

## SUMMARY AND RECOMMENDATION

**7. REZONING: 1500 West Georgia Street**

**Summary:** To rezone 1500 West Georgia Street from Downtown DD (Downtown District) to CD-1 (Comprehensive Development) District to permit a new 43-storey mixed-use development to the east of the existing office building (the "Crown Life Place"). The proposed new tower includes 220 strata residential units, retail use at the ground floor and a height of 134.0 metres (440 feet). The proposed floor space ratio (FSR) is 10.82 over the entire site.

**Applicant:** Francl Architecture.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of December 12, 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 Francl Architecture in conjunction with Büro Ole Scheeren, on behalf of Bosa Properties (1500 Holdco) Inc., to rezone 1500 West Georgia Street [*Amended Lots 7 (see 42783L) and 8 (see 42783L), and Lots 9 and 10, all of Block 43, District Lot 185, Plan 92; PIDs 015-738-663, 015-738-680, 015-738-701 and 015-738-710 respectively*], from DD (Downtown District) to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 6.00 to 10.82 and the building height from 91.4 m to 134.0 m to permit the development of a 43-storey tower containing 220 market strata residential units while retaining the existing office building on the site, be approved subject to the following conditions:

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

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Francl Architecture in conjunction with Büro Ole Scheeren, and stamped "Received Planning & Development Services, Feb. 14, 2017", provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

**Urban Design**

1. Design development to reduce view impacts to nearby residential and office buildings, particularly views to the North Shore Mountains.

Note to Applicant: Ensure the east-west dimension of the primary mass of the tower remains below the maximum permitted dimension of 21.9 m (72 ft.). Additional narrowing or shaping of the principal building mass may be required. Apparent building mass can be reduced by maintaining a high degree of translucency of the balcony side-frames. Terrace spaces on the roofs of cantilevered forms on the south side of the building should either not be accessible or should have significantly reduced accessible area to minimize view impacts by limiting the extent of guards, landscaping/trees, or furniture that would further obstruct nearby views. Notation and dimensions on the plans is required to indicate the extent of accessible roof.

2. Design development to avoid building mass, including balconies, that overhangs or projects into the public realm at any level.

Note to Applicant: The public realm is defined as 5.5 m from the back of the curb on Georgia Street, 5.5 m from the back of the curb on Nicola Street, and 7.6m from the back of the curb on Alberni Street as per the letter of response to rezoning enquiry. This condition may result in a loss of density.

3. Design development to further reduce the average floorplate of the tower for floors above a height of 18.3 m (60 ft.) to satisfy the floorplate size objective of 603.9 sq. m (6,500 sq. ft.) as set out in the West End Plan.

Note to Applicant: The intent of the floorplate control is to limit building bulk in order to preserve views and maintain access to light to public areas. The average floorplate of floors higher than 18.3 m (60 ft.) as per the floor plate data provided in the February 14, 2017 submission booklet exceeds 6,500 sq. ft. Provide the floorplate information in spreadsheet format.

4. Design development to maximize the amount of pedestrian activation of the residential tower by orienting entrances, public uses to face fronting streets.

Note to Applicant: Design development is required to reduce the amount of blank wall facing Georgia Street, Nicola Street, and Alberni Street and to introduce active uses on streets and to increase the visibility of the café to pedestrians. The arrangement of spaces at grade may have to be significantly revised to satisfy this condition. Updated elevation drawings should clearly differentiate areas of glazing, areas of screened glazing and areas of opaque wall via additional notation and coloured renderings.

5. Design development to provide a private outdoor space (balcony) for every residential unit.
6. Design development to comply with the Horizontal Angle of Daylight provision of the CD-1 By-law.

Note to Applicant: Habitable rooms in the northeast units on levels 5 through 8 require access to daylight.

7. Design development to provide an exterior Children's Play area.
8. Design development to provide an accessible outdoor amenity space for use by residents.

Note to Applicant: The outdoor amenity space should be colocated with an indoor amenity space.

9. Design development to further refine and architecturally integrate the rooftop mechanical penthouse, elevator override service volumes, telecom equipment, other service equipment including window washing infrastructure to minimize any incursion into the skyline or Council-approved view corridors.

