprising at least one acre of land. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
- (i) Subdivision to create Parcels H2 and H3;
  - (ii) Applicant will be responsible for servicing parcels;
  - (iii) Applicant will be responsible for ensuring that parcels meet *Environmental Management Act* requirements for residential land use prior to transfer of parcels to City;
  - (iv) Parcels H2 and H3 to be zoned to build at least 74 and 105 social housing units respectively and with a minimum buildable area of at least 65,520 sq. ft. and 89,468 sq. ft., respectively;
  - (v) Parcels H2 and H3 will be transferred to the City free and clear of any financial charges, liens and other encumbrances;
  - (vi) Anticipated that parcels will be transferred to City by the end of the first quarter of 2022 and must be transferred to City no later than the earlier of the end of the first quarter of 2027 and the date that the first occupancy permit is issued for Phase 4;
  - (vii) If parcels are not transferred to the City by the end of the first quarter of 2027 then the City will be entitled to hold issuance of permits across any phase of the development at its sole discretion;
  - (viii) Applicant will deliver a subdivision plan to create Parcel H2 and H3 which has been approved by the Approving Officer and the General Manager of Community Services, the General Manager of Real Estate and Facilities Management and the Director of Legal Services prior to issuance of the first development permit application for Phase 4;
  - (ix) Applicant will complete the transfer of the parcels to the City no later than the earlier of the end of the first quarter of 2027 and the date that the first occupancy permit is issued for Phase 4; and
  - (x) options to purchase in favour of the City to secure transfer of parcels to City.

Note to Applicant: The foregoing agreements will include holds to ensure that the parcel is delivered when anticipated/required. The foregoing agreements may also include rights for the City to trigger

delivery of the dirt sites if applicant's development is not proceeding according to intended timelines.

### *Pearson Supportive Units*

20. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services for the delivery of a minimum of 114 replacement Pearson supportive housing units. To secure this condition the City may require the applicant to enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
- (i) delivery of a minimum of 50 units within Phase 1; and delivery of a minimum of 64 units across phases 2-5 as follows:
    - a. 40 units to be delivered in phase 2;
    - b. 14 units to be delivered in phase 3;
    - c. 5 units to be delivered in Phase 4; and
    - d. 5 units to be delivered in Phase 5.
  - (ii) Requirements regarding resident relocation, phasing and demolition as set out in part (b) of section 29 of the Form of Development Conditions.

Note to Applicant: The General Manager of Community Services may agree to vary the proposed phasing plan for phases 2-5 as part of a Development Permit application, provided that there is evidence satisfactory to the General Management of Community Services to demonstrate that the proposed variations better reflect the requirements of the Pearson residents. The foregoing agreements will include holds to ensure that the Pearson replacement units are delivered when anticipated and may include holds on permits for subsequent phases as required.

21. Applicant to provide a preliminary resident relocation, construction phasing and demolition plan for the replacement of the existing Pearson units prior to enactment of the rezoning.

### **Adult Day Centre**

22. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability, the General Manager of Community Services and the Director of Legal Services for the delivery of a minimum of 4,719 sq. ft. adult day centre. To secure this condition the City may require the applicant to enter into agreements with the City which require the applicant to design, construct and transfer the adult daycare facility to Vancouver Coastal Health Authority in Phase 1 all to be satisfied at no cost to the City.

Note to Applicant: The foregoing agreements will include holds to ensure that the adult day centre is delivered when anticipated and may include holds on permits for subsequent phases as required.

## Musqueam First Nation Housing

23. Make arrangements to the satisfaction of the General Manager of Community Services and General Manager of Real Estate and Facilities Management to secure the delivery of 12 turnkey social housing units which will be made available for use by the Musqueam First Nation ("MFN"). To secure this condition the City may require the applicant to enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
- (i) construction of 12 turnkey social housing units or payment of the cost of constructing 12 turnkey social housing units prior to issuance of the first occupancy permit for any development in Phase 4;
  - (ii) applicant to work with VCH and MFN to agree on the preferred location of the 12 social housing units;
  - (iii) applicant to work with VCH and MFN to agree on the ownership arrangements for the 12 social housing units; and
  - (iv) for the purposes of determining the construction cost of the social housing units the parties may use the construction costs for the turn key social housing units delivered to the City in Phase 1 and Phase 2 adjusted for inflation as appropriate.

Note to Applicant: The foregoing agreements will include holds to ensure that the Musqueam housing units are delivered when anticipated and may include holds on permits for subsequent phases as required.

