CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	March 28, 2022
Contact:	Yardley McNeil
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Meeting Date:	April 12, 2022

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)

RECOMMENDATION TO REFER

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law(s), in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT Council approves the application(s) to amend CD-1 (52A) By-law No. 4393 for 657-707 West 37th Avenue and CD-1 (80) By-law No. 4665 for 4949-4951 Heather Street to amend the site maps and associated uses, generally as presented in Appendix G and H of the report;

FURTHER THAT the draft CD-1 By-law amendments, prepared for the Public Hearing in accordance with Appendices G and H, be approved in principle.

B. THAT, subject to approval of Recommendation A, the application by Dialog Design, on behalf of Canada Lands Company CLC Limited and the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation Partnership, the registered owners of the lands located at:

- 4949-5201 Heather St [*PID 015-991-512; Block 838 (Reference Plan 736) Group 1 NWD Except the South of 300 Feet (See 208823L) District Lot 526*];
- 5255 Heather St [*PID 015-991-466; The South 300 Feet (See 208823L) of Block 838 (Reference Plan 736) District Lot 526 Group 1 NWD*]; and
- 657-707 West 37th Avenue [*PID 009-958-461; Lot A (Reference Plan 3733) Block 839 District Lot 526 Plan 6431*];

to rezone the lands from CD-1 (52A) and CD-1 (80) to two new CD-1 (Comprehensive Development) Districts (CD-1 South and CD-1 North) to permit a multi-phased mixed use development with a combined total floor area of 234,219 sq. m. (2,521,107 sq. ft.) in buildings ranging from 3-to-28 storeys for commercial, residential, community and cultural uses, be approved in principle;

FURTHER THAT the draft CD-1 By-laws, prepared for the Public Hearing in accordance with Appendices A and B, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Dialog Design, received October 2, 2020, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval for each of the CD-1s respectively, as contained in Appendices C and D.

C. THAT subject to enactment of CD-1 South, CD-1 (52A) be repealed, and that subject to enactment of CD-1 North, CD-1 (80) be repealed, generally as set out in Appendices E and F respectively;

FURTHER THAT the draft CD-1 By-law amendments, prepared for the Public Hearing in accordance with Appendices E and F, be approved in principle.

D. THAT subject to approval in principle of each rezoning and its respective Housing Agreement(s) described in Part 2 of Appendices C and D, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws for enactment prior to enactment of each CD-1 By-law, respectively, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

E. THAT subject to approval of Recommendation B, the application to amend the Sign By-law to establish regulations for the CD-1s, generally as set out in Appendices E and F respectively, be approved.

F. THAT subject to approval of the CD-1 By-laws, the Noise Control By-law be amended to include each CD-1, respectively, generally as set out in Appendices E and F;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendments to the Noise Control By-law at the time of enactment of each CD-1 By-law, respectively.

G. THAT subject to approval in principle of the rezoning, the General Manager of Planning Urban Design and Sustainability be instructed to prepare the Heather Lands Design Guidelines, generally as presented in Appendix L, for adoption at the time of enactment of the first of the two CD-1s, whichever that may be.

H. THAT subject to approval in principle of the rezoning, Council endorse removal of the Vancouver Heritage Register "A" category Fairmont building from the site to allow for development of a xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre and plaza.

I. THAT Recommendations A to G be adopted on the following conditions:

(a) THAT the passage of the above resolution 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 expenditure or incurring the cost;

(b) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any by-law(s) rezoning the property, and any costs incurred in fulfilling the requirements imposed as a condition of rezoning are at the risk of the property owner;

(c) 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 and B are submitted as a package for Council's consideration. Recommendation A must be approved for Recommendation B to be approved.

REPORT SUMMARY

This report evaluates an application to rezone 4949-5255 Heather Street and 657 West 37th Avenue (referred to in this report as the "Heather Lands" or the "Site") from CD-1 (52A) and CD-1 (80) to create two new CD-1 (Comprehensive Development) Districts. The rezoning application is for the entire 21.1-acre site and is being assessed comprehensively. The creation of two CD-1 Districts, as requested by the registered owners of the Heather Lands, allows for phased enactment of the zoning and build out. To allow for the proposed rezoning, the boundaries of the current CD-1 (52A) and (80) must first be amended.

The Heather Lands project is a joint venture partnership between the xʷməθkʷəy̓ əm (Musqueam Indian Band), Sḵwx̱wú7mesh (Squamish Nation), and səlilwətaɬ (Tsleil-Waututh Nation) (collectively the "MST Nations") and Canada Lands Company ("CLC"). The project represents a significant milestone and will be a benchmark for the City's efforts toward Reconciliation. For the purposes of this report, staff refer to the MST Nations as a collective as they, along with CLC are joint owners of the rezoning site.

The proposed rezoning would permit a mixed-use development containing approximately 540 units of social housing, 400 units of market rental housing with 25% of the floor area at below

market rent rates and 1670 leasehold strata-titled units, all in buildings ranging in height from 3- to 28-storeys. In addition, the proposal includes a 74-space childcare facility, 4.4 acres of park and public open space, commercial space including office use, a xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre, and a site for a Conseil Scolaire Francophone ("CSF") French language school and associated childcare facility.

The application proposes a total net floor area of 234,219 sq. m. (2,521,107 sq. ft.) for the Heather Lands. Build-out of the development will be phased over several years. The rezoning includes the draft Heather Lands Design Guidelines to direct implementation over the long build-out anticipated for this project.

Staff have assessed the application and conclude that it meets the intent of the *Heather Lands Policy Statement* and the objectives of the *Issues Report: Direction for Intensification of Large Sites to Include Moderate Income Rental Housing* (the "2019 Issues Report"). If approved, the proposal would address multiple City priorities including Reconciliation, the climate emergency, and housing affordability.

Staff support the proposal and recommend the application be referred to a public hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the public hearing, and conditions contained in Appendices C and D and the draft Heather Lands Design Guidelines in Appendix L.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies and guidelines for this site include:

Enabling Policy
- *Heather Lands Policy Statement* (2018)
- *Issues Report: Direction for Intensification of Large Sites to Include Moderate Income Rental Housing* (2019)

Supporting Policy
- *Employment Lands and Economy Review* (2020)
- *Rezoning Policy for Sustainable Large Developments* (2018)
- *City of Vancouver Reconciliation Framework (2014)*
- *Community Amenity Contributions – Through Rezonings* (2020)
- *Climate Emergency Response* (2019)
- *Climate Emergency Action Plan (2020)*
- *Housing Vancouver Strategy* (2017)
- *CultureIShift: Blanketing the City in Arts and Culture* (2019)
- *Making Space for Arts and Culture* (2019)
- *Spaces to Thrive: Vancouver's Social Infrastructure Strategy* (2021)
- *VanPlay: Vancouver's Parks and Recreation Services Master Plan* (2019)
- *Green Buildings Policy for Rezonings* (2010, last amended 2018)
- *Community Benefits Agreement Policy* (2018)
- *Heritage Policies and Guidelines (1986)*
- *Family Room: Housing Mix Policy for Rezoning Projects* (2016)
- *High-Density Housing for Families with Children Guidelines* (1992)
- *Childcare Design Guidelines* (1993)

- *Vancouver Development Cost Levy By-law No. 9755* (2008, last amended 2021)
- *Vancouver Utilities Development Cost Levy By-law No. 12183* (2018, last amended 2021)
- *Latecomer Agreement Policy* (2021)
- *Public Art Policy for Rezoned Developments* (1994, last amended 2014)
- *Rain City Strategy* (2019)
- *Biodiversity Strategy* (2016)
- *Urban Forest Strategy* (2014)
- *Transportation 2040 Plan* (2012)
- *Riley Park South Cambie Vision (2005)*

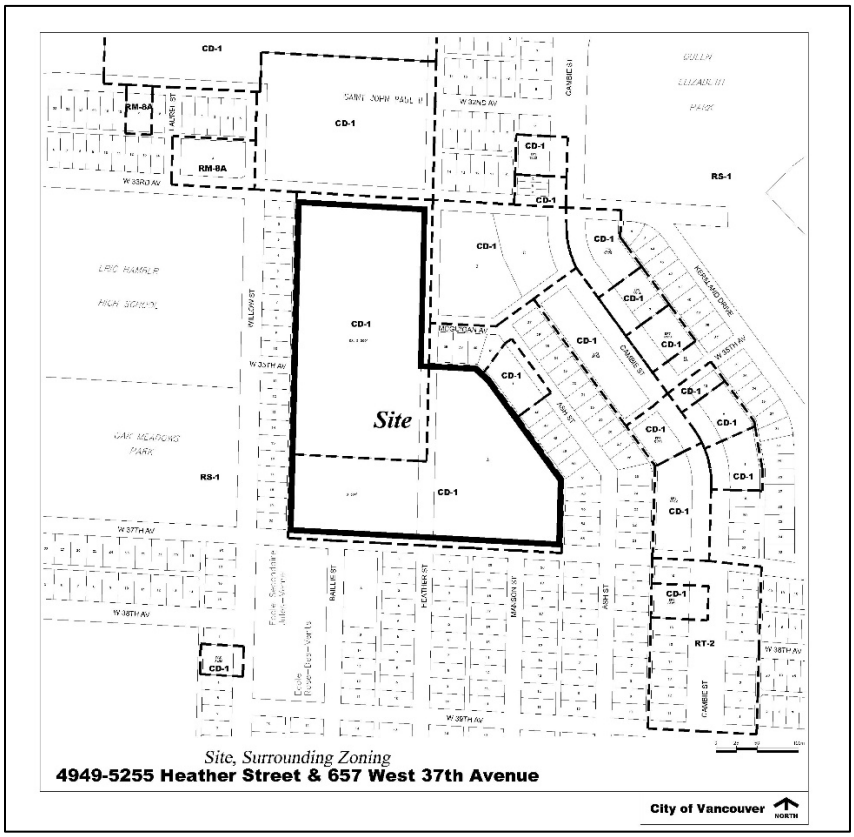
REPORT

Background/Context

1. Site and Context

Site – The Heather Lands are 8.5 hectares (21.1 acres) in size located north of West 37th Avenue, south of West 33rd Avenue, and bound by the lanes behind Willow Street and Ash Street. The property contains three legal parcels zoned CD-1 (52A) and CD-1 (80) which permit office, institutional and other uses required by the Royal Canadian Mounted Police ("RMCP").

Figure 1 – Site and Surrounding Context



The site is situated on the unceded and traditional territories of the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples and was historically used for hunting and gathering. Historic trails crossed this area connecting villages along the Fraser River with villages at False Creek and beyond.

In the early 1900's the area around the site was logged and cleared for settlement. Nearby development of the Shaughnessy Heights project by the Canadian Pacific Railway Company led to the construction of the Langara School (now referred to as the Fairmont building), a private boys boarding school serving families who were primarily Shaughnessy Heights residents. Langara School operated from 1914-1918, when it was purchased by Public Works Canada for a World War I military hospital which operated from 1918-1920.

In 1920, the northern portion of the lands were transferred to the RCMP for the British Columbia "Division E" headquarters as the Fairmont Barracks. In 1950, the lands became the regional sub-headquarters which operated until the 1970s and then became the Fairmont Training Academy. In 2012, the RCMP relocated to new headquarters in Surrey.

In October 2014, the MST Nations and CLC (collectively "the Landowners") entered a joint venture partnership to develop the property.

In 2016, at the request of the Landowners, Council approved the initiation of a policy statement for the site. The process concluded with approval of the *Heather Lands Policy Statement* in May 2018.

Surrounding Context – Existing and anticipated future development in the immediate area include:

- **Cambie Corridor Plan** – Directly east and west of the site are detached homes zoned RS-1. The *Cambie Corridor Plan* enables development of up to four storeys of strata residential or six storeys for 100% secured rental housing. To secure the 35th Avenue connection, from the Heather Lands through to Cambie Street, additional building heights up to six storeys for strata or eight storeys for rental housing, are permitted.

  Directly south of the site is the Oakridge Municipal Town Centre (the "Oakridge MTC"). Heather Street between 37th Avenue and 41st Avenue is envisioned as a local shopping street with a car-light treatment allowing for the focus to be on pedestrians and cycling. With the exception of several other major project sites, buildings in this high density area of the Oakridge MTC are permitted up to 18-storeys.

  Several larger institutional sites surround the Heather Lands site. Eric Hamber Secondary School is directly west of the site, BC Women's Hospital and St. Vincent's Campus of Care are to the north, and the Youville Residence and the Holy Name of Jesus church are located west of the site. South of the site are two CSF schools: École Rose-des-vents and École secondaire Jules-Verne. The *Cambie Corridor Plan* provides limited direction for these institutional sites.

- **Other Major Projects** – In addition to the Heather Lands, there are three other Major Projects within the area.

