

## SUMMARY AND RECOMMENDATION

3. REZONING: (a) 650 West 41st Avenue (Oakridge Centre)  
(b) 5733 Cambie Street  
(c) 625-659 West 45th Avenue, 688 Fairchild Road and  
5926-6076 Tisdall Street

**Summary:** To amend CD-1 (1) By-law No. 3568 for 650 West 41st Avenue (Oakridge Centre) to allow for a mixed-use development with a total floor area of 424,600 m<sup>2</sup> (4,570,364 sq. ft.), a floor space ratio (FSR) of 3.71 and a maximum height of 132.6 m (435 ft.). The proposal includes 2,914 dwelling units (including 290 social housing units and 290 secured market rental housing units) in eleven residential towers, with heights between 19 and 44 storeys, and three mid-rise buildings, between 9 and 13 storeys in height. A Civic Centre with community centre, expanded library, seniors centre and 69-space childcare facility, as well as a 9-acre rooftop park are proposed.

Further amendments to CD-1 (1) By-law No. 3568 for 650 West 41st Avenue (Oakridge Centre) are proposed, to remove 5733 Cambie Street (the "Terraces") and 625 -659 West 45th Avenue, 688 Fairchild Road and 5926-6076 Tisdall Street (collectively the "Southwest Properties") and to establish new CD-1 zoning districts for the Terraces and the Southwest Properties, with the new CD-1 by-laws containing zoning that supports the existing Terraces and Southwest Properties developments.

**Applicant:** Henriquez Partners and Stantec Architecture

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of February 18, 2013.

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

- A. THAT the application by Henriquez Partners and Stantec Architecture, on behalf of Ivanhoe Cambridge I Inc. and 7503059 Canada Inc. to amend CD-1 (1) By-law No. 3568 for 650 West 41st Avenue (Oakridge Centre) [*PID 003-128-687, Lot 7, except Part in Air Space Plan 20425, Block 892, District Lot 526, Plan 20424*] (referred to as the "Rezoning Site" or "Oakridge Centre"), to increase the permitted floor area from 80,438 m<sup>2</sup> (865,832 sq. ft.) to 424,600 m<sup>2</sup> (4,570,364 sq. ft.) and the height to 132.6 m (435 feet) to permit a mixed-use development with a floor space ratio of 3.71 and including:
1. 2,914 dwelling units totalling 256,541m<sup>2</sup> (2,761,388 sq.ft.), including 290 social housing units and 290 secured market rental housing units;
  2. 168,059 m<sup>2</sup> (1,808,976 sq.ft.) of commercial space;
  3. a 6,503 m<sup>2</sup> (70,000 sq.ft.) civic centre; and
  4. a park;

generally as presented in Appendix A of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be approved subject to the following conditions:

#### CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Henriquez Partners, Stantec Architecture, and Gensler on behalf of Ivanhoe Cambridge and Westbank Development Corp. and stamped "Received City Planning Department, September 20, 2013", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

#### Urban Design

1. Design development to Building 13 and Building 5, the two tallest buildings proposed:
  - to achieve a significant and recognizable new benchmark for architectural creativity and excellence, leadership in sustainable design, and advancement of the city's objective for carbon neutrality as outlined in Design Guideline 10.2.12 Higher Buildings Review
  - to articulate and enhance the sense of verticality and to ensure that architectural elements contribute to articulation and visual interest without increasing perceived mass
  - to accentuate the individuality of the buildings within a common language recognizing the gateway pairing of the two buildings
  - to limit the height to 132.6m (435') for Building 13 and 124.3m(408') for Building 5, measured from the mall floor level of 88.88m to the roof of the uppermost inhabited level.
  - to configure and shape the building floorplates, and sculpt at upper levels with consideration for reduced shadowing at the equinox on the Transit Plaza at 41<sup>st</sup> and Cambie and reduced shadowing and improved relationships with the adjacent existing Terraces building.  
Note to applicant: accomplishing this will likely require reduced and stepped back floorplates at upper levels of Building 5.
2. Design development to introduce greater articulation and terracing of mid-rise buildings along Cambie Street and 41st Avenue to reduce apparent massing and improve solar access to the sidewalks of these important city-serving streets.
3. Design development to configure and shape the mid-rise and residential tower of Building 2 to improve morning sun on the neighbourhood plaza, and the Civic Centre.
4. Design development to strengthen the expression of the 'hilltop town' analogy and 'earthwork' concepts referenced in the draft Design Guidelines.

Note to applicant: The Urban Design Panel appreciated the concept of the Hilltop Town analogy and thought that strengthening this imagery was important in the further development of the design. The architecture should seek to integrate built form and open space by extending landscape up into the built form layers and the transition from tower to open space should be further developed.

5. Design development to bring the expression of green and the presence of the rooftop park down within the northwest area of the shopping centre.

Note to applicant: The strongest moves during the rezoning process have been in the public placemaking of the project and in particular in bringing the park down to the ground and making it accessible. While ideally a 7<sup>th</sup> access from grade to the park would be provided from 41st Avenue, it is recognized that the constraints of the retail program would not facilitate this. Nonetheless, the design and needs of the anchor spaces should accommodate a visual connection and expression to the park.

6. Prior to first Development Permit, provide a Phasing plan and strategy to illustrate how the public access and park is constructed in phases, ensuring public access and use of these phases as constructed.
7. Design development to ensure that the entirety of the Civic Centre can be constructed in one phase early in the development, including the exterior stairs, related spaces and accesses. It is recognized that the timing of completion of the bridge connection across the High Street to the roof-top park will likely be a subsequent phase.
8. Design development to reconfigure Building 4 to eliminate the overhang of the High Street, in the interests of creating a welcoming, appropriately scaled, and sunny public realm along this section of the High Street.

Note to applicant: In process drawings received indicate potential future retail on the west side of the High Street which would leave less than 24' between the two storey retail base and the tower. A reconfiguration of the tower and potentially a relocation of its core is needed to create the desired public realm condition on the High Street.

9. Design development to reduce the size of the water feature in the rooftop park, in favour of areas that people can access and use, and introduce more variety and interest in the landscape along the important bridge connections that cross it.
10. Design development to setback the residential frontages of proposed buildings 9, 10, and 11 along the new street by 2 metres or sufficient distance to enable private outdoor space for residential units and any steps providing access to the units and their open space. All private outdoor space, railings, balconies, steps, etc. serving the units should be located outside of the Right-of-Way for the new street.
11. Design development to provide direct access from the elevator office cores to the roof-top park.

