

SUMMARY AND RECOMMENDATION

4. REZONING: 4175 West 29th Avenue (St. George's Senior School)

Summary: To rezone 4175 West 29th Avenue (St. George's Senior School) from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the redevelopment of the St. George's Senior School campus, increase the height from 10.7 m (35 feet) to 18.9 metres (62 feet), allow for staff and student housing, and introduce a maximum student enrolment.

Applicant: Perkins and Will

Referral: This item was referred to Public Hearing at the Regular Council Meeting of June 19, 2018.

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 Perkins and Will on behalf of the St. George's School Foundation, the registered owner, to rezone 4175 West 29th Avenue [*PID: 025-453-254; Parcel 100, Block 292, District Lot 140, Group 1, New Westminster District Plan BCP420*] from RS-5 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to permit the redevelopment of the St. George's Senior School campus, increase the height from 10.7 m (35 ft.) to 18.9 m (62 ft.), allow for accessory staff and student housing, and introduce a maximum student enrolment, generally as presented in Appendix A of the Policy Report dated June 5, 2018, entitled "CD-1 Rezoning: 4175 West 29th Avenue (St. George's Senior School)", 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 Perkins and Will and received January 12, 2017, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard for the following:

Urban Design

1. Design development to provide and include a phasing plan for proposed future development including staging and sequencing of projects, and a timeline for ultimate completion.
2. Design development at the time of the first Development Application to include the provision of landscape improvements for edge treatments, sidewalk improvements and open spaces. In the event that any of the foregoing are at odds with construction methods, provision of a design for interim conditions of public realm must be provided.

Note to Applicant: See draft *CD-1 Design Guidelines for 4175 West 29th Avenue (St. George's Senior School)*. This condition is to ensure that the site is generally maintained in a reasonable and finished state to ensure that the impact of construction and staging has controlled and limited impact on the neighbourhood and adjacent sites.

3. Submission of a bird-friendly strategy for the design of the building is encouraged in the application for a development permit from the standpoint of both architectural, building design, in addition to landscape design methods that support positive environment for bird habitat.

Note to Applicant: Refer to the *Bird-Friendly Design Guidelines* for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

4. Design development to respond to CPTED principles, having particular regard for the following:
 - (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.

Landscape Design

5. Provision of master plan document updates at time of the first development permit, and at each successive development permit application, as follows:
 - (i) Updated master plan(s) to depict new buildings and open space, demolition/ removal of existing structures, temporary uses (for

example, sports fields), construction staging, traffic/parking, tree removal protection and timelines for phasing (where possible);

- (ii) Updated rainwater management plan/calculations for the complete site and applicable requirements for each development permit;
 - (iii) Updated arborist report and tree management plan;
 - (iv) Updated construction management plans, including access, storage, temporary uses;
 - (v) Updated utility plans (utility planning should be proactive to avoid conflicts with tree protection zones and open space); and
 - (vi) Updated LEED score sheet and necessary rainwater management reports.
6. Consideration to create accessible, functional green roofs used for educational opportunities, respite, access to nature and sunlight.
 7. Design development to maximize at grade tree planting and to integrate habitat and rainwater strategies within the grading and open space plan.
 8. Further proactive coordination with regard to area wide watershed management, such as Musqueam Creek watershed and Metro Vancouver.
 9. Design development to maximize the retention of trees to the perimeter of the site, with particular attention to avoiding impacts to established trees.

Note to Applicant: While the drawings indicate that established mature trees have been integrated into the proposal, further consideration at the development permit stage will be needed to ensure that all mitigating options for retention have been explored. Further arborist information and detailed plans will be needed to inform decisions. Measures may be needed to mitigate impacts to offsite trees, such as tree # 263. There should be very limited interventions proposed in the root protection zones of mature tree stands. To respect tree root zones and to avoid canopy pruning, alterations to built form and limitations to re-landscaping may be requested. Coordination with Park Board/ Engineering will be needed for retention decisions on City property.