  - **Oakridge Transit Centre** (the "OTC") – The OTC site is 5.8 hectares (14.3 acres). A rezoning application was approved in-principle in 2020 allowing

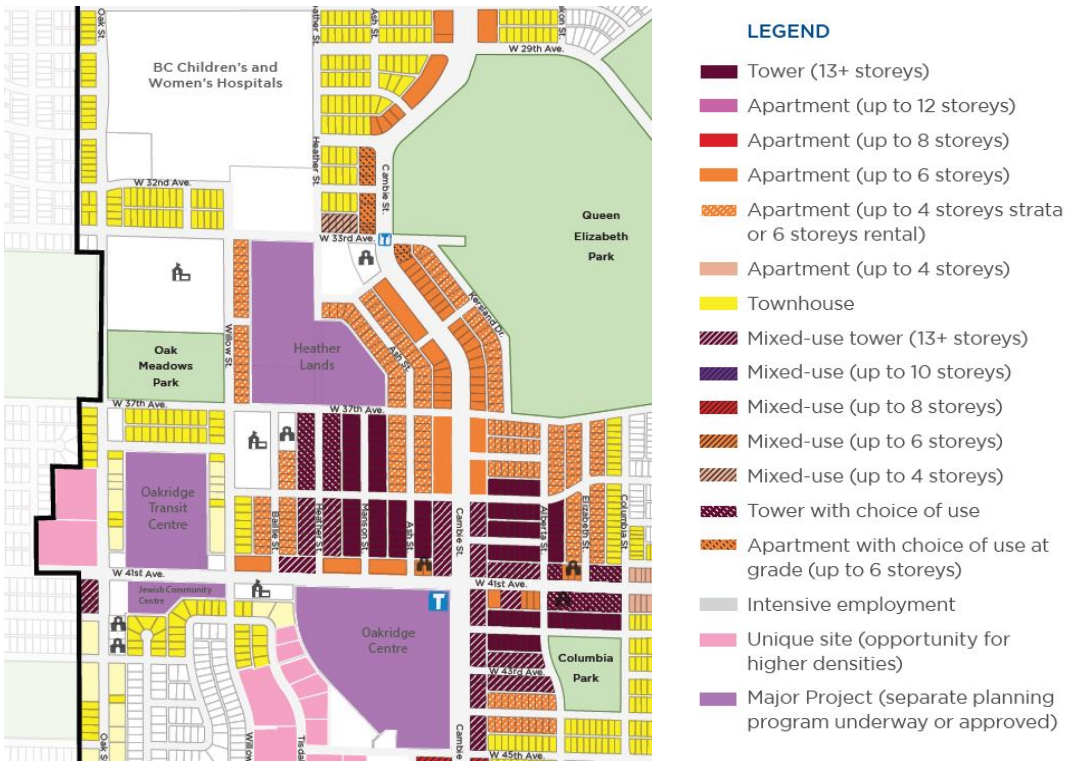
for a new mixed-use neighbourhood with buildings up to 26-storeys. The rezoning includes approx. 1,630 units (including 330 social housing and 180 secured market rental units), retail and office uses, and public amenities including a new 2 acre park and 69-space childcare facility. The zoning is not yet enacted.

- **Jewish Community Centre** (the "JCC") – The JCC site is 1.35 hectares (3.34 acres). A rezoning application was approved in-principle for the JCC in 2018 allowing for a renewed community centre, commercial space, and 299 social housing units in buildings up to 26 storeys. The zoning is not yet enacted.

- **Oakridge Centre** – Oakridge Centre is a 11.45 hectare (28.3 acre site) with an approved rezoning in 2014 that increased the amount of retail and office space, added social housing and secured market rental housing, public amenities including a 3.6 hectare (9 acre) rooftop park, civic centre with a library, community centre, 69-space childcare facility and a seniors' centre.

  The CD-1 Bylaw was amended in 2022 to allow for additional social housing, office space, market and below-market rental housing and increased the permitted maximum building height to 52 storeys.

Figure 2 – Heather Lands and *Cambie Corridor Plan* Context



Neighbourhood Amenities – The Heather Lands are located within the Queen Elizabeth neighbourhood identified in the *Cambie Corridor Plan* (refer to Figure 2). Nearby are several

parks (Oak Meadows Park and Queen Elizabeth Park), schools, childcare facilities, and other amenities.

Local School Capacity – The site is located within the catchment areas of Dr. Annie B. Jamieson Elementary School and Eric Hamber Secondary School. According to the Vancouver School Board (VSB)'s 2020 Long Range Facilities Plan, Dr. Annie B. Jamieson Elementary School will be operating above capacity in the coming years, with a capacity utilization at 113% by 2029. Eric Hamber Secondary will be operating under capacity, with a capacity utilization of 86% by 2029. The VSB continues to monitor development and work with City staff to help plan for future growth.

2. Policy Context

The following policies enable consideration of the proposed rezoning and establish objectives that are relevant to the evaluation of the application.

Heather Lands Policy Statement – In May 2018, Council unanimously approved the *Heather Lands Policy Statement*, which provides policy to guide the review of any rezoning applications for the site. The *Heather Lands Policy Statement* aims to create a new sustainable neighbourhood that is a place to welcome and connect all people, and to share the traditions, cultures and values of the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples. The policy statement supports a mix of uses, buildings ranging in height up to 24 storeys, a package of amenities to support the new residents and a gross FSR of 2.5 (across the entire site) excluding the school, cultural centre and childcare facility. A description of the relevant policy directions is included under each topic in the *Strategic Analysis* of this report.

Issues Report: Direction for Intensification of Large Sites to Include Moderate Income Rental Housing – In July 2019, Council directed staff to consider additional height and density on large sites, such as the Heather Lands, to enable inclusion of new rental and moderate income rental housing. The intent of this report was to better align previously existing policy statements for large sites with the updated *Rezoning Policy for Sustainable Large Developments*, which includes new rental housing requirements to contribute towards the objectives of the Housing Vancouver Strategy.

Rezoning Policy for Sustainable Large Developments – In July 2018, Council approved an updated *Rezoning Policy for Sustainable Large Developments* The policy sets out criteria in eight subject areas for large sites over 8,000 sq. m. (1.98 acres) or proposing more than 45,000 sq. m. (484,375 sq. ft.) of new floor area. At 21.1 acres, the subject site is required to comply with the objectives of this policy.

Heritage Policies and Guidelines – The Vancouver Heritage Register ("VHR"), first created in 1986, is the City's list of officially recognized heritage properties and includes buildings, landscapes, streetscapes and archaeological sites that are categorized in order of greatest significance as 'A, B and C'. The City has a Council-adopted policy (1988) that requires any proposal for the demolition of a 'Category A' building to provide a consultant report on the physical condition and the economic viability of its retention, for the review by the Director of Planning.

The Fairmont building is listed in the 'A' evaluation category (primary significance) on the VHR as an outstanding example of Tudor Revival architecture and for its association with renowned

architect, Samuel McClure. Further description of the Fairmont building is included in Section 13 of this report.

Strategic Analysis

1. Proposal

The application proposes to rezone the Heather Lands at 4949-5255 Heather Street and 657 West 37th Avenue from CD-1 (52A) and CD-1 (80) to two new CD-1 (Comprehensive Development) Districts: CD-1 South and CD-1 North with new boundaries, illustrated on Figure 3 below.

The rezoning would permit a multi-phased mixed-use development consisting of buildings between 3 and 28 storeys, including approximately 540 units of social housing, 400 units of secured market rental housing with 25% of the floor area at below market rental rates, and 1670 leasehold strata-titled units. In addition, the plan includes a 74-space licensed childcare facility, at least 4.4 acres of park and public open space, commercial space including office use, a cultural centre and a site for a CSF school and childcare facility. The application proposes a total floor area of 234,219 sq. m. (2,521,107 sq. ft.), representing an increase of 8.9% above the floor area noted within the approved *Heather Lands Policy Statement*.

Figure 3 – Proposed Land Uses and CD-1 Boundaries

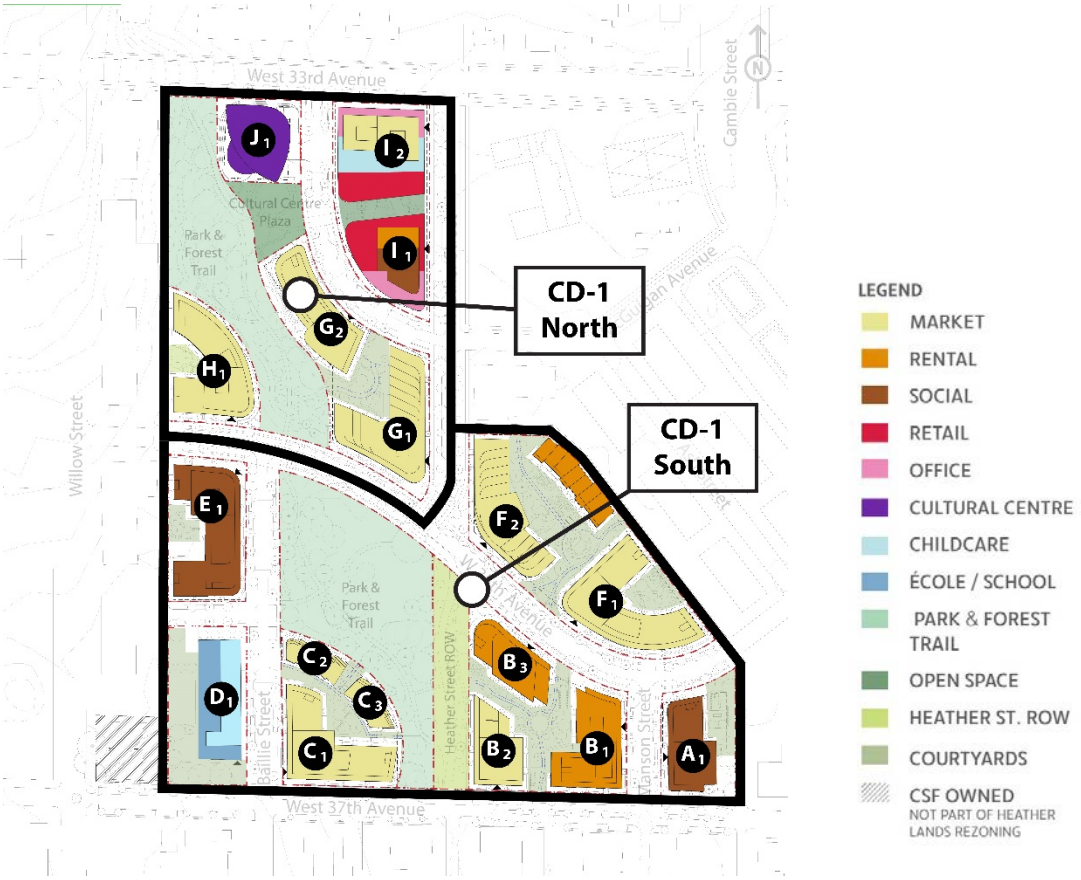


Figure 4 – Floor area breakdown by use and CD-1

	CD-1 (South)	CD-1 (North)	Combined
	Sq. ft.	Sq. ft.	Sq. ft.
Residential Floor Area	**1,535,235**	**860,591**	**2,395,826**
Leasehold Strata	826,204	733,203	1,559,407
Rental	361,059	24,893	385,952
Social	347,972	102,495	450,467
Commercial Floor Area	**0**	**125,281**	**125,281**
Retail and Service Uses	0	62,287	62,287
Office	0	62,994	62,994
CD-1 Sub-total	**1,535,235**	**985,872**	**2,521,107**
Excluded Amenities	**50,590**	**34,484**	**85,074**
Childcare	0	11,935	11,935
Cultural Centre	0	22,549	22,549
School & Childcare	50,590	0	50,590
Excluded Area Sub-total	**50,590**	**34,484**	**85,074**
Total	**1,585,825**	**1,020,356**	**2,606,181**

Procedure – In order to facilitate the smooth transition to new CD-1 By-laws (North and South) that reflect the proposed development, staff recommend that the boundaries of the current CD-1 (52A) and (80) By-laws be first amended to reflect the future boundaries of the new By-laws. This change will not affect the current allowable uses in each By-law. Recommendation A seeks Council approval to amend the maps and associated uses in CD-1 (52A) and CD-1 (80). Recommendations A and B are submitted as a package for Council's consideration. Recommendation A seeking adjustment to the existing CD-1 boundaries must be approved for the rezoning (Recommendation B) to be considered.

Should Council approve the rezoning of the Heather Lands site, the existing CD-1 (52A) and (80) By-laws will need to be repealed and replaced with new by-laws in accordance with Appendices A and B to reflect the proposed development. Amendments will also be required to the Sign and Noise Control By-laws as per Appendices E and F. Recommendation C seeks approval to repeal the current by-laws when the new zoning is enacted.

Site Plan – The Heather Lands are envisioned as a primarily residential neighbourhood with a mix of uses to support everyday activity. The plan is anchored by a 'neighbourhood heart' at the north end of the site which includes a cultural centre and plaza, childcare facility and commercial and office uses. Buildings frame streets and park space, with the tallest buildings marking the 'meeting point' which is the highest point on the land.

A key defining feature of the plan is the park network inspired by a 'trail through the forest' which runs north-south for the length of the site. The rezoning application describes the forest trail as being inspired by "the runner", an important figure in xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples legends, who connected communities by communicating the approach of friends or foes. Historically, trails crossed the peninsula, connecting the villages along the Fraser River with the villages at False Creek and beyond. The parks are configured to recall this history. Within the open space network, a number of significant existing mature trees are retained and protected.