12. Design development to ensure that retail anchor spaces along 41st Avenue and Cambie Street:
  - prioritize transparency at the street level to allow for visibility into the store.
  - have considerable architectural expression and visual variety; there should be no blank walls facing any public view. Facades should wrap around the building at every corner visible to the public.
  - are permeable and inviting. Entries and access to anchors from the street should be clearly defined and identifiable to the public.

13. Design development to ensure a minimum of 5.5m of pedestrian sidewalk space in front of the anchor stores on 41st Avenue.

Note to Applicant: 5.5m of pedestrian sidewalk space may include the space required to accommodate street trees and boulevard but must be to the face of the building. This does not include space required for the cycle track.

14. Design development to eliminate the surface level parking area by the Bay anchor store.
15. Design development to ensure that the New Street turnaround referenced in Engineering condition (b) 30. is a well-integrated, intentional urban design element, rather than an auto-oriented cul-de-sac.
16. Design development to delete those portions of building that are overhanging onto City property.
17. Design development to provide semi-private common outdoor spaces and urban agriculture facilities and for residents on the mid-rise roof-tops.

Note to applicant: Semi-private common outdoor spaces and urban agriculture facilities should be provided in accordance with the High Density Housing for Families with Children Guidelines, and Urban Agriculture Guidelines. In general, urban agriculture spaces in the roof-top park should be additional to these requirements and available for use by the general public.

18. That prior to first development permit, the Design Guidelines are revised to reflect the conditions referenced in this Appendix.
19. That Prior to issuance of first Development Permit, provide the following:
  - Signage and Wayfinding plan
  - Public Art Plan
  - Lighting Plan
  - Security and CPTED plan

## Landscape Review

20. Design development to site grades, retaining walls, walkways and structural slab design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to ensure long term plant health:

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of buildings. Planted areas on slab should be designed to maximize soil depths using methods of slab engineering, tree wells and soil mounding. To avoid raised planters at or near to the corners of underground parking structures, angle the slab downward (1 m across and 1.2 m downward) to maximize contiguous soil volumes.

21. Design development to ensure the successful retention of trees throughout the site;

Note to Applicant: while the proposal indicates that existing trees have been retained and integrated, further arborist reporting at the development permit stage will be necessary. Trees or tree groupings that are owned or co-owned with the City will require coordination with Engineering Services and Park Board.

22. Provision of enhanced soils to maximize tree health in the public realm;

Note to Applicant: subject to further review by the City Engineer, this may include continuous soil trenches, structural soils and/or soil cells. Further consultation with the project arborist may be necessary.

23. Design development to consider location of utilities that will not conflict with the public realm;

Note to Applicant: avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) in the public realm. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

24. Provision of universal design principles in all public spaces;

Note to Applicant: walkways should be surfaced in consideration to the physically disabled. Provide benches near entrances and at reasonable intervals within plazas and walkways.

25. As part of a healthy landscapes and rainwater strategy, provision of high efficiency irrigation for all planted areas on slab on and near to buildings. Hose bibs should be specified for all private patios of 100 sq. ft. (9.29 sq. m) and urban agriculture areas;

26. At time of first development permit, provision of

- a. A public realm plan;

Note to Applicant: refer to Oakridge public realm guidelines. The public realm plan presentation should include, but not limited to, public art,

water features, sidewalk design, new street trees, retained trees, street furniture, paving, lighting, utilities and pedestrian weather protection.

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

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

- c. A phased "Tree Removal/Protection/Replacement Plan" in coordination with arboricultural services, including the assessment of existing trees, retention value rating, retention feasibility, remediation recommendations, site supervision and letters of undertaking.

Note to Applicant: given the size and complexity of the site, provide a tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements to be shown on separate landscape master plans and detailed landscape plans at each phase.

- d. A "Construction Management Plan" outlining methods for the retention of existing landscapes and trees during construction;

Note to Applicant: the Plan should include, but not limited to, the location of construction materials, temporary structures, utilities, site access, development phasing, neighbor impact reduction measures and temporary irrigation.

- e. Provision of detailed cross sections (minimum 1/4" inch scale) through all proposed common open spaces and the residential interface (typical);

Note to Applicant: the sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the building.

## Engineering

- 27. Design development to the new access on West 41st Avenue at Manson Street.

Note to Applicant: Clarify laning, including whether the left turn lane is required, as vehicles wishing to head westbound on 41st Avenue will also be able to exit via the tunnel.

28. Design development to remove the proposed motor vehicle connection between the New Street and the existing laneway.

Note to Applicant: Street traffic should not be directed down a laneway. Means of turning vehicles around must be provided through a cul-de-sac or similar measure.

29. Design development to improve safety and minimize the potential for short-cutting traffic created by the connections from lanes and parkade accesses onto the New Street.

30. Design development to 41st Avenue and Cambie Street to include:

- a. Concrete bus pads in the curb lane at the eastbound bus stop on West 41st Avenue, west of Cambie Street. The bus pad shall be of sufficient length to accommodate two articulated buses (approximately 60m);
- b. A concrete bus pad in the curb lane for the eastbound bus stop on West 41st Avenue, east of Heather Street. The bus pad shall be of sufficient length to accommodate one articulated bus (approximately 30m);
- c. Sidewalk space for transit passenger queuing 5m deep by 60m long adjacent to the curb at the eastbound bus stop on West 41st Avenue, west of Cambie Street. Modification of the proposed separated bike facility so that it meanders around this area is also required;
- d. At the eastbound bus stop on West 41st Avenue, east of Heather Street, provide sufficient space to accommodate a bus shelter;
- e. Relocation of the existing southbound bus stop and bus shelter on Cambie Street, south of 43rd Avenue, to be situated just south of the existing development access proposed between 42nd and 43rd Avenues; and,
- f. A concrete bus pad for a new (relocated) southbound bus stop on Cambie Street, just south of the development access at 42nd /43rd Ave.

31. Removal of all the proposed parking laybys shown along Cambie Street.

Note to Applicant: Parking may be provided in the curb lane, where appropriate.

32. Design development to address conflicts between motor vehicles, cyclists, and pedestrians at the new access on Cambie Street at 44<sup>th</sup> Avenue.

33. Removal of the at-grade loading bays accessed off of 41<sup>st</sup> Avenue west of Cambie Street.

Note to Applicant: If removal is not achievable, consideration may be given to alternative solutions that reduce the number of crossings and potential conflicts.

34. Design development to the two-way cycle tracks on the south side of 41st Ave from Heather Street to Cambie Street and on the west side of Cambie Street from 41st Avenue to 45th Avenue.

Note to Applicant: The edge treatments adjacent to the 3 metre wide cycle track should be delineated or beveled to provide cues to people walking that

they are entering the cycle track and to people on bicycles that they are leaving the cycle track and entering the sidewalk.