10. Design development to locate, integrate and fully screen utilities in a manner which minimizes the impact to the open space design and public realm.
11. Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration, as follows:
 - (i) Maximize landscape based best management practices;

- (ii) Minimize the necessity for hidden mechanical water storage, except where this may be co-located beneath a sports field or a roof surface;
- (iii) Increase the amount of planting to the rooftop areas, where possible;
- (iv) Consider linear infiltration bio-swailes along property lines;
- (v) Use permeable paving on slabs and at grade;
- (vi) Employ treatment chain systems (gravity fed, wherever possible); and
- (vii) Use grading methods to direct water to soil and storage areas.

Note to applicant: refer to the City of Vancouver *Integrated Rainwater Management Plan (IRMP) Volume I and Volume II* for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

12. At the development permit submission stage:

- (i) Provide plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:
 - a. Detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
 - b. A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
 - c. A detailed landscape grading/drainage plan; and
 - d. An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: Water balance calculations that assume soil volumes are receiving rainwater will only be valid if water falls directly on the soil or is directed from hard surfaces to the respective infiltration zones.

- (ii) Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

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

- (iii) Provision of detailed architectural and landscape cross sections (minimum 1/4" scale) through common open spaces, rooftop patio areas, tree protection zones and the public realm.

Note to Applicant: For landscapes on buildings, the sections should illustrate the structure design, soil profile, tree root ball, tree canopy and any associated landscaping. For rooftop amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building.

- (iv) Provision of a phased Tree Management Plan.

Note to applicant: It is preferred that the arborist tree management plan (rather than a separate tree removal plan created by the landscape architect) become the primary document for tree removal/ protection related matters. Attach the large scale tree management sheet (at the same size sheet as the architectural plans) to the landscape plan submissions for each phase at the development permit stage.

- (v) Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

Note to Applicant: The signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist, as needed. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

- (vi) Submission of construction phase arborist reports, as needed, submitted to the Chief Building Official and the Landscape Planner in a timely manner subsequent to pre-scheduled arborist supervision visits.
- (vii) Provision of high efficiency irrigation for all planted areas on slab, including urban agriculture areas and individual hose bibs for green roof areas.

Note to Applicant: provide a separate irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out

locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

- (viii) Provision of new street trees adjacent to the development site, where applicable.

Note to Applicant: Street trees to be shown on the development permit plans and confirmed prior to the issuance of the building permit. Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 2.4 m (8 ft.) long and 0.5 m (1.5 ft.) in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

- (ix) Provision of enlarged detailed elevations/sections for all vertical landscape structures and features (i.e. green walls, trellis).

- (x) Provision of an outdoor Lighting Plan.

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residences. Refer also to the *CD-1 Design Guidelines for 4175 West 29th Avenue (St. George's Senior School)*.

- (xi) Incorporation of the principles of the City of Vancouver *Bird-Friendly Design Guidelines* for the protection, enhancement and creation of bird habitat and reduction of potential threats to birds.

Note to Applicant: Refer also to Condition 3.

Sustainability

- 13. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for the demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of each development permit application.

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

15. In lieu of the requirements outlined in Condition 21, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning*s (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at:
<http://guidelines.vancouver.ca/G015.pdf>.

Engineering

16. Provision of a Green Mobility Plan to the satisfaction of the General Manager of Engineering Services. Provide the following measures or other items as part of the Green Mobility Plan:
 - (a) Subsidized transit passes for students and staff;
 - (b) Cycling education and training for staff and students on an ongoing annual basis;
 - (c) Bicycle repair station;
 - (d) Enhanced cycling end of trip facilities;
 - (e) Reserved Carpooling spaces for staff;
 - (f) Rapid charging station for electric vehicles;
 - (g) Shuttle buses; and
 - (h) School buses.
17. 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.
18. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (*Street Restoration Manual* Section 02596 and *Encroachment By-law No. 4243*, Section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at

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

Note to Applicant: 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.