## Therapeutic Pool

24. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Community Services to design and construct a warm water therapeutic pool built to current standards. To secure this condition the City may require the applicant to enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
- (i) Pool to be completed during phase 1.

Note to Applicant: The General Manager of Planning, Urban Design and Sustainability may consider a proposal for an alternative off-site location, co-located with another aquatic facility, prior to the submission of a development permit for Parcel C, provided that the off-site location has been secured through legal agreement and that there is evidence satisfactory to the General Manager of Planning, Urban Design and Sustainability and the General Management of Community Services to demonstrate that the alternative location meets current standards and the needs of the pool user community. The foregoing agreements will include holds to ensure that the Therapeutic

Pool is delivered when anticipated and may include holds on permits for subsequent phases as required.

## Parks

25. Make arrangements to the satisfaction of the General Manager of Parks and Recreation in consultation with the General Manager of Planning, Urban Design and Sustainability, General Manager of Community Services and the Director of Legal Services for the delivery of a 2.5-acre park and 1.0-acre urban farm. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:
- (i) Subdivision to create 2.5-acre park parcel and 1.0-acre farm parcel;
  - (ii) Applicant will be responsible for servicing parcels;
  - (iii) Applicant will be responsible for ensuring that parcels meet *Environmental Management Act* requirements for intended use prior to transfer of parcels to City;
  - (iv) Parcels to be zoned for park and farm use, respectively;
  - (v) Park Board to design and construct the park and the urban farm through a Park Board led design and consultation process;
  - (vi) cost of park construction will be paid for through Park DCLs;
  - (vii) Park parcel will be transferred to the City free and clear of any financial charges, liens and other encumbrances during Phase 1;
  - (viii) Urban farm parcel will be transferred to the City free and clear of any financial charges, liens and other encumbrances during Phase 1;
  - (ix) Anticipated that park parcel and farm parcel will be transferred to City by the end of the first quarter of 2022 and must be transferred to City no later than the end of the first quarter of 2024;
  - (x) If parcels are not transferred to the City by the end of the first quarter of 2024 then the City will be entitled to hold issuance of permits across any phase of the development in its sole discretion;
  - (xi) options to purchase in favour of the City to secure transfer of parcels to City;

Note to Applicant: The foregoing agreements will include holds to ensure that the park and farm parcels are delivered when anticipated/required. The foregoing agreements may also include rights

for the City to trigger delivery of the park and farm parcels if applicant's development is not proceeding according to intended timelines.

### **Public Art**

26. 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: Please call Karen Henry, Public Art Planner, 604-673-8282, to discuss your application.

### **Environmental Contamination**

27. If applicable:
  - (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) 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
  - (iii) 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 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

### **Potential 57th Avenue Canada Line Station Contribution**

28. Pay to the City a Community Amenity Contribution of \$20,000,000 which the applicant has offered to the City to be allocated towards the construction of a future station at 57th Avenue and Cambie Street.

Note to Applicant: Should the station not be attainable in the long-term future, the financial contribution towards a future station would be re-allocated to address the amenity priorities identified for Pearson Dogwood and those in and around the Cambie Corridor consistent with the respective public benefit strategies.



29. Payment of the cash portion of the CAC is to be made as outlined below, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services:
- (i) \$10,000,000 must be paid in cash prior to issuance of the first occupancy permit in Phase 1 and \$10,000,000 must be paid in cash prior to issuance of the first occupancy permit in Phase 2; and
  - (ii) interest will accrue at prime plus 3% (per Bank of Montreal daily prime rates) from the date when such payment is due until the date that such amount is fully paid;
  - (iii) The deferral of the \$20,000,000 cash CAC will be secured by a corporate guarantee (the "City Security") provided by RPMG Holdings Ltd., all to the satisfaction of the City's Director of Legal Services (subject to due diligence on such corporation), or other security satisfactory to the Director of Legal Services. The City will be entitled to realize on the City Security if the required payments are not made to the City in the amounts and at the times set out above.

Note to Applicant: In addition to the City Security, payment will be secured with agreements (including Section 219 covenants) which include permit holds to ensure that the cash CAC is delivered when required and may include holds on permits for subsequent phases as required.

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 registerable charges pursuant to 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 site 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-law and at no cost to the City.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out

in Appendix C of the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)".

- D. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)", be approved.
- E. THAT, if Council approves in principle this rezoning and the Housing Agreement condition described in section (c) of Appendix B of the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 500-650 West 57th Avenue (Pearson Dogwood)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law(s) for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- F. THAT A through E 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 and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the costs;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole 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.

[RZ - 500-650 West 57th Avenue (Pearson Dogwood)]