35. Design development to the unidirectional cycle tracks on 45th Avenue between Cambie Street and the end of the site boundary and potentially to Tisdall Street, based on traffic calming plan.

36. Design development to improve the cycling connection between the Heather/41<sup>st</sup> Ave intersection and the east-west lane leading to Tisdall Street.

Note to Applicant: Where the cycling facility is in pedestrian space, the edge treatments adjacent to the two-way 3 metre wide cycle track should be delineated or beveled to provide cues to people walking that they are entering the cycle track and to people on bicycles that they are leaving the cycle track and entering the sidewalk.

37. Provision of a minimum 9.8m southbound road width on Cambie Street comprising of a 3.4m curb lane and 3.2m travel lanes.

Note to Applicant: These lanes widths are to accommodate transit vehicles and trucks as the corridor is both a bus and truck route.

38. Provision of a minimum 3.4m curb lane and 3.2m travel lane along the eastbound lanes adjacent the site on 41st Avenue.

Note to Applicant: These lanes widths are to accommodate transit vehicles and trucks as the corridor is both a bus and truck route.

39. Design development to improve the driveway crossing designs where sidewalks and cycling facilities cross parkade driveways.

Note to Applicant: crossing designs should be standard in nature and provide cues for pedestrians and cyclists where potential conflicts exist.

40. Design development to facilitate safe walking and cycling crossings at the median on 41st Avenue at the intersection of Heather Street.

41. Removal of the existing mid-block crosswalk on 41st Avenue just east of Manson Street.

42. Design development to 45th Avenue west of Cambie Street.

Note to Applicant: This is expected to include a single vehicle travel lane in each direction on 45<sup>th</sup> Avenue with the exception of the eastbound approach at Cambie Street which should retain an exclusive left and right turn lane.

43. Clarification of Section A5 (Page 23, Rezoning booklet), as it does not match the New Street enlarged plan (Page 22, Rezoning booklet). Clarify if the proposed two-way bicycle lane is on the west or east side of the New Street.

44. Provision of further information/analysis regarding the vehicle access and circulation between the new street and existing lanes that connect to Tisdall Street and 45th Avenue.

45. Provision of minimum 1.8m wide sidewalks on the New Street and on 45th Avenue.
46. Clarification of 41st Avenue design, including:
- a. the design on Section A10 (Page 29, Rezoning booklet), as it does not match the 41st Ave. enlarged plan (Page 27, Rezoning booklet).
  - b. section A11 on page 30 which indicates no boulevard separation between the cycle track and the travel lane. This contradicts the plan.
  - c. section A11 (Page 30, Rezoning booklet), as it shows a westbound left turn lane into the proposed major entrance on W. 41st Av. Similarly, the Parking Access Plan (Page 41, Rezoning booklet) highlights this as well as the westbound exit ramp from Oakridge Centre located west of Manson Street. Today, the westbound ramp from Oakridge Centre exits immediately at Manson Street. Clarify how the westbound left turn lane and the existing westbound exit ramp will integrate at this location.
  - d. illustrations on pages 27 and 31 which indicate trees and front boulevards of varying widths along the full length of the 41st Avenue frontage. The applicant will provide updated plans and sections.
  - e. clarification of section A12 on page 32 which indicates bollards and trees on the curb and very little if any boulevard separation between the cycle track and the travel lane. This contradicts the plan illustration on page 31 which shows trees and a wide front boulevard.
  - f. provision of a one crossing to the eastern parking access for both entrance and exit lanes. The proposed separate east bound slip lane, island and east bound exit lane are not supported.
  - g. clarification as to why the travel lane widths vary between cross sections.
47. Where cycle tracks are provided, they should be constructed 50mm below adjacent sidewalks, buffers, and boulevards with textured surfaces on the buffers and boulevards on either side of the cycle tracks.
48. Provision of a bicycle parking design including the following:
- a. Dedicated high speed elevators, connecting the ground level to the parking level with the residential parking spaces, sized to accommodate multiple bikes with trailers, trikes, and cargo bikes.
  - b. Convenient, comfortable routes for residents to access residential bicycle parking.
  - c. Clear access routes between the street and the high speed elevators.
  - d. A bicycle storage area layout plan clearly shown on the Residential Parking Floor Plan for 3,500 Class A residential bicycle stalls.
  - e. A clear access route between the entry to P1 mezzanine and the 364 to 570 Class A bicycle stalls for retail, office and community use.
  - f. A bicycle storage area layout plan clearly shown on A1.04 - P1 Mezzanine Parking Floor Plan for 364 to 570 Class A bicycle stalls for retail, office and community use.
  - g. Convenient, safe and secure bicycle parking for people visiting the mall or community amenities in a quantity that is appropriate.
49. Clarification of maintenance responsibilities and/or agreements for the proposed Silva Cells and of any landscape on public property.

Note to Applicant: Any approved use of soil cells or similar systems on City property must not fall on the responsibility of the City to maintain.

50. Provision of Class B residential loading as required in the Parking By-law clearly noted on submitted plans.
51. If shared vehicles are proposed to meet the requirements of the Parking By-law, provision, operation, and maintenance of shared vehicles and the provision and maintenance of parking spaces for use exclusively by such shared vehicles is required.

Note to Applicant: The following will be required prior to development permit issuance:

- a. developer will be required to secure the provision of each required shared vehicle with delivery of a \$50,000.00 refundable security deposit prior to issuance of the related development permit;
  - b. management services to be provided by the professional shared vehicle organization subject to an agreement to be entered into with the developer on terms and conditions satisfactory to the City;
  - c. the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces.
  - d. shared vehicle spaces are required to be a minimum width of 2.9m
52. Design development to provide direct and convenient bicycle access to all residential bicycle parking spaces.

Note to Applicant: Residential bicycle parking facilities are proposed to be accessed through several shared elevators and corridors. Appropriate access must be maintained at all times.

### **Sustainable Large Sites Policy**

53. Provide a Sustainable Food System Plan to include a minimum of three food systems assets as described in the Rezoning Policy for Sustainable Large Developments, to the satisfaction of the Director of Social Policy.

Note to applicant: the proposed community kitchen in the Civic Centre, the proposed multi-purpose facilities for additional group activities and celebrations, can be counted as required elements in the Sustainable Food System Plan.

54. At time of development permit application and related phases of development, additional requirements that address the Rezoning Policy for Sustainable Large Developments including, but not limited to;
  - reduction of lawn cover (to reduce chemical use and energy inputs associated with maintenance);
  - creation of habitat (access to nature) by adding pockets of native and adapted plants that specifically attract birds and insects;
  - maximize tree planting or contributions toward planting trees offsite;
  - financial bonding to ensure tree retention success;

- a rainwater management plan, in whole, or in part (for example, cistern details);
- reduction of impervious paving;

Note to Applicant: these requirements are listed here as advanced notice of possible future conditions of development permit, subject to review by the Director of Planning. Refer to administration bulletin, "Rezoning Policy for Sustainable Large Developments".