A pollinator corridor along 35th Avenue connects significant ecological areas in Queen Elizabeth Park and Oak Meadows Park, and beyond to VanDusen Botanical Gardens. The landscape will support ecological systems and enhance biodiversity, while providing space for community gathering.

Figure 5 – Heather Lands Conceptual Illustration, looking south east

The site is connected to the surrounding community by extending Baillie Street, Manson Street and McGuigan Avenue (referred to as new commercial street in the rezoning application) into the site. Existing cycling routes including the Heather Street Bikeway, the 37th Avenue Ridgeway Greenway and 33rd Avenue are enhanced. Heather Street is proposed to be closed to vehicular traffic prioritizing walking, rolling and cycling between 35th Avenue and 37th Avenue. The closed portion of the street will be designed to visually extend the new park. Green infrastructure is incorporated into all new streets, and the park and open space network.

Located prominently within this area is a signature new cultural centre designed to celebrate xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples cultures. The Heather Lands will become a modern hallmark of Indigenous design reflected in public art, building architecture, and landscape design.

This plan includes a one-acre site for a new CSF elementary school to address the need for a new school in central Vancouver. The CSF is a public school board that provides learning in a francophone environment across Canada.

Adjustments to the Heather Lands Policy Statement –A number of adjustments are proposed in response to detailed work on the rezoning application, and recent Council direction. The most significant adjustments are as follows:

- **Relocation of the cultural centre** – The centre was shifted north to improve its visual presence on the site. This shift resulted in deletion of a six-storey building and a modest increase in the amount of open space. The density was reallocated to other parcels within the plan.

- **Addition of secured market rental housing units** – In response to the *July 2019 Issues Report* additional height and density was added to provide secured rental housing with a minimum of 25% of the floor area at below market rental rates. Approximately 14,220 sq. m (153,059 sq. ft.) of new rental housing was added, representing an increase of 6.8% of the residential floor area beyond approved policy.

  At the request of the Landowners, the *Heather Lands Policy Statement* included consideration of up to 20% of the units for affordable home ownership (AHO). The Landowners have since determined that provision of rental housing is a preferable alternative to AHO. Approximately 21,636 sq. m (232,893 sq. ft.) changed from AHO to secured market rental housing, the remainder is leasehold strata-titled housing which is permitted in the policy. As a result of this adjustment, combined with the additional floor area described above, the rezoning application proposes 16.1% of the residential floor area for secured market rental housing (approximately 400 units) with a minimum of 25% of the floor area at below market rental rates (approximately 100 units).

- **Social housing** – The rezoning application includes an additional 229 m^2 (2,467 sq. ft.) of social housing beyond approved policy.

- **Inclusion of new office floor area** – In response to the *Employment Lands and Economy Review*, the proposal includes an additional 6,464 sq. m (69,581 sq. ft.) of office and retail floor area. This provides for new employment space close to new housing, in a location well served by transportation improvements.

The additional floor area combined is approximately 23,700 sq. m (255,107 sq. ft.) which is an increase of 8.9% beyond the approved *Heather Lands Policy Statement*.

2. Reconciliation

To advance the City's work on Reconciliation, the *Heather Lands Policy Statement* includes principles and a framework to guide evaluation of the rezoning application including:

- Strengthen the relationship with the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ and Indigenous Peoples by acknowledging the truth of residential schools and the impact of loss of land and culture;
- Recognize the Heather Lands as a site of Reconciliation;
- Reflect Government-to-Government relationship in decision-making and in establishing ownership and operating agreements for the community amenities to be provided on the Heather Lands; and
- Support the long-term retention of the Heather Lands by the MST Nations for the prosperity of future generations.

Embedding Cultural Values – Building on the *Heather Lands Policy Statement*, the rezoning application was developed with input from the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ memberships through engagement led by the Landowner team. This work resulted in a Cultural Interpretive Plan ("CIP"). The design directives included in the CIP are intended to support creation of a unique place that represents the cultural values of the the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples. The design directives are incorporated into the draft Heather Lands Design Guidelines (attached as Appendix L) which will be used to guide all aspects of implementation including public space design, architecture, landscape, and art.

Site of Reconciliation – Within this context, a site specific approach for the Heather Lands has required careful consideration of City policies and how these are applied to the site, including the approach to heritage and land ownership. The rezoning application proposes a new cultural centre in place of the Fairmont building, which is supported by the *Heather Lands Policy Statement* in recognition of the emotional burden of required retention of the former RCMP building.

Ownership and Amenities – It is the MST Nations' intent to retain ownership of the Heather Lands for the benefit of future generations. This desire is reflected in the leasehold strata tenure and in retaining ownership of the community amenities (social housing, childcare, parks and open spaces, and the cultural centre). To support this objective, operating agreements for the community amenities are outlined in this report and in the conditions of enactment in Appendices C and D.

The amenities offered as part of this rezoning application have been evaluated within the context of a Government-to-Government relationship between the MST Nations and the City. This important relationship is reflected in non-standard approaches to CAC payment and financial securities typically used to ensure amenity delivery, as described in the *Public Benefits* section.

The applicant has offered a cash CAC for transportation and public realm improvements within the area, including 37th Avenue between Oak Street and Willow Street, and the 35th Avenue connection to Cambie Street. Recognizing that the Heather Lands is the first MST Nations project to advance within the city, the MST Nations have requested that the cash payment be due on development permit application for the first building in CD-1 South, rather than at enactment as set out in City policy. This represents an approximate 1 year delay to allow for the MST Nations to secure necessary capital. Staff support this requested deferral given the Reconciliation objectives specific to the Heather Lands.

3. Land Use, Form of Development, and Height

Land Use – As described in Section 1 above, the proposal is for a mixed-use development of approximately 234,219 sq. m. (2,521,107 sq. ft.) of residential and commercial uses. Public amenities, including the cultural centre, a 74-space childcare facility and a one-acre site for the CSF school and childcare facility are additional to this floor area. Figure 6 below illustrates both land use and building form.

Built Form and Character – Heather Lands will be characterized by a variety of building forms framing the park, the pollinator corridor and shared open spaces. Taller building forms will express a varied skyline and are located more centrally on the site. Mid-rise and townhouse forms will reinforce a more fine-grained residential scale better aligned with the neighbouring and evolving context.

Figure 6 – Heather Lands Building Form and Land Use

Neighbourhood character will be informed by Indigenous design directives outlined in the Cultural Interpretive Plan and draft Heather Lands Design Guidelines. Indigenous cultures and values will be embedded in site design including buildings and landscapes. In addition to parks and open spaces, tree retention, robust landscapes to supporting biodiversity, terraced building forms, and green roof tops offer additional opportunities to integrate nature into the neighbourhood.

Heather Lands will be further characterized with distinct sub-areas or character areas. The neighbourhood heart or 'Drum beat' is a key character area with the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre and plaza prominently sited as the anchor point of community. Adjoining the cultural centre is the commercial heart. Within the plan there are three distinct residential character areas. 'Homes in the Village' are represented by parcels A, B and F, which are community oriented and animated. 'Homes in the Forest' is comprised of parcels C, E and H and is characterized as more reflective, bordering the park. Centrally located is the 'Meeting Point' as the welcoming point of the site. Buildings F2 and G1 represent the tallest buildings on the site oriented to frame the convergence of views, pathways, roads and the park in addition to symbolically representing the coming together of the MST Nations in a historic partnership. Parcel D represents education and location for the new CSF elementary school.

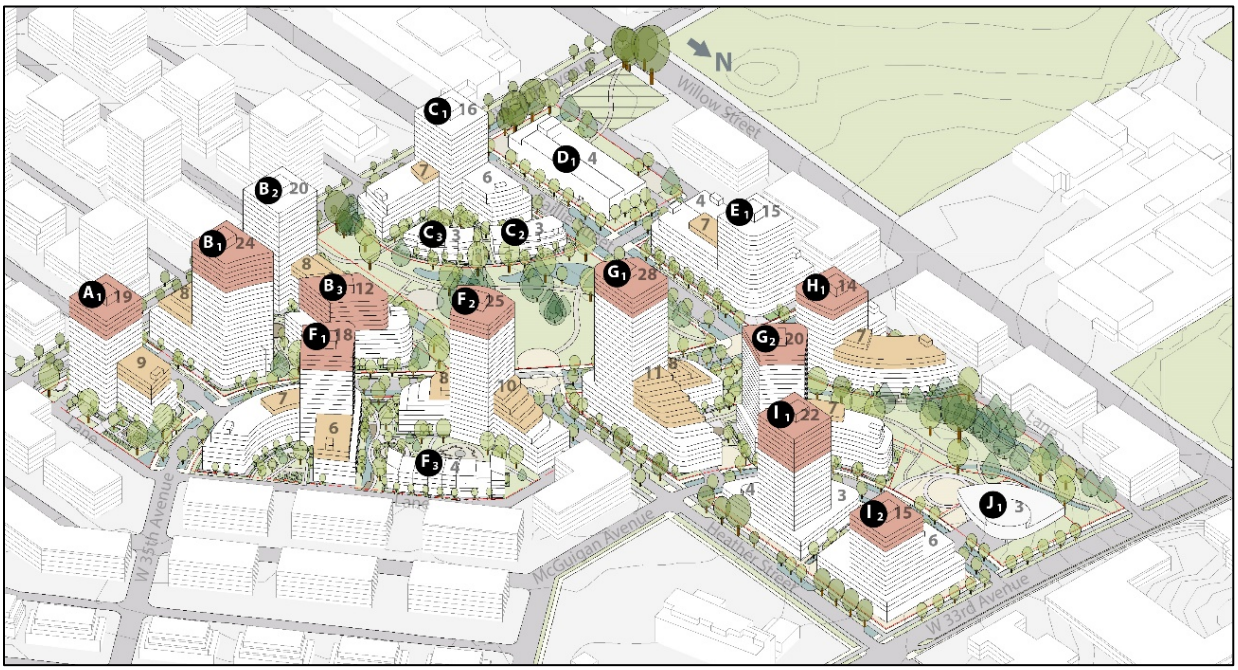
Building Height and Placement – The *Heather Lands Policy Statement* indicates maximum building heights of 24 storeys. The policy supports a variety of building heights, with taller forms at the intersection of Heather Street and 35th Avenue and a gradual decreasing to the site edges. Mid-rise and terraced buildings frame streets with shoulder step backs above the fifth storey to create visual interest as well as improve access to light and views.

Following the *July 2019 Issues Report,* staff worked closely with the applicant to increase building heights predominantly north of 35th Avenue and east of Heather Street. Taller buildings

are located to minimize shadowing on the new park and public open spaces. The rezoning application proposes to increase the maximum height from 24- to 28-storeys taking note of site topography. Building heights step down towards the north and south site perimeters generally to 15 and 20-storeys respectively, and 4-6 storeys at the lane interface.

The illustration below highlights the proposed changes in building height (in reddish tone) and podium configuration (in tan) between the *Heather Lands Policy Statement* and this rezoning application.

Figure 7 – Illustration of adjusted building heights and podium configuration (oriented with north at top)



Shadowing – The *Heather Lands Policy Statement* aims to limit shadows on newly created parkland, while recognizing this is a high-density district and some shadowing may occur. Following the *July 2019 Issues Report*, shadow studies between 10 am to 4 pm at the Spring and Fall Equinox informed the location of additional building height with the intent to minimize shadow impacts. Generous tower separation and slim tower floorplates further enhance access to sunlight as well as natural light and ventilation essential to residential livability for the site and immediate neighbours. Rezoning conditions are included in Appendices C and D to further shape tower and podium forms and limit residential height of key buildings, and to improve sunlight access to parkland, and other public spaces.

The Draft Heather Lands Design Guidelines for this site are attached in Appendix L to guide future detailed design of the site. The final form of development will be established through the development permit process for individual buildings in coordination with the Design Guidelines and the conditions outlined in Appendices C and D.

Urban Design Panel – Urban Design Panel appreciated the uniqueness of the proposal and unanimously supported this application. Their comments regarding the built form are contained in the minutes of February 17, 2021 (See Appendix G).

Suggested recommendations to optimize solar access to the retail passage, improving shadow performance for buildings I1, B2 and G2 and more attention to site entry along 35th Avenue are included as part of the conditions in Appendices C and D.

4. Site Ecology, Parks and Public Open Spaces

The rezoning application includes 4.43 acres of park and public open space, which exceeds the requirements set out in the *Heather Lands Policy Statement.* The park and open space network, refer to Figure 8, is comprised of the southern park (2.27 acres), northern park (1.85 acres) and the cultural centre plaza (approximately 0.3 acres).

Consistent with the Reconciliation policies contained in the *Heather Lands Policy Statement*, ownership of the parkland will remain with the MST Nations. The southern park will be co-managed by the Vancouver Board of Parks and Recreation and the MST Nations through an intergovernmental working group with the Park Board leasing the land for a nominal fee and managing day-to-day operations. The northern park will be held and operated by the MST Nations or their designate. Arrangements to ensure public access and long term use are included in the conditions of enactment included in Appendices C and D. To meet the conditions outlined in *Community Amenity Contributions Policy for Rezonings*, the CD-1 by-laws are drafted to limit uses on park parcels.

Heather Street is proposed to be closed between 35th Avenue and 37th Avenue. This section of the existing street will be redesigned to act as an extension to the southern park while accommodating required infrastructure and movement corridors. These lands will remain in City ownership. Improvements are secured in conditions outlined in Appendix C.