19. Provision of an adjusted crossing location on Camosun Street to avoid removal of any existing street trees. A crossing application is required and design approval of the crossing is required prior to issuance of the related development permit.
20. A pedestrian connection is required from the school bus drop-off area to the new school buildings.
21. Provision of a detailed landscape plan that reflects the off-site improvements sought for this site as part of the full development application.
22. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
23. Design development to provide 'stairs free' loading access from the loading spaces to the elevator cores and the various uses within the buildings.
24. Design development to provide all Class A bicycle spaces to be located on the P1 parking level or at grade.
25. Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside and note on plans.

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

26. Design development to provide on-site bus drop-off spaces that do not require the buses to back up.
27. Provision of improved plans showing the required maneuvering for the Class B loading and school bus drop-off spaces.

28. Design development to provide parking, loading and bicycle spaces that meet the requirements of the *Parking By-law* and the *Parking and Loading Design Supplement*.

Note to Applicant: As there is no detailed information in the rezoning package, please ensure that the future development permit plans meet these by-law and design requirements.

29. Provision of updated transportation studies at future development permit applications for the site.

Low Carbon Strategy

30. 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.

31. Design of the development shall adhere to the following general requirements:

- (i) Prior to issuance of development permit, the applicant must demonstrate, to the satisfaction of the General Manager of Engineering Services, that the approach to site heating and cooling will reduce the development's greenhouse gas emissions at buildout by a minimum of 50% relative to a business as usual ("BAU") (where BAU assumes high-efficiency natural gas boilers for space heating, ventilation, and domestic hot water heating, and chillers and/or cooling towers for any space cooling requirements).

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above GHG reduction requirement at each stage of permit.

- (ii) The applicant must provide the following for approval by the General Manager of Engineering Services, prior to issuance of building permit:
 - a. Detailed Design of any Low Carbon Energy System(s) including but not limited to building HVAC, mechanical heating system and domestic hot water system;
 - b. Demonstrated compliance with minimum design requirements outlined in the *Performance Monitoring & Reporting Requirements for Low Carbon Energy Systems* (updated February 2014 or later), to enable energy metering and the monitoring of performance metrics during system operation for the purpose of optimizing system performance and preparing system performance reports; and

Note to Applicant: A proposed energy system *Performance Monitoring and Reporting Plan* shall be submitted at the time of building permit application for approval by the General Manager of Engineering Services prior to building permit issuance. The applicant shall refer to the City of Vancouver *Performance Monitoring and Reporting Requirements for Renewable Energy Systems* for further instructions on performance monitoring and reporting.

- c. Written verification by a qualified engineer, confirming that the energy system is designed to provide low carbon energy such that the development will meet the mandated GHG performance limits.

Zero Waste Planning

32. Provide a Zero Waste Design and Operations Plan at the time of development permit, and updated with each successive development permit application, to the satisfaction of the General Manager of Engineering Services, as described in the *Rezoning Policy for Sustainable Large Developments*.

Note to Applicant: The Zero Waste Design and Operations Plan should have a site/development infrastructure design component and an ongoing operations/maintenance component. The document should be structured so as to replicate all of the numbered headings and sub-headings of the Zero Waste Design and Operations Plan and meaningfully address each of these headings.

Social Policy

33. 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 application identifies the following food assets that can count towards the required three food assets that must be delivered as part of the development. The three identified food assets are (1) edible landscaping, (2) community gardens, and (3) on-site organics management. The following comments outline ways to strengthen the submission:

- (i) Edible landscaping:
 - a. Provide more details on the location and design of the edible landscaping.
 - b. Explore education and training opportunities in the gardens for students and connect such programs to the school kitchen/cafeteria.

- (ii) Shared garden plots:
 - a. Provide more details on the location and design of shared garden plots.
 - b. Student 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 provide amenities such as raised beds, water for irrigation, potting benches, tool storage, and composting.
- (iii) On-site organics management:
 - a. Additional details will be required, including, at a minimum: location, type of machine, and management structure.