55. Provision of a revised Transportation Demand Management Strategy and Green Mobility 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 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.

Note to Applicant: The Strategies must include mode share targets and measures to achieve them. Ongoing monitoring and adjustment of the TDM measures will be required at intervals determined by the General Manager of Engineering Services. Measures, including the bike co-op, will be secured through legal agreements. See Administrative Bulletin for more information: <http://former.vancouver.ca/commsvcs/BYLAWS/bulletin/R019.pdf>

56. Provision of a revised Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

Note to Applicant: The application package show a significant number of water features (ponds, fountains) as well as rain gardens and rooftop landscaping. The City will need a clear understanding of how such systems will affect the potable water demand and water quality. Detailed information must also include the development's water balance strategy i.e. achievement of lowering the stormwater load while simultaneously increasing the sanitary load. Any requests for alternative solutions to the Vancouver Building By-law should be noted early in the process. See Administrative Bulletin for more information: <http://former.vancouver.ca/commsvcs/BYLAWS/bulletin/R019.pdf>

57. Provision of a revised Zero Waste Design and Operations Plan that addresses waste diversion in all solid waste generating activities within the complex;

Note to Applicant: The Strategy must identify/provide 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 Plan on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services. See Administrative Bulletin for more information: <http://former.vancouver.ca/commsvcs/BYLAWS/bulletin/R019.pdf>

Civic Centre

58. Design development to the Civic Centre to the satisfaction of the Director of Facilities Planning and Development in consultation with the General Manager of Parks and Recreation, Chief Librarian of Vancouver Public Library and Managing Director of Social Development to ensure that the functional requirements of the library, childcare and community centre can be met.

Note to applicant: Design development to ensure that the childcare is licensable by CCFL and meets the intent of the City's Childcare Design Guidelines and Childcare Technical Guidelines.

## Housing Policy

59. Design Development to ensure as many units as possible be designed to be suitable for families with children, with 2 or more bedrooms, throughout the development, maximizing the location of such units within the first 8 floors of grade or a podium level, and optimising the number of such family units with direct physical or visual access to grade or podium outdoor space. All buildings with family units are to include common indoor and outdoor amenity consistent with the intent of the "High Density Housing for Families with Children Guidelines."

Note to applicant: Family units are defined as 2-bedrooms or more

60. Make arrangements to design, construct, equip, and finish the 290 units of social housing comprising not less than 19,754m<sup>2</sup> (212,632 sq. ft.) of gross floor space and associated parking of 0.33 stalls per unit, and common amenity spaces as per Council approved guidelines, to the satisfaction of the Managing Director of Social Development, the Director of Facilities Planning and Development, the Director of Real Estate Services and the Director of Legal Services.

Note to applicant: the average unit sizes shall be as follows:

Studio Units:	32.5m <sup>2</sup> (350 sq.ft.)
One-Bedroom Units:	46.5m <sup>2</sup> (500 sq.ft.)
Two-Bedroom Units:	67.3m <sup>2</sup> (725 sq.ft.)
Three-bedroom Units:	86.0m <sup>2</sup> (925 sq.ft.)

## Sustainability

61. Identification on the plans and elevations of the built elements contributing to the development's sustainability performance in achieving LEED® Platinum equivalency, as the equivalent to the LEED® Gold for buildings standard required by the *Green Buildings Policy for Rezonings*.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project are also required under the policy.

62. The proposed approach to site heating and cooling, developed in collaboration with the holder of the City's designated Neighbourhood Energy utility provider, where feasible, shall be provided in detail prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
63. The campus thermal energy system shall be designed to be compatible with, and easily connectable to, a hot water distribution Neighbourhood Energy System, when available, for supply of all heating and domestic hot water requirements of the development, other than that provided through heat recovery from cooling.

Note to Applicant: Refer to the District Energy Connectivity Standards for general design requirements related to Neighbourhood Energy compatibility at the building scale, where applicable. The applicant is encouraged to work closely with City staff during the planning and design of the campus energy system to ensure compatibility with a neighbourhood-scale system.

64. Detailed HVAC and mechanical design as well as energy plant location must be to the satisfaction of the General Manager of Engineering Services and shall adhere to the following general requirements:
  - a. space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat, distributed heat generating equipment, including gas fired make-up air heaters or heat producing fireplaces;
  - b. heat recovery from cooling shall be incorporated, where feasible; and
  - c. a centralized natural gas boiler plant shall supply all interim heating and domestic hot water thermal energy requirements, beyond that supplied through heat recovery from cooling, to all buildings within the development, unless otherwise approved by the General Manager of Engineering Services.
65. Central plant and/or building design shall include adequate space and design provisions to support connection to the NES, to the satisfaction of the General Manager of Engineering Services.

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

#### **CONDITIONS OF BY-LAW ENACTMENT**

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Cultural Services and the

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

## Engineering

1. Provision of a charge summary for Lot 7 to be prepared, to satisfaction of the General Manager of Engineering Services, to explain the impact of all registered charges and legal notations on the proposed development and how each charge will be addressed. In particular, but not limited to, the charge summary should address:

- a. SRW 236105M (Ref. Plan 4727), SRW L79450 (Ref. Plan 16686), and SRW L121311 (Ref. Plan 16903) in favour of GVWD for water mains.

Note to Applicant: The agreements do not allow the placement of structures within the SRW area as are being proposed.

- b. E&I 357072M - Crossing agreement (10 crossing locations), in favour of the City, to be released prior to occupancy of the development (to be addressed via the development permit process).
- c. SRW K77258 and Equitable Charge K77258A in favour of the City.

Note to Applicant: Impacts of redevelopment to the 41st Avenue tunnel and related works may require modification or replacement. See also Engineering condition (c) 3.

- d. Covenant L114050 in favour of the City to secure conveyance of 10% of Oakridge lands for Park use.
- e. SRW M97558 (Ex. Plan 17475) in favour of Telus, the agreement does not allow the placement of structures within the SRW area as is being proposed.
- f. Covenant N28619, in favour of the City, restricts buildable square footage on the lands.
- g. SRW R126667, Covenant R12668, in favour of the City, is with respect to the southwesterly wall of existing office building (to remain) which may have to be brought up to code when adjacent portion of parkade is demolished.
- h. SRW BG195338 (Plan LMP10663), in favour of the City for public access and access to LMS1751. Subject to the ultimate transportation configuration the agreement will likely require modification or replacement. This driveway access is shown as being removed but access provisions for LMS1751 still need to be provided.
- i. Covenant BG316670, in favour of the City, for a requirement to subdivide 1.1 acres from southeast corner of the site for seniors housing, prior to issuance of building permit.