Note to Applicant: The Level 42 floor plan does not indicate space to accommodate rooftop mechanical or service equipment. The design of the rooftop should anticipate and incorporate all required equipment at this stage. Complete and coordinated tower elevations and a tower roof plan should be provided at a scale of 1:100. Clearly indicate the dimensions and height of any rooftop mechanical penthouse, elevator override service volumes, and other service equipment.

10. Design development to maintain the high quality materials indicated for the residential tower and the hardscape of the public plaza, and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic.
11. The reconstruction of the plaza and its reflecting pool, including the waterfall feature along Georgia Street, is to be respectful of the original design concept, geometry and key proportions of its main features, to the highest degree possible. The reconstructed plaza should not only retain its character-defining attributes associated with the existing office building (the "Crown Life Place") but also provide a visual continuity linkage with the proposed tower to the east. Current materials and finishes should be reused wherever feasible.

Note to Applicant: Selection of materials and finishes, even where new materials are adopted, to be carefully conducted for compatibility with the original design concept and the plaza's envisioned relationship with the historic building, as well as for compatibility as observed from Georgia Street viewpoints.

12. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

## Crime Prevention Through Environmental Design (CPTED)

13. Design development to respond to CPTED principles, having particular regards for:
- (i) theft in the underground parking;
  - (ii) residential break and enter;
  - (iii) mail theft; and
  - (iv) mischief in alcoves and vandalism, such as graffiti.

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

## Sustainability

14. Any new building in the development will meet the requirements of the preceding Green Buildings Policy for Rezoning (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.

## Landscape

15. Design development to improve the plaza circulation and usability by increasing the deck area at the 'pinch point' by the café and at the south edge of the basin.

Note to Applicant: This can be achieved by relocating the café, or by further retracting the east basin edge. Also, retracting a portion of the south edge of the basin, would further improve the water to paving proportion and enhance passive seating areas with sunny orientation;

16. Design development to demonstrate viability into the future of the trees inside the water basin concept, or provide alternate, more conventional concept that would ensure maintenance and health of the trees can be achieved.

Note to Applicant: Further development at the detail level is needed to ensure viability. While the aesthetic and whimsical character of this concept is supported, the constructability, installation and ultimate maintenance of this detail is unusual and has long term implications, which need to be confirmed at this stage.

17. Design development to provide usable and accessible outdoor common spaces on outdoor terraces, with expanded programming for spaces that promote social interaction, such as children's play, urban agriculture and other passive activities, to be co-located with visual access from amenity areas.

Note to Applicant: Common access and universal access to outdoor areas should be confirmed. Green roof areas should be included and should differentiate between extensive and intensive green roofs.

18. Design development to improve sustainability and expand programming to include edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

19. A full Landscape Plan for proposed landscape to be submitted.

Note to Applicant: 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.

20. Section details at a minimum scale of 1/4"=1'-0" 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.

21. 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.

22. 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.

23. Trellis and vines to be provided over the underground garage access ramp.
24. New proposed street trees should be 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.
25. 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;
26. 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.

### Engineering

27. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

28. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (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.
29. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
30. Design development to comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services (GMES).

- (i) Provision of all parking stalls to be numbered, labelled and dimensioned.
- (ii) Modify the Class B loading bay design as required.
- (iii) Provide loading bay throats for manoeuvring.
- (iv) Provide additional loading bay width for the second and subsequent loading spaces (each additional space must be 3.8m wide)
- (v) Design development to provide two way accesses at the parkade entrance off of Nicola Street.

Note to Applicant: this is to accommodate future potential vehicle flow changes on Cardero Street that could impact access to the site, and to reduce vehicle conflicts between the main parkade ramp and the Class B loading.

- (vi) Design development to improve loading access to the residential and office elevators.
- (vii) Loading access to be stair free, independent of drive aisles and loading bays are to be conveniently located adjacent to the elevators for the intended use.
- (viii) Design development to reduce the width of the driveway crossing on Cardero Street.
- (ix) Provision of a review of the parking and loading design by a qualified Transportation consultant.

Note to Applicant: This must analyse vehicle and truck turning movements into and out of the site, the loading bays and at all ramp sections and curves on the parking levels.