Figure 8 – Park and public open space plan

In addition to the park and public open spaces noted above, the rezoning application proposes a variety of public and private spaces designed to support public gathering, children's play, improve ecological function, and enhance biodiversity to the site. The plan includes three character areas, described below. The conceptual design of these spaces is included in the attached draft Heather Lands Design Guidelines, with refinement to occur at time of Development Permit.

- *A 'Meeting Point'* – Proposed at the intersection of 35th Avenue and Heather Street, the highest elevation on the site, to formally welcome people to the site and to symbolically represent the coming together of the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples.

- *Retail Passage* – At the north end of the site, a vibrant retail passage connects Heather Street to the cultural centre plaza to become the heart of the new neighbourhood.

- *Pollinator Corridor* – An ecological connection is planned on 35th Avenue to create an east-west connection between VanDusen Botanical Garden, Oak Meadows Park and Queen Elizabeth Park. The pollinator corridor will ensure a richly planted zone within private property to support birds, bees and rewilding objectives. This connection is conceptually illustrated below.

Figure 9 – Ecological connection concept

5. Housing

Social Housing – As required under the *Heather Lands Policy Statement* and the *Rezoning Policy for Sustainable Large Developments*, the application will provide 41,850 sq. m (450,467 sq. ft.) for social housing, equal to approximately 540 social housing units. The social housing is proposed to be located in two stand-alone buildings on Parcel A (198 units) and Parcel E (220 units), and in a mixed-use building I1 (122 units) on Parcel I.

Consistent with the *Heather Lands Policy Statement*, the social housing will be retained in ownership by a not-for-profit organization that represents the MST Nations. The affordability of the social housing includes a minimum of 70% of the units to be rented to households with incomes which fall below the BC Housing Income Limits (HILs) levels, defined as annual household income of $55,500 or less for a one-bedroom and $78,000 for a three-bedroom unit for 2021. The remaining social housing will be rented at affordable market rents; affordable market rents are the average market rents posted by Canada Mortgage and Housing Corporation ("CMHC") applicable to the location of the site, provided that such rents do not exceed 90% of the rents in the applicable area.

The draft CD-1 South by-law included in Appendix A limits use of Parcel A and Parcel E to social housing. The remaining social housing units are in a mixed-use building on Parcel I in CD-1 North. Should the rezoning be approved, Housing Agreements will secure the residential units proposed with this application as social housing for 60 years or the life of the building, whichever is greater.

The City, as outlined in the conditions in Appendix C and D, will have a right of first refusal to purchase the social housing should the MST Nations cease to own and/or operate the social housing buildings in the future.

Staff will seek to maximize the delivery of family housing, and related uses, such as licensed family childcare units, through design development. A minimum of eight licensed family childcare units are sought through conditions in Appendix C. Licensed family childcare units are designed to support up to seven childcare spaces in each unit and will contribute to daycare options for parents of young children, providing at least 56 family childcare spaces in addition to the 74-space licensed childcare facility.

Secured Market Rental and Below Market Rental Housing – In addition to the social housing, the application includes a total of 35,856 sq. m (385,952 sq. ft.) of secured rental housing, equivalent to approximately 400 units. The secured rental housing floor space reflects the direction from the *July 2019 Issues Report*. At least 25% of the secured rental housing floor area, equivalent to approximately 100 units, will be secured as Below Market Rental Housing and targeted for rent to households with moderate household incomes which are currently defined as annual income between $30,000 and $80,000. The secured rental housing will be provided on Parcels B, F and I, as shown on Figure 6 above.

All market rental and below market rental units in the project will be secured as rental through Housing Agreements and Section 219 Covenants for the longer of 60 years or the life of the respective buildings. The agreements will be registered on title to secure both the below market and market units, and will prohibit the stratification and separate sale of individual units.

The agreements will also detail the process for determining the below market rentals, and the requirement that after rents are set at time of occupancy permit, that the rents will be vacancy

controlled, which limit the rates at which rents for the below market units may be increased, even after a change in tenant. Annual reporting on the operation of the below market rental housing units will be required and will contain information including rents and verification of tenant eligibility. Conditions related to securing these units are contained in Appendix C and D.

Strata Residential Housing – The application proposes a total of 144,874 sq. m. (1,559,407 sq. ft.) of market housing floor space, equivalent to approximately 1,670 units across all phases of the development.

Housing Unit Mix – The *Heather Lands Policy Statement* requires that a portion of the new units, across all tenures, are designed to be suitable for families with children. The social housing floor area will include a range of unit types targeting 20% studio units, 30% one-bedroom units, 30% two-bedroom units and 20% three-bedroom, and overall will require a minimum of 50% family units to be designed for families with children. The secured rental housing requirement is to include a minimum of 35% family units (with two and three bedrooms), in each the market rental housing floor space and the below market rental housing floor space. The proposed rental and social housing unit mix can be seen in Figure 11.The strata housing is also required to include a minimum of 35% family units with two and three bedrooms.

Figure 10 – Rental and social housing unit mix

Unit Type	# of Units- Rental	% Mix- Rental	# of Units- Social	% Mix- Social
Studio	58	14.5%	109	20%
1- Bedroom	193	48.3%	161	30%
2- Bedroom	111	27.7%	162	30%
3- Bedroom	38	9.5%	108	20%
Total	400	100%	540	100%

The applicant will be required to design the family units in accordance with the City's *High-Density Housing for Families with Children Guidelines*. These guidelines are currently under review in an aim to address current development patterns, housing affordability challenges, and to improve the overall diversity, flexibility and livability of family units. The family housing in each phase of this development will meet the latest version of the guidelines applicable at the time of each respective development permit application.

In recognition of the focus on creating accessible spaces within new development, the application will also be required to ensure that a minimum of 5% of all housing units are accessible.

Affordable Housing Targets – The total affordable housing component for the rezoning application comprises 77,705 sq. m (836,419 sq. ft.), or approximately 940 units including: social housing (540 units), market rental (300 units) and below market rental (100 units). The proposed contribution of the 940 affordable housing units to the City's 10-year targets is summarized in Figure 11.

Figure 11 – Progress Towards 10-Year Housing Vancouver Targets for Non-Market Housing and Purpose Built Rental Housing (as of December 31, 2021)

Housing Vancouver Targets	10-year targets (2018-2027) (A)	Units Approved Towards Targets (B)	Gap (A-B)	This project (% of gap)
Social, Supportive and Co-op Housing	12,000	7,129	4,871	540 (11%)
Purpose-Built Rental Housing	20,000	8,935	11,065	400 (3.6%)
Total	32,000	16,064	15,936	940 (5.8%)

*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017

*Unit numbers exclude the units in this proposal, pending Council's approval of this application.

Temporary Modular Housing – The Landowners in partnership with the Government of British Columbia and City of Vancouver opened two temporary modular housing ("TMH") buildings on the Heather Lands in December 2018 as part of the BC Housing's Rapid Response to Homelessness to provide housing with supports for people experiencing or at risk of homelessness. One building is managed by Lu'ma Native Housing Society and the other building is managed by Atira Women's Resource Society. Both buildings house Indigenous Peoples, with a priority for people with ties to the local community.

TMH buildings make valuable use of underutilized land before permanent social and supportive housing is built. The TMH buildings are on time-limited permits for up to five years with a possible extension of up to another five years. Relocation of TMH tenants into more permanent housing, when this development proceeds, will be managed by BC Housing, the non-profit operators and the City of Vancouver.

6. xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Cultural Centre

A self-determined xʷməθkʷəy̓ əm (Musqueam), Sḵwx̱ wú7mesh (Squamish), and səlilwətaɬ (Tsliel-Waututh) cultural centre is proposed, located prominently at the north end of the site. The cultural centre is intended to be the signature building within the Heather Lands. The cultural centre will be owned and operated by the MST Nations, or delegate, for the practice and sharing of culture, values, and traditions. The current gap in self-determined Host Nation cultural spaces makes the proposed cultural centre a significant milestone towards truth, Reconciliation and decolonization, and will be the drumbeat and heart of the community.

The proposed cultural centre will be a minimum of 2,095 sq. m (22,550 sq. ft.) with an associated outdoor plaza of at least 0.3 acres. The cultural centre will include a variety of spaces for educational, arts, community, food, and cultural programming, and could include performance/flex space, gallery/exhibition, elders and youth lounges, multipurpose rooms, artist studios and support spaces. A commercial/teaching kitchen will support uses such as food literacy and leadership programming, social connection, food access, social enterprises and emergency response, and provide space for community use. The plaza will be a multipurpose programmable outdoor space for celebrations, gatherings, play, a community food market, and other demonstration components. The cultural centre is a commercial enterprise for the MST Nations.

Programming spaces and facilities in the cultural centre and plaza will be secured for community and cultural use through a Community Use Agreement. Recognizing that the space is to be a self-determined cultural centre operated and owned by the MST Nations, design details will be determined at the development permit stage. The building use, and City's option to purchase the building should the MST Nations cease to own the building in the future, will be secured through legal agreements. Conditions of enactment are included in Appendix D.

7. Childcare Facilities

A minimum 1,109 sq. m (11,935 sq. ft.) 74-space licensed childcare facility is proposed as part of the neighbourhood heart of the plan, on the podium level of Building I2. The MST Nations will retain ownership of the childcare facility and it will be operated by a non-profit childcare provider selected by the owner. The childcare facility use, and City's right of first refusal to purchase the facility should the MST cease to own and/or operate in the future, will be secured through legal agreements. Conditions of enactment are included in Appendix D.

A second childcare facility owned and operated by the CSF is proposed as part of the CSF elementary school development (refer to Section 10).

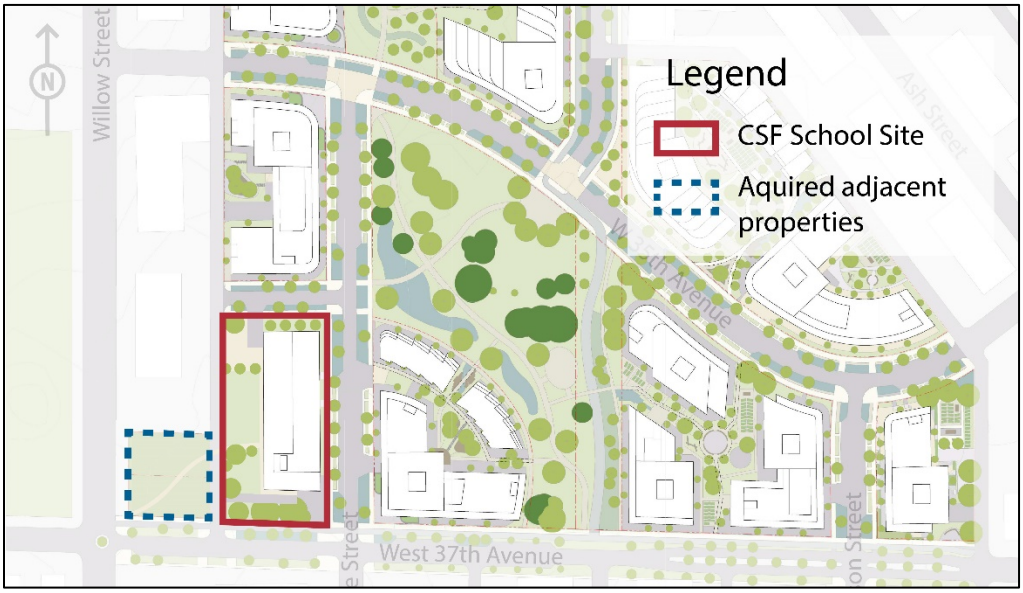
The Heather Lands childcare facilities, if approved, will contribute to Council's city-wide childcare targets, and advance *Cambie Corridor Plan* policy directions to increase the number of childcare spaces in the area. Quality childcare has long-lasting positive impacts on child development and is important to the success of many working families.

8. Conseil Scolaire Francophone School

This rezoning application includes a site for a new CSF elementary school. This school will replace the aging L'École Rose-des-Vents, currently located one block to the south on the same property as L'École secondaire Jules-Verne. The new school will include classrooms for kindergarten through grade 6 students, a gymnasium, and neighbourhood learning centre. A childcare facility is anticipated to be included on the school's fourth floor, owned and operated by the CSF. The childcare facility is not part of the CAC offer for the Heather Lands as provision of the childcare facility is contingent on CSF school funding and membership may be limited.

The school site will be available to the CSF by way of a commercial lease with the MST Nations who intend to hold the Heather Lands in perpetuity. The new school building will be fully located on the one-acre site. To provide sufficient outdoor play space, the CSF has acquired two adjacent single family properties (see Figure 12). While planned comprehensively, a rezoning of the adjacent lots is not required as they are currently zoned RS-1 which conditionally permits playground uses. To allow for a direct connection between the school and the play area, reorientation of the existing lane is proposed so that it would connect to Willow Street rather than 37th Avenue. This adjustment requires Council decision through a road closure report which could be brought forward at anytime following Council approval in principle of the Heather Lands rezoning application.

Figure 12 – Location of CSF School and adjacent Single Family lots



The existing L'École Rose-des-Vents school has a lease with the Vancouver Board of Parks and Recreation for use of Oak Meadows Park sport field to support school needs. The lease expires in 2028. At that time the CSF will need to engage the Park Board regarding a renewed agreement.