- j. Covenant BG316678, in favour of the City, regarding rental terms and operation of the seniors housing.
  - k. Covenant BG316674, in favour of the City, regarding requirements for a soils remediation plan for areas of site not currently occupied by mall and parking structures.
  - l. SRW BK293845 (Plan LMP30023), in favour of Telus. Telus requires notice of any construction or renovation within the SRW area.
  - m. SRW BA209095 (Plan BCP25863; see BA546134), in favour of GVTA, an SRW for Transit facilities. Improvements within the SRW area will require approval in writing from GVTA.
2. Arrangements to the satisfaction of the Director of Legal Services in consultation with the General Manger of Engineering Services for the modification of the Tunnel Agreement (SRW K77258 and Equitable Charge K77258A).

Note to Applicant: Modification must occur to clearly identify 41st Avenue as a future rapid transit corridor, as identified in the Transportation 2040 plan. The agreement must not limit the ability to provide future transit provisions.

3. Dedication for road purposes for the New Street to the satisfaction of the General Manager of Engineering Services and Director of Legal Services.

Note to Applicant: New streets should generally be 20 m unless it can be demonstrated that the full width isn't required for utility or transportation purposes. The design will require sidewalks and boulevards on both sides, separated bike lane(s), and sufficient space for two-way motor vehicle traffic, including emergency vehicles. An SRW in favour of the City may be acceptable to reduce the dedication area in order to accommodate portions of the below-grade parkade if the below-grade structure meets surface loading specifications (Truck CL-625 standards).

4. Registration of a one or more Statutory Rights of Way and other agreements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services that provides for public access to the following areas at grade:

- a) Public plazas
- b) High Street
- c) Pocket Park at 43rd Avenue and Cambie Street

5. Provision of a statutory right-of-way to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for that provides for public access through the site in order to access the Oakridge Canada Line Station.

Note to Applicant: Public access through the site will include passageways at the roof level and mall level. The final SRW area will respect the private mall corridors as well as hours in keeping with Canada Line operating hours. These are to be provided in coordination with public amenity and public plaza spaces right of way arrangements.

6. Provision of a statutory right-of-way to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for any cycling connections required by the General Manager of Engineering Services on site.

Note to Applicant: These are to be provided in coordination with public amenity and public plaza spaces right of way arrangements.

7. Provision of a statutory right-of-way to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for public access and cycling facilities along streets including but not limited to 41st Avenue, 45th Avenue and Cambie Street.

Note to Applicant: Statutory right-of-ways will be required where sidewalks are proposed on private property.

8. Provision of statutory rights-of-way to accommodate Public Bike Share (PBS) Stations;
  - a. Size: A 39.5m x 4m or 19.5m x 8m station must be accommodated at the transit plaza and 16m x 4m stations must be accommodated at other locations. 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. The 2 m maneuvering space may be shared with pedestrian space.
  - b. Location: The station must be located on private property while still clearly visible to the public with 24/7 public access. The preferred locations beyond the 41st Avenue transit plaza are at 41st Avenue and Heather Street, and adjacent to the Civic Centre.
  - c. Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
  - d. 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.
  - e. Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.
  - f. Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.
9. Provision of a traffic calming plan and construction of all recommended measures, in consultation with the surrounding neighbourhood and to the satisfaction of the General Manager of Engineering Services, for 45th Avenue, the New Street, the lanes connecting to the New Street, Manson St (north of

41st Ave), and any other locations identified by the General Manager of Engineering Services where new short-cutting may occur.

10. Provision of up to \$500,000, at the discretion of the General Manager of Engineering Services, for traffic calming to mitigate impacts of the development's traffic on the neighborhood. Measures are to be determined within 5 years of occupancy of the last building pursuant to this rezoning and are subject to neighborhood consultation where appropriate.

Note to Applicant: A letter of credit or cash deposit in the value of \$500,000 is required to be delivered prior to By-law enactment. Any balance of unused funds may be returned after 5 years of occupancy of the last building.

11. Provision of a \$600,000 payment to the City prior to by-law enactment to be used towards transit improvements to the Oakridge/41st Avenue Canada Line Station.

Note to Applicant: This is expected to be allocated to items which improve comfort for transit passengers and promote the use of transit.

12. Provision of a \$500,000 payment to the City prior to by-law enactment for the relocation and provision of measures to protect the Heather bikeway from Willow Street to Heather Street and Tisdall Street between 37th Avenue and 45th Avenue.

Note to Applicant: These works are required based on the impacts of development and realignment of the Heather bikeway.

13. Provision of the contemplated subdivision scheme, phasing plans and site servicing plans to the satisfaction of the General Manager of Engineering Services which proposes the timing of delivery of all required works.

Note to Applicant: The applicant must provide each future individual parcel with its own set of sewer and water services connected to public infrastructure and enter into any utility rights-of-way to preserve a reasonable corridor for main construction, maintenance, and ultimate replacement. Sewer and water upgrades and/or installation are required along 41st Avenue, Cambie Street, 45th Avenue, and the New Street. The entire development must have fully separated storm and sanitary plumbing and connections.

14. Provision of a groundwater management strategy to the satisfaction of the General Manager of Engineering Services by a professional consultant able to confirm the development does not adversely impact the surrounding neighbourhood during or post construction.

Note to Applicant: Groundwater shall be managed as required by the Vancouver Building By-law, Sewer and Watercourse By-law, and applicable provincial and federal regulations.

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

Note to Applicant: It is understood that groundwater is currently used to partially cool the existing development; additional detail is sought regarding

the developer's intent to use this source, including proposed extraction rates, any proposed infrastructure refurbishments, groundwater disposal strategy, and opportunities to offset potable water demand. Use of groundwater cannot adversely impact the neighbourhood's groundwater aquifer and must meet all Provincial requirements. Groundwater may ultimately be discharged into the City's sewer system but must not increase volumes beyond what would already be if the systems were using potable water.

16. Arrangements are to be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for a feasibility study and access to the groundwater source at the site including all necessary infrastructure to draw from the source from City street.

Note to Applicant: In 1997, a letter was sent from the City of Vancouver to the Manager of Oakridge Centre (Attn: Doug MacDougall) regarding emergency access to the four operational groundwater wells. The letter references access routes and other improvements to facilitate access. It is expected that access provisions be communicated to the Water Design Branch and Vancouver Fire and Rescue Services at all times including through the construction phases of the development and that necessary arrangements are made.