- (x) Provision of section drawings showing elevations, vertical clearances, mechanical projections and security gates for the parkade entries, ramps, the parking levels and through the loading bays as required in order to verify minimum clearance requirements are met.

Note to Applicant: Label the minimum clearance at these key locations on the drawings.

- (xi) Provision of design elevations on both sides of the parking ramps at all breakpoints, both sides of the loading bays, throughout the parking levels and at all entrances.

Note to Applicant: Where there is a curved ramp, provide grades two feet from the wall on the inside radius. The slope and length of the ramp sections is to be shown on the submitted drawings.

- (xii) Provision of a double door bicycle elevator with an inside compartment measuring a minimum of 2051mm width by 1683mm depth and a door width of 1067mm to allow bicycles to enter and exit in a forward direction.
  - (xiii) Design development to conveniently locate end of trip facilities near the Class A bicycle parking spaces designated for the Office use.
  - (xiv) Clarify the stair free access route for the Class A bicycle spaces located at B6, E4 on drawing A-10-007 to reach the outside.
  - (xv) Provision of automatic door openers on the doors providing access to the bicycle room(s).
  - (xvi) Provision of an alcove for bike room access off of the vehicle maneuvering aisle.
31. Provision of all crossings to be designed to the satisfaction of GMES. A separate crossing application to GMES is required.
32. Provision of detailed Landscape Plans at 1:100 scale reflecting public property/public realm treatments.
33. Provision of an updated landscape plan that reflects the off-site improvements sought by this rezoning, including the provision of the following note on the landscape plan:
- The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.

### **Neighbourhood Energy Utility**

34. The proposed approach to site heating and cooling, developed in collaboration with the City, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
35. Design of the development must provide for Neighbourhood Energy System (NES) compatibility and shall adhere to the following requirements:
- (i) The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to NES compatibility must be to the satisfaction of the General Manager of Engineering Services.

- (ii) Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
- (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated NES, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
- (iv) Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards - Design Guidelines for general design requirements related to NES compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. At building permit stage, the applicant will be required to submit final detailed drawings and a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied.

- 36. In lieu of the requirements outlined in the preceding condition (condition 53), the applicant may choose, at time of Development Permit, to meet a greenhouse gas outcome equivalent to connecting to a low-carbon neighbourhood energy system. This equivalence must be demonstrated to the satisfaction of the Director of Planning, and may include achieving a 50% GHG reduction from a high-efficiency natural-gas scenario, achieving the GHG limits of the Green Buildings Policy for Rezoning (amended February 2017), or a Certified Passive House.

Note to Applicant: If following the greenhouse gas outcome equivalency option, the applicant will be required at each stage of permit to submit energy model results, for review by Sustainability, demonstrating that the development is on track to achieve the above requirements and what must be submitted.

#### **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 Engineering Services, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

## Engineering

1. Consolidation of Amended Lots 7 and 8 (see 42783L) and Lots 9 and 10, all of Block 43, DL 185, Plan 92 to create a single parcel.
2. Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to Alberni St, to achieve a 4.5 m (14.8 ft.) offset distance from the back of the existing curb to the building face. A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and SRW width is required. The SRW will be free of any encumbrance such as structure, stairs, door swing and plantings at grade and is to accommodate the existing underground parking structure within the SRW agreement.
3. Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to Georgia Street, to achieve a 7.5 m (24.6 ft.) offset distance from the back of the existing curb to the building face and diminishing in width in a westerly direction, generally as indicated on the attached plan. A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and SRW width is required. The SRW will be free of any encumbrance such as structure, added stairs, door swing and plantings at grade and is to accommodate the existing building, stairs and brick slope within the SRW agreement.
4. Provision of an additional 3.0 m x 8.5 m (9.8 ft. by 27.9 ft.) corner cut SRW on Georgia Street at Nicola Street extending 8.5 m (27.9 ft.) along Georgia Street and 3.0 m (9.8 ft.) along Nicola Street.
5. Provision of a surface Statutory Right of Way (SRW) adjacent the Cardero Street frontage from the property line to the existing building face. This dimension is approximately 2.8 m (9.2 ft.). A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the property line to the existing building is required to determine the final SRW dimension.
6. Provision of an additional corner cut surface Statutory Right of Way (SRW) on Georgia Street at Cardero Street to match the building face. This dimension is a triangle of approximately 1.5 m x 1.5 m (5 ft. by 5 ft.). A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the property line to the existing building is required to determine the final SRW dimension.