The site phasing allows for early delivery of the school, however, temporary servicing connections may be required depending on the status of new infrastructure.

The rezoning conditions require an updated transportation plan at the development permit stage. This plan will ensure safe pick-up and drop-off for students while considering potential conflicts with the 37th Avenue Ridgeway Greenway and vehicle movements within the Heather Lands site.

9. Transportation Network and Parking

Transportation Network – The Heather Lands are located 950 metres from King Edward Station and 470 metres from the Oakridge-41st Avenue Canada Line Station. The site is served by local bus service on Cambie Street (#15 bus) and Oak Street (#17 bus). Most of the site is within a short walk of transit service along Cambie Street and Oak Street. Three active transportation corridors border or intersect the site: the Ridgeway Greenway, the Heather Street Bikeway, and 33rd Avenue bike route.

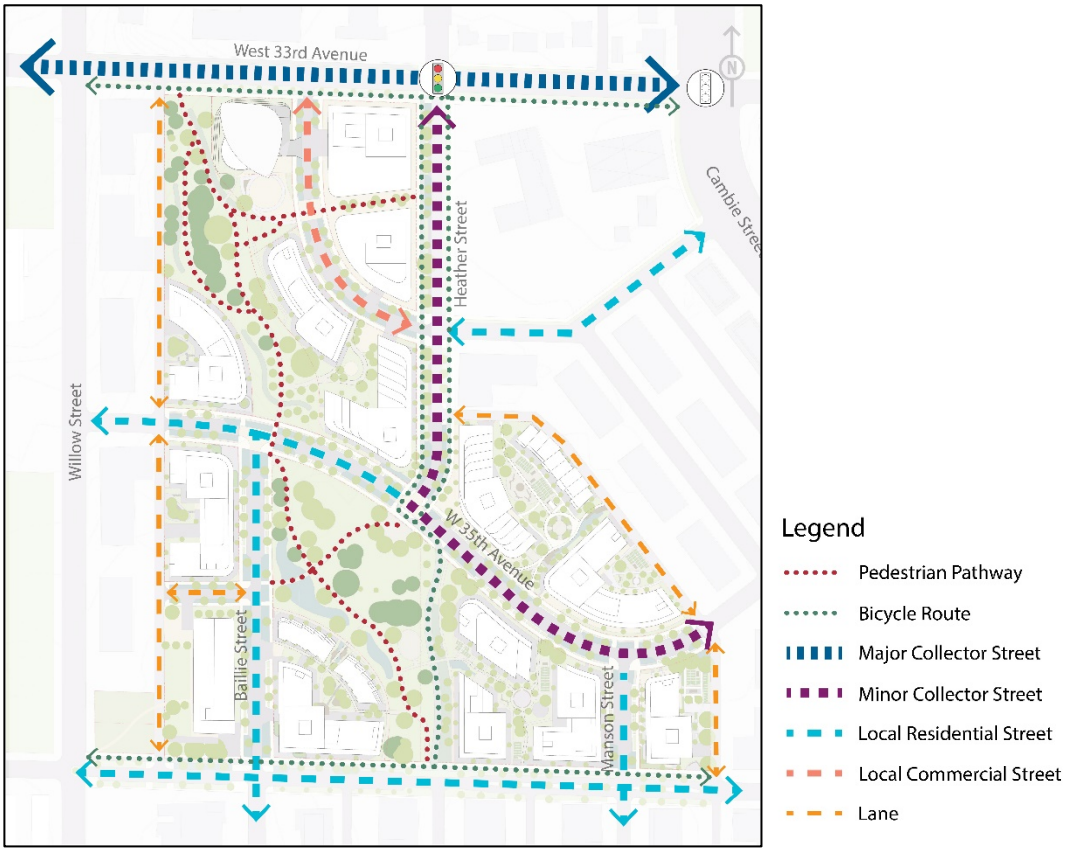
For the purposes of evaluating this rezoning application, it is assumed that there will not be a Canada Line station at 33rd Avenue in the foreseeable future as it is not identified in *Transport 2050* or any other approved regional transportation plans which set TransLink priorities. While it is technically feasible to add a station at this intersection, the potential station presents challenges because of the high construction costs of building an underground station on an operating line, disruption to line operation and limited additional ridership benefit when compared to other transit investments.

The rezoning application, consistent with the *Heather Lands Policy Statement*, includes new dedicated streets and lanes linking the Heather Lands to the existing movement network in the surrounding area (see Figure 13). The Heather Lands are centrally located with excellent access to a mix of uses, and the plan includes a variety of internal pathways and external connections to support walking, rolling and cycling consistent with *Climate Emergency Response* Big Move #2.

Manson Street, Baillie Street, 35th Avenue, and McGuigan Avenue will be extended into the Heather Lands providing connections for all modes to the surrounding community. These new streets will be dedicated to the City. The 35th Avenue extension is proposed to connect from Willow Street through the Heather Lands to Cambie Street.

Improvements to existing adjacent streets (33rd Avenue, 37th Avenue and Heather Street) and lanes are sought to improve public realm for walking, rolling and cycling, while retaining existing street trees, where feasible. Additional dedications and surface rights-of-ways are required along these existing streets to provide sufficient space for all modes, particularly as these are existing cycling routes. Heather Street will be redesigned between 35th Avenue and 37th Avenue to ensure that priority pedestrian and cyclist connections are maintained. These provisions, in addition to other transportation related improvements, are outlined in Appendices C and D.

Figure 13 – Heather Lands Streets and Connections



Parking – Vehicle parking, bicycle parking, and loading spaces are to be provided in accordance with the Parking By-law as the project builds out. These also include provisions for accessible, visitor, and pick-up and drop off spaces to be provided on-site. This ensures that the buildings are designed to meet current standards at the time of development. Additionally, in accordance with the Parking By-law, each development parcel will be required to provide a Transportation Demand Management (TDM) Plan at the development permit stage.

Engineering Services has reviewed the rezoning application and has no objections to the proposed rezoning provided that the rezoning conditions included in Appendices C and D are satisfied.

10. Environmental Sustainability

Climate Emergency – In 2019, Council approved six new targets ("Big Moves") to guide the City's efforts in response to the climate emergency, followed by 19 actions to support Big Moves #2, #3, #4 and #5 in 2020. The Heather Lands, given its location within the city, proximity to transit infrastructure, proposed mix of land uses, and design of the master plan, substantially addresses Big Move #1 (Walkable complete communities) and Big Move #2 (Active transportation and transit).

Big Moves #2 (Active transportation and transit), #3 (Pollution-free cars, trucks and buses), and #4 (Zero Emissions space and water heating) are addressed primarily through rezoning conditions contained in Appendices C and D. Big Move #6 (Restored coasts and forests) is a long-term direction to reduce carbon pollution. The Heather Lands, at the headwaters of the watershed, proposes to retain and treat rainwater on site protecting sensitive receiving water bodies. Retention of trees and the proposed ultimate vegetative cover of up to 50% work to absorb carbon locally.

Green Buildings – The *Green Buildings Policy for Rezonings* (amended by Council on May 2, 2018) requires that rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy.

This application has opted to satisfy the policy under the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modeling analysis detailing building performance strategies to meet the energy use intensity, greenhouse gas and thermal demand targets. For developments with non-residential buildings, the policy also requires they achieve LEED Gold certification, and the applicant has submitted a preliminary LEED scorecard indicating they are on track for Gold certification. Conditions are included in Appendices C and D.

Rezoning Policy for Sustainable Large Developments – Given the site size and proposed floor area, the requirements of the policy apply to this rezoning application. The policy requires defined plans or studies on eight different topic areas to demonstrate how the proposal will achieve the City's sustainability goals. As part of the proposal, the applicant proposes to meet the eight requirements in the following ways:

- *Sustainable Site Design* – the Heather Lands is considered, as a master planned site with a single rezoning application, to be a Type A site, and per this classification the applicant proposes to provide tree coverage and vegetation over up to 50% of the site.

This requirement was fundamental in the creation of the *Heather Lands Policy Statement* informing the location of park and open space, retention of existing trees, tree canopy coverage, planted areas on courtyards, patios and rooftops, and inclusion of the pollinator corridor to connect off-site ecological hot spots.

- *Sustainable Food Systems* – The application includes a range of food assets, with emphasis on MST Peoples traditions of honouring the connection between nature, food and community. A commercial kitchen is proposed as part of the cultural centre and plaza. A variety of programs are proposed for the plaza including a fire pit, community food market, and Indigenous plant garden. The northern park will include an Indigenous food forest and orchard. Development parcels will provide urban agriculture space.

- *Green Mobility* – The site plan includes a high quality public realm designed to prioritize walking, rolling and cycling with an objective of shifting two-thirds of trips by active transportation and transit. The plan includes new wider sidewalks, protected bike lanes, two public bike share stations, and a variety of small pedestrian pathways throughout the plan. The applicant has also proposed potential Transportation Demand Management (TDM) plan measures as part of the application, to be finalized at the development permit stage.

- *Potable Water Management* – The application proposes to reduce potable water use through high efficiency irrigation design and water efficient fixtures. Outdoor water use reductions will be achieved through water efficient plant and landscape features and high efficiency irrigation systems.

- *Rainwater Management* – The long-term MST Nations ownership of the Heather Lands allows for an integrated site-wide approach to rainwater management. On private property, rainwater management systems must meet retention, rate control and water quality requirements. The application proposes rainwater from private development parcels be routed to green infrastructure within the park, Heather Street greenway, and public open spaces. On public land (streets, lanes, park and open space) rainwater management must treat and retain 48 mm of rainwater in any 24-hour or 90% or average annual rainfall. To address this requirement, the application proposes permeable pavement, bioretention and stormwater tree trenches within streets and lanes, depending on the location.

  These approaches are consistent with the City's goals of prioritizing the use of green infrastructure to minimize harmful storm water pollutants from entering receiving waters and adds resiliency to the drainage system. Enactment conditions included in Appendix C and D will ensure further advancement of the design. The proposed rainwater management strategies may require an Alternative Solutions (AL) application at subsequent stages to demonstrate that the proposed approach provides an equal or better level of performance to the prescribed provisions in the Vancouver Building By-law for review by the Office of the Chief Building Official.

- *Groundwater Management* – The City requires a hydrogeological study and groundwater management plan that demonstrates that the proposed development will not result in significant groundwater-related risks or impacts. In response to these requirements, a Preliminary Hydrogeological Study was submitted. The study indicates that groundwater management provisions, such as tanking of the parkades or the use of a cut-off wall, will

be required to reduce groundwater discharge to acceptable rates. A detailed analysis and design will be provided with the first development permit application to address conditions included in Appendix C and D.

The application also proposes a groundwater-based district energy system to meet the *Zero Emissions Building Plan* requirements, as it provides the highest energy efficiency at the lowest lifecycle cost, including capital cost. Low-energy carbon options have the potential to impact the groundwater conditions in the surrounding area. The groundwater conditions contained in Appendix C and D outline the requirements needed to further assess the proposed concept.

- *Zero Waste Planning* – A Zero Waste Plan has been submitted outlining anticipated waste generation rates and a range of approaches to encourage zero waste. At the next stage of the project, the applicant will select at least seven initiatives in section 6.1.2 of the *Sustainable Large Sites* bulletin.

- *Affordable Housing* – The application includes 35% (approximately 940 units) of all residential floor area as a combination of secured social, market rental and below market rental housing units. For more details refer to the Housing Section.

- *Resilience* – At the time of development permit application, the applicant will be required to submit a Resilience Worksheet. The worksheet assesses the local risk, hazards and identifies consideration and mitigation strategies.

Staff have reviewed the applicant's overall response to the *Rezoning Policy for Sustainable Large Developments* and, in some instances, have recommended improvements to strengthen the response to the policy. Conditions to secure the delivery of these features prior to enactment or as a part of subsequent development permit stage applications are included in Appendices C and D.

11. Development Phasing and Implementation

Phasing – The Heather Lands is anticipated to be developed in five phases (see Figure 14 and Figure 15) over approximately 15 years. Development is anticipated to start at the southeast corner along 37th Avenue and then move west and northward in phases, as illustrated below. While the Landowners are proposing to start development with the southern CD-1, conditions of enactment do not require the first CD-1 to be completed before development can occur in the northern CD-1, enabling development to occur concurrently if desired.

The first phase, starting in CD-1 South, includes social housing and market housing. The second phase includes the new southern park, rental housing and market housing. It is anticipated that the park will be delivered concurrently with Parcel C near to the end of Phase 2. The CSF school is located in CD-1 South but can be delivered at any time, as indicated by the 'X'. The last building to be delivered in CD-1 South is social housing (Parcel E).

The remaining phases are within CD-1 North. The first phase in CD-1 North or the third phase overall, includes market housing which is expected to be delivered at the same time as the last social housing building in CD-1 South. The second phase (fourth overall) includes a mix of uses including: social housing, rental housing, market housing, commercial and office uses, and the

childcare centre, all located in two buildings on Parcel I. The final phase (fifth phase overall) includes the cultural centre, plaza, park and market housing (Parcel H).