17. Make arrangements to the satisfaction of the Director of Legal Services and General Manager of Engineering Services for an agreement to maintain the public realm at no cost to the City along the site frontages.

Note to Applicant: The mall operator is required to enter into a Maintenance Agreement for any proposed public realm treatment within City street that is not standard treatment but acceptable to the General Manager of Engineering Services. The site frontages include, but not limited, to the New Street, Cambie Street, 41st Avenue, and 45th Avenue.

18. Provision of a Services Agreement that facilitates a phased approach to development, to detail the delivery of all on-site and off-site works and services necessary or incidental to the servicing of the subject site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City, and that all necessary street dedications and rights-of-way for the Services are provided. The Services shall include:

- a. The redesign and reconstruction of Cambie Street from 41st Avenue to 45th Avenue, 41st Avenue from Cambie Street to the New Street, and 45th Avenue from Cambie Street to Tisdall Street including but not limited to sidewalks, curb, vehicle lanes, separated bicycle lane(s), transit stops, signage, street and pedestrian-scale lighting, parking lane(s), treed boulevards, center medians, street furniture (bike racks, benches, litter containers, etc.), concrete bus pads, road painting and increased crosswalk widths including any property dedications and/or statutory right-of-way arrangements.
- b. Design and construction of the New Street on the western edge of the site including but not limited to sidewalks, curb, vehicle lanes, separated bicycle lane(s), signage, street and pedestrian-scale lighting, parking lane(s), treed boulevards, road painting including any property dedications and/or statutory right-of-way arrangements.

- c. Upgrade and optimization of traffic signals at Cambie Street and 41st, Cambie Street and 45th Avenue, and at 41st Avenue and Heather Street to reflect redesigned streets, site-generated traffic, new bikeway connections, and integration of separated bicycle lanes.
- d. Design and construction of new traffic signals and related infrastructure at the following locations, including operational analysis. Signal timing must allow sufficient time for pedestrians to cross the entire width of Cambie Street in one cycle.
  - i. 41st Avenue and Manson Street
  - ii. Cambie Street and 42nd /43rd Avenue entrance
  - iii. Cambie Street and 43rd Avenue
  - iv. Cambie Street and 44th Avenue
- e. Provision of Public Realm improvements to the Cambie Street and 42nd Avenue and the Cambie Street and 44th Avenue intersections, generally consistent with the Cambie Corridor Public Realm Plan.
- f. Provision of a revised transportation study at each phase of development or as requested by the General Manager of Engineering Services.

Note to Applicant: The updated studies will revise demand estimates based on updated data. The first update is required with the first development permit and should include a full analysis of access to the various buildings and through the site for pedestrians and cyclists. Access to bike parking must also be identified.

- g. Removal of the existing traffic signal and related infrastructure at the intersection of Cambie Street and the current mall access between 43rd and 44th Avenue.
- h. Improvements to the Cambie Street access at 42<sup>nd</sup> Avenue.

Note to Applicant: The existing vehicular access points are not designed well to provide a good pedestrian realm and to minimize conflicts between vehicles, cyclists, and pedestrians. Improvements to this entry are required.

- i. Reconfiguration or removal of the existing vehicle access directly off 41<sup>st</sup> Avenue west of Cambie Street.

Note to Applicant: If the existing vehicle access at this location is proposed to remain, it must be normalized to improve safety. Individual loading off of an arterial is not supported.

- j. Redesign and reconstruction of the plaza at the southwest corner of 41st Avenue and Cambie Street to accommodate walking, cycling, and transit operations and connections to the satisfaction of the General Manager of Engineering Services and the General Manager of Planning and Development Services.

- k. Provision of publicly accessible drinking water to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: As part of the Greenest City Action Plan, the City is encouraging a greater number of opportunities to provide public access to water. These points are generally located at major pedestrian hubs or along active transportation routes like greenways and bikeways. As such, it is requested that additional detail be provided regarding sites for publicly accessible drinking water - via water fountains or bottle filling stations. Staff are currently seeking locations at the 41st Avenue and Cambie Street intersection as well as various points along the High Street. Water fountains and stations should be connected directly to the City's water mains and be operated by the City.

- l. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

Note to Applicant: A preliminary review shows a need to construct or upgrade the following water mains:

- i. Construction of 600mm water main on Heather Street from 33rd Avenue to 41st Avenue;
  - ii. Upgrading the existing 150mm water main to 300mm on the west side of Cambie Street from 41st Avenue to 45th Avenue;
  - iii. Upgrading the existing 200mm water main to 300mm on 41st Avenue from Baillie Street to Cambie Street; and,
  - iv. Construction of 300mm water main on the New Street.
- m. Provision of adequate sewer services for this site. The applicant is to provide further details on the project to determine the size of sewer mains 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 that may be required.

Note to Applicant: A preliminary review shows a need to construct or upgrade the following sewers:

- i. Construction of separated sewers on 45th Avenue from New Street to Ash Street;
- ii. Construction of separated sewers on Cambie Street from 41st Avenue to 45th Avenue, tying in at Ash Street; and,
- iii. Construction of separated sewers on the New Street.

- n. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Note to Applicant: It is presumed with your consultation so far with B.C. Hydro that area has been defined within the development footprint to accommodate such plant. Please confirm that this space has been allocated and agreement between both parties has been met. At this time there seems to be no allocation of such plant shown on the detailed ground floor plan A1.05.

### **Rooftop Park**

19. Enter into one or more agreements, as required by the Director of Legal Services and Park Board General Manager to secure the applicant's obligation to design, build, maintain, repair and replace a 9 acre park on the roof of the commercial portion of the rezoning site. This agreement or agreements will address but not be limited to the following issues:
  - a. conveyance in fee simple to the City of an air space for 6 acres of the park with the balance of the 9 acres to be secured by a statutory right of way granted to the City; The SRW is to be a blanket charge (defined by sketch plan) and to be modified to volumetric plan based on the as-built conditions. The modification is to be registered prior to occupancy of the final residential building;
  - b. the entire 9 acre park will be permanent public park for the life of the development;
  - c. obligation to repair, replace and maintain will be included in air space reciprocal easement and cost sharing agreements and owner will not be permitted to pass along the costs of repair, maintenance or replacement to any of the residential portions of the development;
  - d. Park design must be approved by Park Board following a Park Board public consultation process;
  - e. the City will be responsible for programming, operation and control of the park and hours of access to the park in its sole discretion;
  - f. the park will function like any other park in the City of Vancouver with respect to access, use, and hours of operation;