Note to Applicant: Refer to Figure 1 below for SRW requirements of above conditions 2 through 6.

Figure 1: SRW Requirements (for Illustrative Purposes Only - not including SRW over the plaza)



7. Provision of a statutory Right of Way (SRW) over the plaza space for public use. The SRW to be to the satisfaction of the Director of Planning in consultation with the General Manager of Engineer Services.
8. Provision of a topographic survey plan showing the existing buildings, stairs, retaining wall etc. with the proposed sidewalk SRW areas along Georgia Street, Nicola Street, Alberni Street and Cardero Street overlaid for further review by City staff and to assist in refining the various SRW dimensions and provisions.
9. Confirmation that the two existing Easement & Indemnity Agreements - E45615 & G89806 (encroachment agreements for landscaping, tree grates and special sidewalk treatment) are no longer required and can be discharged from title as the encroachments are being removed or replacement of the two agreements with current agreement language.
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 are provided.
  - (i) Provision of geometric changes and street reconstruction on Cardero Street adjacent to the site to allow for new curb and gutter, raised protected bicycle lane, front boulevard with street trees, CIP light broom finished sidewalks with saw cut joints and new curb ramps where required. Work to include appropriate transitions to the intersection of Georgia and Cardero streets

and adjustment of all utilities and services to accommodate the proposed geometric changes.

- (ii) Provision of geometric changes and street re-construction at the intersection of Cardero and Alberni streets to allow for a fully protected bicycle and pedestrian friendly intersection adjacent to the site. Work to include adjustment of all utilities and services to accommodate the proposed geometric changes.

Note to Applicant: The intersection upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of General Manager of Engineering Services.

- (iii) Provision of Triangle West sidewalk treatments on the Cardero Street and Nicola Street frontages of the site.
- (iv) Provision of geometric changes, public realm improvements and street reconstruction on the Georgia Street frontage of the site including changes to existing curb and or new and added curbing. Work to include adjustment of all existing utilities to accommodate the required changes on Georgia Street. The geometry of these changes will be subject to the design of the Georgia Gateway Project.
- (v) Provision of improvement to the slip resistiveness of the existing red brick paver sidewalk along the Georgia Street and Cardero Street frontages including all portions of the brick walk located on public property and within the SRW setback area.
- (vi) Provision of new 3.15 m (10.3 ft.) CIP light broom finish concrete sidewalks with saw cut joints and 1.22 m (4 ft.) exposed aggregate front filler sidewalk adjacent to the Alberni Street frontage of the site.

Note to Applicant: The new sidewalk will narrow adjacent to the existing building.

- (vii) Provision of upgraded street lighting adjacent all frontages of the site and new pedestrian scale lighting on Cardero Street adjacent to the site. A review of the existing lighting is required to determine its adequacy and upgraded lighting is to be provided where required.
- (viii) Provisions of new curb returns and curb ramps at all street intersections adjacent to the site to current standards.
- (ix) Provision of Georgia Street public realm sidewalks treatments adjacent the Georgia Street frontage of the site. Sidewalk treatment to be blended with the portion of brick pavers intended to remain on public property.

- (x) Upgrading/replacement of the existing traffic signal at the intersection of Georgia and Nicola streets to accommodate cycling facilities, LED intersection lighting and countdown timers.
- (xi) Upgrading of the signal at the intersection of Georgia and Cardero streets including LED intersection lighting, countdown timers and an Uninterrupted Power Supply unit.

Note to Applicant: The traffic signal upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of General Manager of Engineering Services.

- (xii) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by GMES and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work. Note: as-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.
- (xiii) Provision of new street trees adjacent the site where space permits.
- (xiv) 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 (GMES) 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.
- (xv) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Water Course Bylaw. The plan shall achieve the following objectives;
  - a. Retain or infiltrate the 6-month storm event volume (24 mm) onsite;
  - b. Treat the 2-year event (48 mm) onsite; and

- c. Maintain the pre-development 5 year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure on-going operations of certain stormwater storage, rain water management and green infrastructure systems.

11. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

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.

Note to Applicant: Please ensure that in the applicant's 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.

#### **Community Amenity Contribution (CAC) - Cash Payments**

12. Pay to the City the cash Community Amenity Contribution of \$56,938,245 (CAC Offering) which the applicant has offered to the City and to be allocated as follows:
  - (i) \$51,244,420 to support delivery of the West End Public Strategy.
  - (ii) \$5,693,825 to the Heritage Conservation Reserve to assist with heritage conservation in the City of Vancouver.
13. Payment of the CAC Offering is to be made as outlined below, at no cost to the City, and on terms and conditions and in a form satisfactory to the Director of Legal Services:
  - (i) \$20,000,000 must be paid by bank draft, certified cheque or wire transfer prior to the enactment of the rezoning by-law;
  - (ii) \$11,081,473 (30% of the balance remaining of the outstanding CAC Offering) must be paid by bank draft, certified cheque or wire transfer no later than 18 months (measured in calendar days) after the rezoning enactment, with interest accruing 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 paid in full; and

- (iii) \$25,856,772 (balance of the remaining outstanding CAC Offering) must be paid by bank draft, certified cheque or wire transfer on the earlier of:
  - a. the first Occupancy Permit issuance for the new building; and
  - b. the calendar date which is four years after the rezoning enactment,

with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date when such payment is due until the date when such amount is paid in full.

The deferred payment of \$36,938,245 will be secured by a Letter of Credit (the "City Security") in the City's standard form (see: <http://policy.vancouver.ca/AF00202.pdf>), or such other security as may be satisfactory to the Director of Legal Services at her sole discretion. 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. The deferred payment and any interest, as applicable, will also be secured by a Development Permit hold which will be registered on title prior to rezoning enactment and, if required, an additional Occupancy Permit hold for the development to be released only on confirmation of receipt by the City of the full amount of the total CAC Offering (plus interest, if applicable).

- 14. Local Buyers First – The applicant's voluntary commitment to support residents who live in British Columbia or work in Metro Vancouver by giving them the first opportunity to purchase new pre-sale homes in the new development on the subject site, which includes the following:
  - (i) For the first 30 calendar days after the launch of the "Domestic Marketing Campaign" for this development (the "Exclusive Local Buyer Period"), only those who live in British Columbia or work in Metro Vancouver will be eligible to purchase homes in this development, and all such buyers will be required by the Applicant to sign a statutory declaration attesting that they presently live in British Columbia or work in Metro Vancouver, and that they intend to occupy the unit they are purchasing.
  - (ii) While international marketing efforts may coincide with the Domestic Marketing Campaign, such international marketing efforts cannot commence before the Domestic Marketing Campaign and there shall be no foreign sales during this Exclusive Local Buyer Period.
  - (iii) No buyer shall be allowed to purchase more than one (1) unit within this Exclusive Local Buyer Period.

- (iv) An "assignment fee" provision will be included in the sales contracts for local purchasers during the Exclusive Local Buyer Period. If such buyer wants to assign their pre-sale purchase contract prior to closing on the unit and registration of same at the Land Title Office, such purchaser will be required to pay the applicant (seller) an "assignment fee" equal to 25% of the value difference between the sale price on the assignment contract and the original pre-sale price during the Exclusive Local Buyer Period. Should such buyer elect to assign his/her unit to an immediate family member, then the "assignment fee" shall be 5%.

### **Public Art**

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

Note to Applicant: Please contact 311 to be directed to the Public Art Program Manager to discuss your application.

### **Environmental Contamination**

- 16. If applicable:
  - (i) Submit a site profile to the Environmental Protection Branch (EPB);
  - (ii) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Protection 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 Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT the application to amend Schedule A of the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1500 West Georgia Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1500 West Georgia Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1500 West Georgia Street".
- E. THAT Council add 1500 West Georgia Street (the "Crown Life Place") to the Vancouver Heritage Register in the "A" evaluation category.
- 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ -1500 W Georgia St]