Figure 14 – Development Phasing Plan

On large sites such as the Heather Lands, the applicant is required to provide necessary infrastructure to service the site including water and sewer infrastructure, green infrastructure, and other street improvements. Servicing requirements are included in Appendix C and D according to the proposed phasing plan.

The development sequence and anticipated amenity delivery is indicated below, although exact dates of completion are dependent on a variety of factors including approvals, construction processes and market conditions.

Figure 15 – Development Phasing

Phase	Development Details	Parcel(s)	Approximate Floor Area (sq. ft.)
CD-1 South			
1	Social Housing (198 units)	A	164,739
	Rental Housing (10 units)	F3	21,878
	Below Market Rental (4 units)	F3	7,293
	Market Housing (498 units)	F1+F2	460,606
2	Rental Housing (271 units)	B1+B3	248,916
	Below Market Rental (88 units)	B1+B3	82,972
	Market Housing (176 units)	B2	164,129
	Southern Park	park parcel	
	Market Housing (205 units)	C	201,469
X	CSF School	D	excluded area
3	Social Housing (220 units)	E	183,233
CD-1 North			
3	Market Housing (512 units)	G	471,324
4	Social Housing (122 units)	I1	102,495
	Rental Housing (19 units)	I1	18,670
	Below Market Rental (8 units)	I1	6,223
	Market Housing (93 units)	I2	260,879
	74-space Childcare Centre	I2	excluded area
	Retail	I1 & 2	62,287
	Office	I1 & 2	62,994
5	Northern Park	park parcel	
	Cultural Centre & Plaza	J	excluded area
	Market Housing (188 units)	H	175,620

Heather Lands Design Guidelines – As part of the rezoning submission, the applicant team has worked with staff to develop a comprehensive set of design guidelines. The guidelines will provide a framework to shape the development of the public realm and individual parcels during subsequent permitting and construction stages. Design development of the park will be determined through a public process led by the Vancouver Board of Parks and Recreation. The draft Design Guidelines, contained in Appendix L, are included for Council's consideration as part of this application. Once finalized the design guidelines would be brought back to Council for subsequent approval prior to enactment of the first CD-1 By-law.

Implementation – For large sites, such as the Heather Lands, it is assumed that the buildout will be phased over several years and over time City policies and regulatory tools may be amended by Council. Where appropriate, rezoning conditions within Appendices C and D apply at Development Permit. This ensures that any advancements in City policy will apply when each building is substantially designed. Other regulatory tools like the Vancouver Building By-law or Parking By-law are also amended from time to time, and apply at Development Permit. Collectively, this ensures that advancement in building design will continue to apply ensuring that the high standards are achieved on the Heather Lands.

12. Fairmont Building

During the process to create a policy statement for the Heather Lands, the MST Nations requested removal of the Fairmont building from the Heather Lands because of its association with the RCMP. The Fairmont building is a constant reminder of the RCMP's role in enforcement of the *Indian Act* and other discriminatory laws. The required retention of the building is seen by the MST Nations as an imposition of colonial values. In response, the *Heather Lands Policy Statement* included a new self-determined xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre designed to embody Indigenous values in place of the Fairmont building. The new cultural centre is envisioned to be a venue for sharing culture, traditions and will provide gathering space for the local community.

As part of the *Heather Lands Policy Statement* approval, Council directed staff to explore the feasibility of relocating the Fairmont building off-site including identification of a receiver site, and report back as part of the rezoning process for the Heather Lands. A summary of this work is attached as Appendix J.

While it is physically feasible to relocate the building, staff were unable to identify a suitable receiver site within 1.5 km of the site. Sites beyond this distance increase the relocation costs with increased impact to traffic lights, trolley bus wires, etc. Staff explored the potential of City lands (such as public parks), privately owned land including nearby redevelopment sites, and the potential acquisition of single family lots. The estimated cost to move and upgrade the building is high. In 2017, the cost to move the building was anticipated to be $6M and required building upgrades are currently estimated to be approximately $41M.

Despite the 'Category A' listing on the Vancouver Heritage Register, the Fairmont building is not protected. Council policy requires review by the Director of Planning of a building condition report and an assessment of the economic viability of retention when demolition of a 'Category A' building is proposed. While retention of the Fairmont building in its current location is deemed to be economically viable, based on discussions with the MST Nations it is clear that retention is not desirable. Relocation of the building off-site is not economically viable as described above.

As a result of these initial findings, staff have not sought any financial contribution from the rezoning toward relocation of the building as was contemplated in the *Heather Lands Policy Statement*. Further, the cultural centre proposed in the rezoning application is predicated on removal or demolition of the Fairmont building. Conditions securing deconstruction and salvage for reuse as part of building demolition are included in Appendix D.

Staff are seeking Council endorsement of the future removal of the Fairmont building to allow construction of the cultural centre. This endorsement will inform the Director of Planning review of any demolition permit application for the Fairmont building. This endorsement is sought now,

in support of the rezoning application, even though the cultural centre is anticipated to be delivered in the final phase of the development plan.

Heritage Advisory Commission – In April 2018, during the creation of the *Heather Lands Policy Statement*, staff consulted with the Vancouver Heritage Commission on the concept plan and proposed removal of the Fairmont building. While the Commission recognized the importance of Reconciliation and the necessity of representing a diversity of cultural values to communicate the complexity of the site, they resolved that the City should consider all measures to retain or preserve the structure in-situ, including pursuit of creative solutions such as a land swap.

In March 2021, staff and the applicant team presented the Heather Lands rezoning application and provided an update on efforts to identify an alternative location with a commitment to report back on further efforts. The minutes from this meeting can be found here.

13. Public Input (refer to Appendix I)

Policy Statement – Three open houses were hosted as part of the planning process for the *Heather Lands Policy Statement* from October 2016 to March 2018. The open houses had three primary functions: to introduce the planning program and gather early ideas, to develop guiding principles and site concepts, and to present a preferred site concept and draft policies. In total 584 people attended these events and 524 people completed questionnaires to provide feedback. In addition to the open houses, two focused engagement events were held: Youth Engagement Event and Fairmont Dialogue Session.

Throughout the policy process there was strong support for the redevelopment with considerable feedback provided to ensure the Heather Lands plan both responds to the local context and becomes a signature project for the MST Nations. This feedback informed the rezoning application.

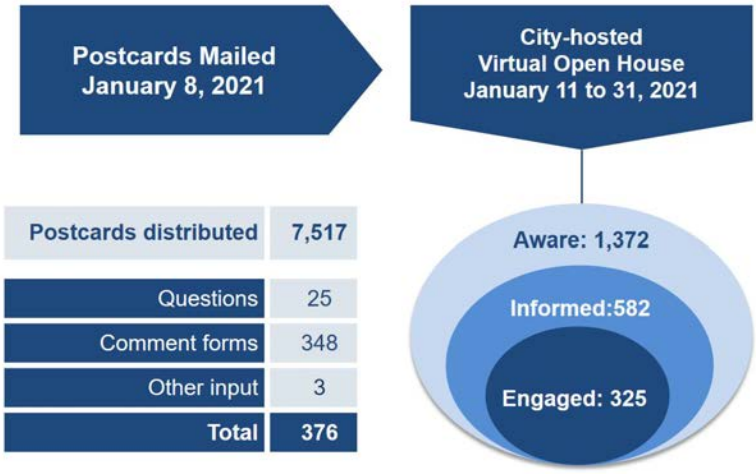
Public Notification – A rezoning information sign was installed on the site on November 17, 2020. Approximately 7,517 notification postcards were distributed within the neighbouring area on or about January 8, 2021. Notification and application information, as well as an online comment form, was provided on the City's new digital engagement platform *Shape Your City Vancouver* (shapeyourcity.ca/).

Virtual Open House – In-person open houses were put on hold based on the provincial health authority's restrictions for public gatherings due to the COVID-19 pandemic. In lieu of an in-person event, a virtual open house was held from January 11, 2021 to January 31, 2021 on the Shape Your City platform. The virtual open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. Digital presentations from the City and the applicant were posted for online viewing, along with a digital model representation of the proposed application.

Due to the pandemic, a virtual engagement strategy was put in place to ensure the City's process for public discussion and obtaining feedback was maintained. This virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. An extended virtual open house period allowed people to ask questions regarding the proposal, which staff actively monitored and responded to publicly.

Public Response – Public input was received throughout the application process through online questions and comment forms, and by email and phone. A total of 376 submissions were received. A summary of all public responses may be found in Appendix I.

Figure 16 – Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic and ordered by frequency.

- **Conseil Scolaire Francophone (CSF)**: There is broad support for the inclusion of a new CSF elementary school on the site. A large proportion of respondents (252/376) favour the provision of a school. In addition to broad support, a number of concerns and provisions were requested including early delivery of the school, adequate access to outdoor play space, and appropriate arrangements for student pick-up and drop off.

For the reminder of the feedback, comments of support generally fell within the following areas:

- **Support for proposed amenities**: The inclusion of an xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre seen as great addition to the community. Respondents are excited by opportunities for educational and cross-cultural learning. The amount, type, and location of the parks and open spaces were supported. The proposed spaces are well integrated into the existing parks and open spaces network. The inclusion of childcare facilities is seen as desirable due to lack of existing (affordable) options in the area.

- **Housing mix and affordability**: The mix housing tenures is seen as appropriate. There is support for the inclusion of affordable forms of housing, such as moderate income rental and social housing.

- **Retail and job spaces**: Support for the inclusion of retail, job spaces, and other community services, as they will contribute to the livability and liveliness of the community.

- **Active transportation and non-vehicular network**: Retention of the cycling infrastructure along 37th Avenue is important. Support for non-vehicle access along section of Heather Street.

- **Building height and density**: Heights and density proposed appropriate given need for housing and proximity to Oakridge MTC and amenities.

Generally, comments of concern fell within the following areas:

- **Building height and density**: Proposed building heights and density too high. Some concerns that the proposal does not fit the character of the existing and/or future neighbourhood surrounding the site. Potential shadowing of neighbouring properties a concern.

- **Housing mix and affordability**: Proposal does not go far enough to address the housing crisis. Proposed mix of housing tenures is not high enough. Higher proportion of affordable types of housing needed for low and middle income earners, such as social and non-market rental units.

- **Community services and amenities**: Proposal does not provide sufficient community services and amenities (parks, childcare) needed to serve the proposed population. Existing community centres, such as Hillcrest and Douglas Park are already oversubscribed. The added population will put pressure on adjacent schools that are already close to or at capacity

- **Traffic impacts and parking**: Concerns about future access along 35th Avenue, connecting from the site to Cambie Street. Closure of Heather Street between 35th Avenue and 37th Avenue will have negative impact on surrounding streets. Need for further transportation studies to better understand the potential impacts. Too few parking spaces for number of proposed units.

- **Fairmont building**: Demolition of the Fairmont building will result in the loss of a significant heritage building. Building should be retained and used as amenity for the community.

- **Transit station location**: Concern about the delivery and/or timing of a future potential SkyTrain station at Cambie and 33rd Avenue. Insufficient access to transit without future station. Potential for increased vehicle congestion if the site is not well serviced by rapid transit. Concerns expressed about the amount of proposed density without rapid transit provision.

Riley Park-South Cambie Vision Implementation Committee ("RPSC") – RPSC has been involved in planning for the Heather Lands since the launch in 2016. RPSC has provided a platform to reach hundreds of residents through their membership. Members within the RPSC group participated in the Fairmont Dialogue and have provided advice to staff on behalf of the broader neighbourhood.

With the COVID-19 pandemic engagement with RPSC shifted to an online platform. Staff and the applicant team presented the rezoning application on November 18, 2020, there was a follow-up meeting with staff focused on the Fairmont building on March 17, 2021, and lastly on

February 10, 2022. Staff provided regular updates to the RPSC chair and a written response to a comprehensive list of questions covering provision of amenities compared to need generated in the area, lack of retail services in the area and a desire for earlier delivery of commercial space, FSR calculations, affordability of rental rates, shadowing impacts on surrounding properties, provision of schools to serve the community, removal of the Fairmont building, design and operation of the cultural centre, CAC valuation, traffic concerns with the on-site streets (35th Avenue and the closure of Heather Street) as well as the broader network, parking, and other items. The feedback provided by RPSC membership is highly aligned with the summary of feedback as provided above. The RPSC group is particularly concerned with overall traffic impacts of growth in the Cambie Corridor including Heather Lands and other Major Project sites.

In addition to ongoing discussions about the Heather Lands project, RPSC initiated student-led study of options to support efforts to relocate the Fairmont building. The results of this work can be found here.

Response to Public Comments – The rezoning application included a number of adjustments in response to feedback collected during previous engagement and the rezoning process including:

- **Enhanced public amenity package** – Additional public amenities beyond policy include increased park and public open space (+0.6 acres), additional childcare spaces (+5 spaces), larger cultural centre (+7,500 sq. ft.) and additional 400 units of rental housing.

- **Additional floor area for shops and services** – Additional retail space was added to better serve local needs within walking, rolling and cycling distance of homes.

- **Early delivery of the CSF school** – staff have determined that temporary servicing connections may be required should the school proceed in advance of permanent infrastructure works.

- **Shadow performance** – In preparation of the rezoning application, the applicant worked carefully with the staff team to balance the additional rental floor area and shadow impacts on the newly created parks and open space. Conditions are included in Appendix C and D seek to improve shadow impacts, where possible, at time of building design.