- g. there will be a minimum of 6 points of entry to access the park from the street and or mall, including access points which are open during non-mall hours;
- h. there will be no distinction between the City's rights to program, operate and control the portions of the park within the air space parcel versus the portions of the park within the statutory right of way;
- i. the fully constructed 9 acre park must be operational and delivered to the City (including transfer of the air space parcel and registration of statutory right of way) no later than December 31, 2018; delivery of park by December 31, 2018 will be secured by a letter of credit. If the Park is not completed and operational by December 31, 2018 then City may elect to cash letter of credit;
- j. park will be designed, constructed, maintained, repaired and replaced at the sole cost of the applicant;

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

- 20. Prior to enactment, applicant will deliver a letter(s) of credit to the City, in a form and on terms acceptable to the Director of Legal Services, in the amount of \$48,500,000 to secure delivery of the park by December 31, 2018.
- 21. Grant an option to purchase the park air space parcel to the City for 6 acres of the 9 acre park.
- 22. Grant a blanket statutory right of way to the City for the balance of the 9 acres of the park which statutory right of way will be reduced and defined by plan upon completion of construction of the park.
- 23. The City will grant an option to purchase in favour of the registered owner of the Rezoning Site to purchase the 6 acre air space parcel owned by the City and used for park, which option to purchase may not be exercised until the date which is the later of the date which is 60 years from the date such option to purchase is registered in the Land Title Office and the date of a redevelopment of the entire Rezoning Site. The purchase price to be paid to the City will be the fair market value to be paid by the City to assemble and acquire in fee simple a 2.83 acre site which is within a 10 block radius of the Rezoning Site, plus the unamortized value of the capital improvements within the park space (for certainty, the park space includes the 6 acre air space parcel owned by the City and the 3 acre SRW in favour of the City included in the park space) and the value of the remaining term of 100 years of maintenance costs for same.

#### Civic Centre

- 24. Enter into one or more agreements, as required by the Director of Legal Services in consultation with the Director of Facilities Planning and Development, General Manager of Parks and Recreation, Chief Librarian of Vancouver Public Library and Managing Director of Social Development, to

secure the applicant's obligation to design, build and deliver to the City a turn-key 70,000 square foot civic centre which will include a library, community centre (which will include a seniors' centre), and childcare facility. This agreement or agreements will address but not be limited to the following issues:

- a. civic center will be designed and constructed at the sole cost of the applicant;
- b. civic center will include parking and loading spaces as required by City by-laws. If the parking and loading spaces are not included with the City's air space parcel then the tenure for such spaces must be acceptable to the City and at no cost to the City;

Note to Applicant: parking and loading spaces will be in addition to the 70,000 square foot civic centre.

- c. location and design of the civic center must be approved by the City;
- d. applicant will subdivide rezoning site to create a separate air space parcel for the civic centre;
- e. civic centre will be delivered as early as possible but not later than the issuance of occupancy permits for the first 1,200 residential units in the development or December 31, 2021, whichever occurs first.
- f. delivery of the civic center by December 31, 2021 will be secured by arrangements acceptable to the Director of Legal Services including no development and no occupancy covenants;
- g. If the applicant has not delivered the civic centre by December 31, 2021 then the City may elect to construct the civic centre at the applicant's cost. This requirement will be secured through arrangements acceptable to the Director of Legal Services including an option to purchase an air space parcel (or dirt site if preferred by the applicant) to house the civic centre and letters of credit (or a mortgage over the remainder) to secure the construction cost of the civic centre.
- h. Upon acceptance of the Civic Centre and transfer of the air-space parcel to the City, the City will pay its contribution of \$2,000,000.

Note to Applicant: Source of funds is the Childcare DCL fund.

25. Grant an option to purchase the Civic Centre air-space parcel to the City upon completion of construction of the Civic Centre. Purchase price will be nominal consideration.
26. Grant an option to purchase an air space parcel (or dirt site if preferred by the applicant) to house the Civic Centre if the applicant has not delivered the Civic Centre by December 31, 2021 and the City has elected to proceed with the construction of the Civic centre itself, at the applicant's cost. Purchase price will be nominal consideration;

## Social Housing

27. Enter into one or more agreements, as required by the Director of Legal Services in consultation with the Managing Director of Social Development, the Director of Facilities Planning and Development and the Director of Real Estate Services, to secure the applicant's obligation to design, build and deliver to the City 290 units of turn key social housing. The agreement or agreements will address but not be limited to the following issues:
  - a) Total number of units must be at least 290 with a minimum area of at least 19,754m<sup>2</sup> (212,632 sq.ft.).
  - b) Breakdown of unit types (i.e. 1 bedroom units, 2 bedroom units, 3 bedroom units, etc.), parking numbers and finish specifications must be as per City's Housing Specifications.
  - c) The applicant may choose to locate all these social housing units in one or more buildings; however, however, the unit mix must be acceptable to the City and each building each building containing such units will not have fewer than 90 units (with no air space parcel comprising less than 3,400 m<sup>2</sup> or 36,600 sq. ft.), with each set of social housing units contained within a particular building to be within a separate airspace parcel conveyed in fee simple to the City.
  - d) These social housing units must be delivered to the City by the following dates:
    - i. 125 units by December 31, 2018; and
    - ii. the balance of the 290 units by December 31, 2021.
  - e) Delivery by the foregoing dates will be secured through arrangements acceptable to the Director of Legal Services including no development and no occupancy covenants.
  - f) If the applicant has not delivered all of the 290 social housing units by December 31, 2021 then the City may elect to construct the balance of the social housing units at the applicant's cost. This requirement will be secured through arrangements acceptable to the Director of Legal Services including an option to purchase one or more air space parcels (or dirt sites if preferred by the applicant) to house the balance of undelivered units and letters of credit (or a mortgage over the remainder) to secure the construction cost of the undelivered units.

28. Grant one or more options to purchase the air space parcels for the social housing to the City upon completion of construction of the social housing. Purchase price will be nominal consideration.
29. Grant one or more options to purchase air space parcels (or dirt sites if preferred by the applicant) to house any undelivered social housing units if the applicant has not delivered all 290 social housing units by December 31, 2021 and the City has elected to proceed with the construction of the balance of the social housing units itself, at the applicant's cost. Purchase price will be nominal consideration.

Note to Applicant: Design development will be required through the Development Permit process, and should respond to the Oakridge Centre Design Guidelines and the City's Housing Design and Technical Guidelines. The air space parcels for the social housing are to be designed to be as autonomous as possible, with locations and design considerations maximizing the efficiency and minimizing the cost of operations over the life of the project and within the larger development.