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

Engineering Services

1. Provision of a minimum 1.83 m (6.00 ft.) wide statutory right of way (SRW) adjacent to the entire east property line of the site to accommodate a public use sidewalk. The final location and SRW width to be determined at the development permit stage.
2. 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 a 1.83 m (6.00 ft.) CIP light broom finish concrete sidewalk with saw cut joints located on private property on the west side of Camosun Street along the site, including curb ramps at West 27th Avenue and West 28th Avenue.
 - (ii) Provision of upgraded street lighting adjacent the site on West 29th Avenue and Camosun Street. A review of the existing lighting is required to determine its adequacy and upgraded lighting is to be provided where required.

Note to Applicant: The proposed sidewalk on Camosun Street may require separate lighting given its proximity to the existing lighting on Camosun Street.

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

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

- (iv) Provision of geometric and parking regulation changes adjacent to St. George's Senior School to the satisfaction of the General Manager of Engineering Services. The Traffic Study recommends that all school drop-off by private vehicles be facilitated on 29th Avenue and Camosun Street, where currently some student drop-off occurs on site. The Traffic Study is also proposing changes to allow additional pick-up and drop-off on 29th Avenue by the eastern driveway crossing. A further detailed review of the parking signage and geometric changes, including the potential removal of the existing midblock bulge on 29th Avenue, is required to see if additional on-street drop-off spaces can be achieved.
- (v) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

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

4. Provision of a Traffic Management Strategy to the satisfaction of the General Manager of Engineering Services, including a letter of commitment from the school is required for the following items:
 - (a) Provision of \$300,000 towards traffic calming in the neighborhood to address impacts of the school traffic within the first five years of occupancy of the final phase of construction.
 - (b) Provision of all Class B bicycle spaces to be covered.
 - (c) Provide notifications to students and staff on a semi-annual basis (two times per year) of transportation demand management (TDM) measures being provided by the school as part of the Green Mobility Plan.
 - (d) Provide a limited Transportation Management Plan (TMP) update after each phase of the schools development plan outlining the following:
 - (i) Travel mode survey for the entire school students and staff with a minimum 90% response rate to be completed annually for three years post-occupancy.
 - (ii) Current and future TDM measures being implemented at the school.
 - (iii) Number of students and staff utilizing the various TDM measures.
 - (iv) Outline whether the school is meeting the previously set travel mode targets and to set new targets for the future.
 - (v) Include any neighbourhood concerns regarding the school traffic.
 - (vi) Submit a copy of the limited TMP to the School Liaison at the City of Vancouver for review.
 - (vii) Designate a TMP administrator at the school that will be responsible for conducting the mode surveys, dealing with traffic concerns around the school and implementing the TDM measures.
 - (viii) Provide an Internal Traffic Management Plan in brochure form that is to be distributed to all families.

- (ix) Consider additional strategies to reduce vehicle trips and congestion around the school, such as:
 - a. Carpool strategies
 - b. Walking school bus
 - c. Bicycle train
 - d. Walking Wednesdays
 - e. Park and Walk a Block

Neighbourhood Energy Utility

- 5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for securing the low carbon energy requirements of the development, which may include but are not limited to, agreements which require the developer to undertake and share with the City performance monitoring of the thermal energy system for the development on a reporting schedule, containing information, and prepared in a form as requested by the General Manager of Engineering Services.

Public Art

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

Note to Applicant: Please call Eric Frederickson, Public Art Program Manager, 604.871.6002, to discuss your application.

Environmental Contamination

- 7. 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 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 registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over other such liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

- B. THAT, at the time of enactment of the CD-1 By-law, the General Manager of Development Services be instructed to bring forward for approval the CD-1 Design Guidelines, generally as presented in Appendix F of the Policy Report dated June 5, 2018, entitled "CD-1 Rezoning: 4175 West 29th Avenue (St. George's Senior School)".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services to instructed to bring forward for approval the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated June 5, 2018, entitled "CD-1 Rezoning: 4175 West 29th Avenue (St. George's Senior School)".
- D. THAT A to C be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditures 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 sole risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

[RZ – 4175 West 29th Avenue (St. George's Senior School)]