- **Traffic impacts and parking** – In addition to new streets to serve the Heather Lands, the rezoning conditions in Appendix C and D require upgrades to adjacent existing streets (i.e. 33rd Avenue, 37th Avenue, Heather Street, Oak Street, Cambie Street), including separated cycling facilities and intersection upgrades to facilitate traffic movement in the area. TDM plans will be required and submitted at the development permit stage for each subsequent development and buildings must meet the Parking By-Law.

14. Public Benefits

Community Amenity Contribution (CACs) – Within the context of the City's Financing Growth Policy, an offer of a community amenity contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include the provision of on-site amenities or a cash contribution based on community needs, area deficiencies and the impact on City services.

Consistent with the principles of Reconciliation outlined in the *Heather Lands Policy Statement*, the MST Nations intend to retain ownership of the lands in perpetuity, and have therefore offered a package of in-kind amenities and a cash contribution, as detailed below. Real Estate staff have reviewed the applicant's pro forma for this rezoning and have concluded that the CAC offered is appropriate considering the Government-to-Government relationship between the City and the MST Nations, the housing tenure, scale of the development and the proposed package of amenities, and recommend that the offer be accepted.

As set out in the *Community Amenity Contributions through Rezonings Policy* approved in 2020, in-kind amenities may be owned by the City, senior levels of government, or Indigenous or non-profit organizations subject to a number of conditions to ensure ongoing long-term use and availability of the amenity as if it were City-owned and operated.

The CAC package includes the following:

- ***Social Housing*** – The MST Nations will provide a minimum of 41 850 sq. m (450,467 sq. ft.) or approximately 540 units of social housing units in-kind. The units will be located on Parcel A (approx. 198 units), Parcel E (approx. 220 units) and Building I2 (approx. 122 units) and will be delivered at the applicant's sole cost and expense. The social housing will be owned and operated by a not-for-profit organization that represents the MST Nations, with 70% of the units at or below HILs and 30% of the units at below market rents. All units will be secured through a housing agreement (see Appendix C and D).

  Parcel A will be delivered in the first phase of CD-1 South, and must be completed prior to the earlier of occupancy of any building on Parcel F or development permit or building permit for any building on Parcel C. Parcel E will be delivered in the third phase, and must be completed prior to the earlier of occupancy of any building on Parcel G or development permit or building permit for any future phase (including Parcels I or H). Building I1 which contains social housing is in the fourth phase and must be completed prior to the earlier of occupancy of Parcel I2 or development permit or building permit for Parcel H.

  Should the MST Nations cease to own and/or operate the social housing, the City will have an option to purchase the units for a nominal amount, recognizing that these units are offered as part of the CAC package, or an option to lease the units. Conditions are included in Appendix C and D.

  The in-kind social housing buildings located on Parcels A and E will each provide 4-8 licensed family childcare units. These are specialized residential suites that meet Provincial regulations and City design guidelines. Each licensed family childcare unit could accommodate up to seven licensed childcare spaces operated by the tenant.

- ***Parks and Public Open Space*** – The MST Nations will provide a minimum of 4.4 acres of parks and public open space, delivered at the applicant's sole cost and expense. The park and open spaces will be owned by the MST Nations, or designate, with park use secured by zoning and Section 219 Covenants.

  The southern park will be a minimum of 2.27 acres, leased to the City at a nominal rate for 99-years for public use. The park will be delivered in the later portion of phase 2 within CD-1 South, and must be completed prior to occupancy of any building on Parcel C. Should the MST Nations cease to own the southern park, the City has an option to purchase the park for a nominal consideration of $1.00.

  The northern park, which is approximately 1.85 acres, and the cultural centre plaza, which is approximately 0.3 acre, will be secured with statutory rights-of-way, and will be delivered in the final phase of development. The northern park and plaza must be completed prior to occupancy of Parcel H. Options to purchase the northern park will be registered to secure ongoing ownership and use of the parks and open space.

  Additional details are included in Section 4, and the conditions in Appendix C and D.

- ***xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Cultural Centre*** – The MST Nations will provide a cultural centre, delivered at the applicant's sole cost and expense, consisting of a minimum floor area of 2,095 sq. m (22,500 sq. ft.). The program of the cultural centre will be self-determined by the MST Nations, in consultation with the City. A community use agreement will be secured at the development permit stage when more details about the building design are known. The use of the cultural centre parcel will be secured with a Section 219 Covenant.

  It is anticipated that the cultural centre will be delivered in the final phase, and must be completed prior to occupancy of Parcel H. Should the MST Nations cease to own the cultural centre, the City will have an option to purchase for a nominal consideration of $1.00. Additional details are included in Section 6, and the conditions in Appendix D.

- ***Childcare Centre*** – The MST will provide a 74-space licensed childcare facility, delivered at the applicant's sole cost, consisting of a minimum of 1,109 sq. m (11,935 sq. ft.) indoor floor area plus a minimum of 1,040 sq. m (11,194 sq. ft.) outdoor space to comply with the *Childcare Design Guidelines* and *Childcare Technical Guidelines.* The childcare facility will be owned and operated by the MST Nations, or designate. The childcare will be delivered in the second phase of CD-1 North (anticipated to be the fourth overall phase). The childcare centre must be delivered prior to issuance of an occupancy permit for Building I2 or development permit or building permit being issued for Parcel H. Should the MST Nations cease to own and/or operate the childcare facility, the City will have an option to purchase or lease the childcare facility for a nominal consideration of $1.00. Additional details are included in Section 7, and the conditions in Appendix D.

- ***Transportation Items*** – The applicant has offered a cash CAC of $13,000,000 which will be allocated to transportation improvements in the area, including completion of 37th Avenue from Willow Street to Oak Street, and the 35th Avenue connection to Cambie Street. The *Community Amenity Contributions through Rezonings Policy* requires payment upon zoning enactment. In recognizing that the Heather Lands is one of the

first MST Nations projects to advance in the city, and at the request of the Landowner's, the CAC payment will be due prior to issuance of the first development permit application in CD-1 South. This provides an approximately 1 year delay to allow for the MST Nations to secure necessary funding. This request is being considered as part of the Reconciliation measures outlined in the *Heather Lands Policy Statement*.

The long-term operation of the in-kind amenities will be at the applicant's sole cost, and will be secured to the satisfaction of the City as conditions of enactment as provided for in Appendix C and D.

The application proposes a considerable amount of residential floor space as leasehold strata which is consistent with the MST Nations intent to retain ownership of the land in perpetuity. Should the applicant choose to sell any of this space as freehold tenure, a review will be completed to determine if additional land lift is generated. If the revised pro forma results in an increase to the CAC such that a CAC is payable, the application will return to Council through a subsequent Public Hearing to amend the CAC rezoning enactment condition.

Development Cost Levies (DCLs) – DCLs collected from new development help pay for facilities made necessary by growth including parks, childcare facilities, replacement housing and various engineering infrastructure.

The site is subject to a City-wide DCL and Utilities DCL which will be calculated on the floor area specified in the development permit. Based on rates in effect as of September 30, 2021, the proposed 180,730 sq. m (1,945,359 sq. ft.) of DCL subject residential floor area and 11,639 sq. m (125,281 sq. ft.) of commercial floor area, and 4,700 sq. m (50,590 sq. ft.) of elementary school floor area will generate approximately $57,836,623 in DCLs.

Under provisions of the Vancouver Charter and the City-wide DCL and City-wide Utilities DCL By-laws, social housing is exempt from DCLs where a minimum of 30% of the dwelling units are occupied by households with incomes below BC Housing Income Limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, for which a Section 219 covenant, Housing Agreement, or other security that restricts the use of such units is registered against title and where the housing is owned by the City or a non-profit organization. The social housing component of the project is expected to meet these criteria; based on the rates in effect as of September 30, 2021, the proposed 41 850 sq. m (450,467 sq. ft.) of social housing floor area is expected to qualify for a $12,779,748 exemption.

This application could be eligible to seek a DCL waiver on the secured market and Below Market rental housing units; however, the applicant is not seeking a waiver as part of this proposal. As the project is subject to a Community Amenity Contribution (CAC), should the applicant choose to pursue a DCL waiver at a later stage, the application may be subject to further pro forma review to determine if an additional land lift is generated. If the revised pro forma results in an increase to the CAC such that a CAC is payable, the application will return to Council through a subsequent Public Hearing to amend the CAC rezoning enactment condition and ensure compliance with the DCL By-law waiver requirements.

DCL bylaws are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may quality for 12 months of in-stream rate protection from DCL rate increases,

provided that an application has been received prior to the rate adjustment. See the City's DCL Bulletin for details.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). Residential floor area attributed to social housing is exempt under this policy. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget). Based on the policy rate (2016), the public art budget associated with the residential, commercial and institutional floor area, including the cultural centre and childcare, is 20,272.4 sq. m (2,155,714 sq. ft.) and is estimated to be $4,268,314. The public art budget will be finalized at the development permit stage and is subject to adjustments to address inflation.

Additional Public Benefits:

- *Secured Market and Moderate Income Rental Housing* – The proposed 400 rental residential units will be secured as rental housing (non-stratified) for the longer of 60 years or the life of the building, of which at least 25% of the floor area or approximately 100 units will be secured as moderate income rental units. The public benefit accruing from this element of the application is the contribution to the City's secured rental housing stock serving a range of income levels.

- *CSF School and Childcare Facility* – The application includes a 1-acre site for a CSF elementary school and childcare facility. The school and childcare are not funded through this application and delivery is the responsibility of the CSF. Provision of the site for the school is a commercial lease arrangement between the Landowners and the CSF. Securing this site provides for a much needed new facility to support French-language education within the City and Province.

A summary of the public benefits for this application is provided in Appendix M.

Financial Implications

The applicant has offered a community amenity contribution in the form of in-kind amenities and cash which includes the following:

In-kind CAC:

- Construction and operation of a minimum floor space of 41,850 sq. m (450,467 sq. ft., equivalent to approximately 540 units) of social housing at the applicant's sole cost and expense, with 70% of the units to be rented to households with incomes which fall under HILs levels, and 30% of the units at affordable market rents (average market rents posted by CMHC applicable to the area, provided that such rents do not exceed 90% of the rents in the applicable area);

- Delivery of a minimum of 4.4 acres of park and public open space at the applicant's sole cost and expense;

- Construction and operation of a 74-space licensed childcare facility with a minimum of 1,109 sq. m (11,935 sq. ft.) indoor floor area plus a minimum of 1,040 sq. m (11,194 sq. ft.) outdoor space at the applicant's sole cost and expense; and

- Construction and operation a xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre with a minimum floor area of 2,095 sq. m (22,500 sq. ft.) at the applicant's sole cost and expense.

Cash CAC:

- $13,000,000 allocated to transportation improvements in and around the area.

The secured rental housing, equivalent to 300 units of market rental and 100 units of below market rental units, to be owned and operated by the MST Nations, will be secured by Housing Agreements and Section 219 Covenants for 60 years or the life of the respective building.

Based on rates in effect as of September 30, 2021, the floor area is expected to generate $57,836,623 of DCLs. The additional social housing floor area is expected to qualify for a DCL exemption valued at $12,779,748. No DCL waiver is being sought on the new secured rental housing component of the project.

If the rezoning application is approved, the applicant will be required to provide new public art on site at an estimated value of $4,268,314, or make a cash contribution to the City for off-site public art for 80% of that amount.

Approval and timing of specific projects will be brought forward to Council as part of the Capital Plan and Budget processes.

Non-City Owned Amenities – The MST Nations have indicated their intent to retain ownership of and operate the social housing, childcare facility, cultural centre and northern park, and as such there will be no operating subsidies and/or property tax exemptions required from the City for these amenities. All major repairs, lifecycle replacement of major systems and structural components of these facilities will be the responsibility of the MST Nations, or their delegate.

The southern park is envisioned to be jointly operated, with details to be determined. It is anticipated that the Board of Parks and Recreation will provide maintenance for the southern park.

CONCLUSION

This rezoning application represents a significant milestone in our collective efforts toward Reconciliation. The Heather Lands redevelopment is envisioned as a unique place within the city which integrates within the surrounding neighbourhood, and provides a range of housing, shops and services, job space, parks, childcare, a xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre to support the new community. This plan also represents an opportunity for the long-term prosperity of future generations of the xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ Peoples.

Staff conclude that the proposed form of development is an appropriate urban design response to the site and its context, and that the application, along with the recommended conditions of approval is consistent with the *Heather Lands Policy Statement* and the *Issues Report: Direction for Intensification of Large Sites to include Moderate Income Rental Housing*.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to Public Hearing, together with the draft CD-1 By-law provisions generally shown in Appendices A and B with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendices C and D, including approval in principle of the form of development as shown in plans included as Appendix K.

Appendix Table of Contents

A. Draft By-law Provisions –South
B. Draft By-law Provisions – North
C. Conditions of Approval – South
D. Conditions of Approval – North
E. Draft Consequential Amendments – South
F. Draft Consequential Amendments – North
G. Draft By-law Amendments – CD-1 (52A)
H. Draft By-law Amendments – CD-1 (80)
I. Additional Information
J. Fairmont Building Study
K. Form of Development
L. Draft Heather Lands Design Guidelines
M. Public Benefits Summary
N. Applicant, Property, and Development Proposal Information

* * * * *

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
SOUTH - DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

   [Note: Schedule A, not attached to this appendix, is a map that appends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 ( ).