Note to Applicant: The development is to include a number of licensed family child care spaces to be delivered within the City-owned social housing floor space. The number and locations of these spaces will be determined through design development to the satisfaction of Managing Director of Social Development. A target of between 6 - 10 of these spaces should be designed into the social housing.

### Secured Market Rental Housing

30. Enter into one or more agreements, including a housing agreement, as required by the Director of Legal Services in consultation with the Managing Director of Social Development to secure the applicant's obligation to design and build 290 units of market rental housing with a minimum total net area of 18,430 m<sup>2</sup> (198,387 sq. ft.) gross floor space, plus related parking and other indoor and outdoor amenity space, consistent with relevant Council adopted guidelines. The agreement or agreements will address but not be limited to the following issues:
  - a) The 290 units will be secured as market rental through a housing agreement for a term of 60 years or the life of the building, whichever is greater;
  - b) all market rental units will be contained within a separate air space parcel or parcels, with a minimum number of 20 units per air space parcel;
  - c) that such air space parcel may not be subdivided by deposit of a strata plan;
  - d) that none of such units may be separately sold;
  - e) that none of such units will be rented for less than one month at a time;
  - f) that the number of units may be varied at the discretion of the Managing Director of Social Development to provide for more family units; and

- g) the 290 units of market rental housing must be completed and ready for occupancy by December 31, 2022. Delivery by the foregoing dates will be secured through arrangements acceptable to the Director of Legal Services including no development/no occupancy covenants.

Note to applicant: a by-law enacted pursuant to section 565.2 of the Vancouver Charter will be required to authorize the housing agreement.

### **Community Amenity Contribution**

31. Make arrangements with the City, to the satisfaction of the Director of Legal Services, to pay to the City prior to enactment of the rezoning by-law a \$2,530,000 cash contribution for facility reserves and start-up costs for the childcare with the remainder to be unallocated.

### **Public Art**

32. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided). Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

### **Sustainability**

33. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to the Cambie Corridor Neighbourhood Energy System (NES), which may include but are not limited to agreements which:
  - a. Require that the development's thermal energy generation and distribution equipment, including but not limited to the central energy centre, thermal distribution piping which interconnects buildings within the development, and thermal energy transfer stations within individual buildings, be owned and operated by the City-designated utility provider for the Cambie Corridor South Service Area;
  - b. Require that buildings within the development connect to the City-designated NES prior to occupancy or post-occupancy through a deferred services agreement in cases where the General Manager of Engineering Services determines at the time of development permit issuance that a system will not be available for immediate connection.
  - c. Require that all space heating and domestic hot water requirements of all buildings within the development be supplied by the City-designated NES. However, the General Manager of Engineering Services may allow for the recovery of waste heat from cooling for individual buildings, or by way of a neighbourhood scale approach if supplied by the City's designated NES provider;

- d. Grant the city-designated NES utility provider access to the development's central energy centre, private streets, NES customer buildings and any other spaces as required for the purpose of installing, operating and maintaining NES-related utility infrastructure and services.

Note to Applicant: Until a City-designated NES utility provider has been identified, the Applicant will be prohibited from entering into any energy supply contract for thermal energy services.

## Soils

34. If applicable:

- a. Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
- b. As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- c. If required by the Manager of Environmental Planning 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 Planning, 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 a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject 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.

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 further amend CD-1 (1) By-law No. 3568 by removing 5733 Cambie Street [*Strata Lots 1 to 32, Plan VAS1499, District Lot 526*] (the "Terraces") from the Oakridge Centre CD-1(1) By-law No. 3568 and to establish a new CD-1 zoning district for the Terraces, with a new CD-1 By-law containing zoning that supports the existing Terraces development, generally as set out in Appendix D of the Policy Report

dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be approved.

- C. THAT the application to further amend CD-1 (1) By-law No. 3568 by removing 625 -659 West 45th Avenue, 688 Fairchild Road and 5926-6076 Tisdall Street [*Lot 6, Block 892, Plan 19924, District Lot 526, NWD of Lot A, PID 006-937-837; Strata Lots 1 to 113, Plan LMS1751, District Lot 526; Lots 1 to 4, Block 892, Plan VAP9935, District Lot 526, PIDs 009-611-436, 009-611-452, 009-611-509 and 009-611-541*] (collectively the "Southwest Properties" as shown in Figure 1 of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)") from the Oakridge Centre CD-1 (1) By-law and establishing a new CD-1 zoning district for the Southwest Properties, with a new CD-1 By-law containing zoning that supports the existing developments on the Southwest Properties, generally as set out in Appendix E of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", be approved.
- D. THAT, subject to enactment of the CD-1 By-law in Recommendation A, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to amend the address for CD-1 (1) in Schedule A, generally as set out in Appendix C of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)".
- E. THAT, subject to enactment of each of the CD-1 By-laws in Recommendations A, B and C, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law to include parking regulations for the CD-1 By-laws referred to in Recommendations A, B, and C, generally as set out in Appendix C of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)".
- F. THAT, subject to approval in principle of the rezoning in Recommendation A and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated February 12, 2014, entitled "CD-1 Rezoning: 650 West 41st Avenue (Oakridge Centre)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the amendments to CD-1 (1) By-law No. 3568 contemplated by the same report, 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.
- G. THAT, if after public hearing Council approves in principle the rezonings referred to in Recommendations A, B, and C and subsequently the applicant fulfills all of the prior to conditions for enactment of the amendments to CD-1(1) By-law No. 3568 and Council enacts the amendments to CD-1(1) By-law No. 3568, then Council deems the following outstanding obligation (arising from a previous rezoning) of the registered owner of the rezoning site to be satisfied: to transfer a 1.1 acre portion of the rezoning site to the City for 10% of market value.
- H. THAT, if after public hearing Council approves in principle the rezonings referred to in Recommendations A, B, and C and subsequently the applicant fulfills all of the prior to conditions for enactment of the amendments to CD-1(1) By-law No. 3568 and Council enacts the amendments to CD-1(1) By-law No. 3568, then Council deems the following outstanding obligation (arising from a previous subdivision) of the registered owner of the rezoning site to be satisfied: to transfer a 2.83 acre parcel of land to the City for park or recreational purposes.

- I. THAT Recommendations A through H 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 by-law 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.

RECOMMENDATIONS A, B, AND C ARE SUBMITTED AS A PACKAGE FOR COUNCIL'S CONSIDERATION, THEREFORE IF THE PROPOSED BY-LAW IN RECOMMENDATION A IS APPROVED IN PRINCIPLE (AS IS OR AS AMENDED BY COUNCIL AT ITS DISCRETION), RECOMMENDATIONS B AND C MUST ALSO BE APPROVED IN PRINCIPLE.

(REZONING - 650 West 41st Avenue - Oakridge Centre)