Definitions

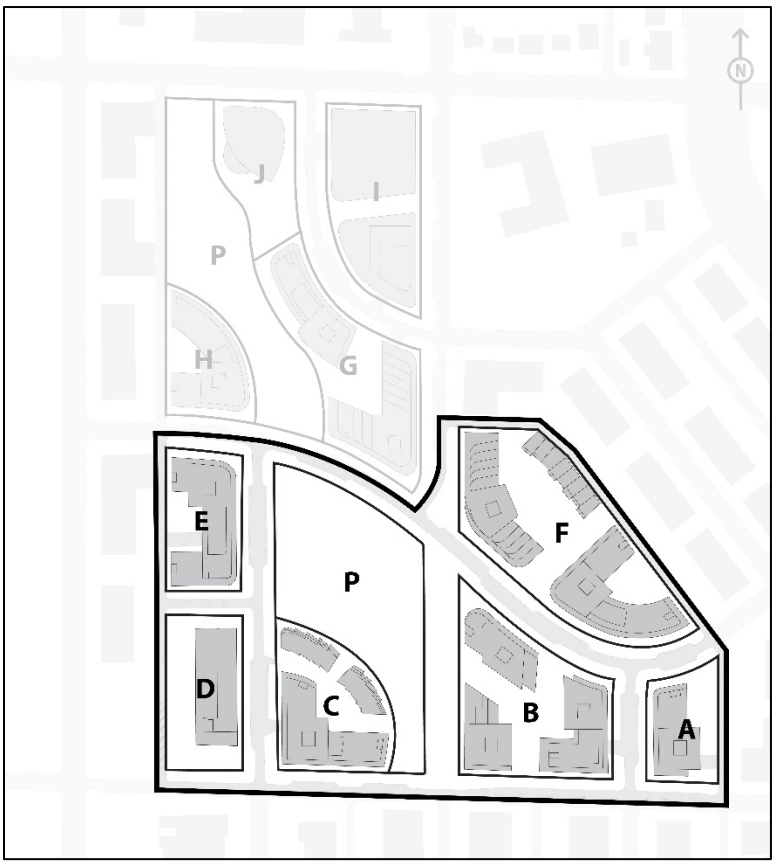
3. Words in this By-law have the meanings given to them in the Zoning and Development By-law, except that:

   "Below-Market Rental Housing Units" means dwelling units where the maximum starting rents are set at least 25% less than the average rents for all private rental apartment units city-wide, as published by the Canada Mortgage and Housing Corporation in the Rental Market Report, all as secured by a housing agreement registered on title to the property.

Sub-areas

4. The site is to consist of seven sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing the conditions of use, floor area and density, and maximum permitted building heights for each sub-area.

Figure 1: Sub-areas



Uses

5. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

(a) Agricultural Uses, limited to Urban Farm;

(b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law, Multiple Dwelling, Seniors Supportive or Assisted Housing, and Temporary Modular Housing;

(c) Cultural and Recreational Uses, limited to Artist Studio, Park or Playground, and Plaza;

(d) Institutional Uses, limited to Child Day Care Facility, and School – Elementary or Secondary;

(e) Retail Uses, limited to Farmers' Market, Neighbourhood Grocery Store, and Retail Store; and

(f) Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of use

6.1 All commercial uses permitted by this By-law shall be carried on wholly within a completely enclosed building except for:

(a) Farmers' Market; and

(b) Display of plants, flowers, fruit and vegetables in conjunction with a permitted use.

6.2 The Director of Planning may vary the use conditions of section 6.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this By-law.

6.3 In sub-areas A and E, uses are limited to Dwelling Units in conjunction with any of the uses listed in this By-law and Multiple Dwelling where all of the dwelling units are secured as social housing.

6.4 In sub-area D, uses are limited to School – Elementary or Secondary, and Child Day Care.

6.5 In sub-area P, uses are limited Park or Playground, Plaza, and Farmers' Market.

6.6 In sub-areas B, C, and F, uses are limited to Dwelling Uses, except that Retail Uses may be permitted at-grade fronting Heather Street, West 35th Avenue or West 37th Avenue.

6.7 The design and layout of at least 35% of the strata dwelling units shall:

(a) be suitable for family housing; and

(b) include two or more bedrooms, of which:

(i) at least 25% of the total dwelling units must be two-bedroom units, and

(ii) at least 10% of the total dwelling units must be three-bedroom units.

6.8 The design and layout of at least 35% of each of the secured market rental dwelling units and below-market rental dwelling units shall:

(a) be suitable for family housing; and

(b) include two or more bedrooms.

6.9 The design and lay-out of at least 50% of the social housing dwelling units shall:

(a) be suitable for family housing; and

(b) include two or more bedrooms.

Floor area and density

7.1 The total floor area for all uses must not exceed 142,628 m^2, and the total floor area for the sub-areas listed below in Figure 2 must not exceed the floor area set out for that sub –area or those sub-areas in Figure 2.

Figure 2: Maximum Permitted Floor Area

Sub-Area	**Maximum permitted floor area (m^2)**
A and E, combined	32,328
B and C, combined	64,798
F	45,502

7.2 The total floor area for secured market dwelling units, below-market rental dwelling units, and dwelling units secured as social housing in the sub-areas listed below in Figure 3 must not be less than the floor area set out for that sub-area or those sub-areas in Figure 3.

Figure 3: Minimum Required Floor Area

Sub-Area	**Required minimum floor area (m^2)**		
	Secured Market Rental Dwelling Units	**Below-Market Rental Dwelling Units**	**Social Housing Dwelling Units**
A and E, combined			32,328
B and C, combined	23,125	7,708	
F	2,033	678	

7.3 The total floor area for retail uses in sub-areas B, C, and F combined must not exceed 230 m^2.

7.4 In sub-area D, the total floor area for Institutional Uses must not be less than 4,700 m^2.

7.5 No less than 1,234 m^2 of residential amenity floor area must be provided.

7.6 No less than 3.7 m^2 of residential storage space must be provided for each dwelling unit.

7.7 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

7.8 Computation of the floor area must exclude:

(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:

(i) the total area of these exclusions in each sub-area must not exceed 12% of the floor area being provided, and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and decks, only if the Director of Planning first approves the design of sunroofs and walls;

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, residential storage area, bicycle storage area, heating and mechanical equipment of uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length.

(d) entries, porches and verandas if the Director of Planning first approves the design.

7.9 Computation of the floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

(a) School - Elementary and Child Day Care Facility uses in sub-area D secured to the City's satisfaction for public use and benefit; and

(b) residential amenity areas, except that the total floor area excluded must not exceed 1,234 m^2.

Building height

8. Buildings in each sub-area must not exceed the maximum permitted height for that sub-area, measured from base surface, as set out in Figure 4.

Figure 4: Maximum Permitted Building Storeys and Building Height

Sub-Area	Maximum permitted storeys	Maximum permitted height in meters
A	19	61.0
B	24	76.2
C	16	51.9
D	4	18
E	15	48.8
F	25	79.2
P	1	5

Horizontal angle of daylight

9.1 Each habitable room must have at least one window on an exterior wall of a building.

9.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

9.3 Measurement of the plane or planes referred to in section 9.2 must be horizontally from the centre of the bottom of each window.

9.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council, and:

(a) the minimum distance of unobstructed view is not less than 3.7 m; or

(b) the habitable room is within a unit assigned to moderate income households and containing a minimum of three bedrooms, where the horizontal angle of daylight requirement is relaxed for no greater than one of the habitable rooms in the unit.

9.5 An obstruction referred to in section 9.2 means:

(a) any part of the same building excluding permitted projections; or

(b) the largest building permitted on any adjoining site.

9.6 A habitable room referred to in section 9.1 does not include:

(a) a bathroom; or

(b) a kitchen whose floor area is the lesser of:

(i) 10% or less of the total floor area of the dwelling unit; or

(ii) 9.3 m^2.

Acoustics

10. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise levels in this the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

* * * * *

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
NORTH - DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

   [Note: Schedule A, not attached to this appendix, is a map that appends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 ( ).

Definitions

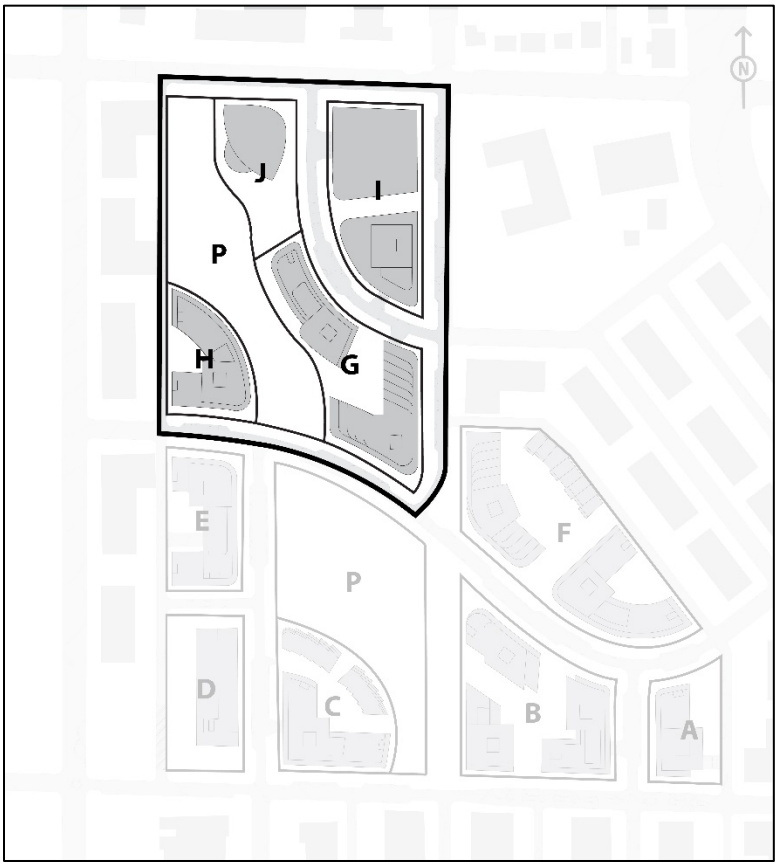
3. Words in this By-law have the meanings given to them in the Zoning and Development By-law, except that:

   "Below-Market Rental Housing Units" means dwelling units where the maximum starting rents are set at least 25% less than the average rents for all private rental apartment units city-wide, as published by the Canada Mortgage and Housing Corporation in the Rental Market Report, all as secured by a housing agreement registered on title to the property.

Sub-areas

4. The site is to consist of five sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing the conditions of use, floor area and density, and maximum permitted building heights for each sub-area.

Figure 1: Sub-areas



Uses

5. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

   (a) Agricultural Uses, limited to Urban Farm;

   (b) Cultural and Recreational Uses;

   (c) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law, Multiple Dwelling, Seniors Supportive or Assisted Housing, and Temporary Modular Housing;

   (d) Institutional Uses;

   (e) Live-Work Uses;

(f) Office Uses;

(g) Retail Uses;

(h) Service Uses; and

(i) Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of use

6.1 All commercial uses permitted by this By-law shall be carried on wholly within a completely enclosed building except for:

(a) Farmers' Market;

(b) Neighbourhood Public House;

(c) Public Bike Share;

(d) Restaurant; and

(e) Display of plants, flowers, fruit and vegetables in conjunction with a permitted use.

6.2 The Director of Planning may vary the use conditions of section 6.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

6.3 In sub-area H, uses are limited to Multiple Dwelling.

6.4 In sub-area J, uses are limited to Community Centre or Neighbourhood House, Park or Playground, Plaza, Agricultural Uses, Farmers' Market, and Public Bike Share.

6.5 In sub-area P, uses are limited to Park or Playground, Plaza, and Agricultural Uses.

6.6 In sub-area G, Cultural and Recreational Uses, Live-Work Uses, Retail Uses, and Service Uses are only be permitted at grade.

6.7 In sub-area I, no portion of the first storey of a building shall be used for residential purposes except for entrances to the residential portion.

6.8 The design and layout of at least 35% of the strata dwelling units shall:

(a) be suitable for family housing;

(b) include two or more bedrooms, of which:

(i) at least 25% of the total dwelling units must be two-bedroom units, and

(ii) at least 10% of the total dwelling units must be three-bedroom units;

6.9 The design and layout of at least 35% of each of the secured market rental dwelling units and below-market rental dwelling units shall:

(a) be suitable for family housing; and

(b) include two or more bedrooms.

6.10 The design and layout of at least 50% of the social housing dwelling units shall:

(a) be suitable for family housing; and

(b) include two or more bedrooms.

Floor area and density

7.1 The total floor area for all uses must not exceed 91,591 m^2, and the total floor area for the sub-areas listed below in Figure 2 must not exceed the floor area set out for that sub –area or those sub-areas in Figure 2.

Figure 2: Maximum Permitted Floor Area

Sub-Area	**Maximum permitted floor area (m^2)**
G and I, combined	75,368
H	16,223

7.2 The total floor area for secured market dwelling units, below-market rental dwelling units, and dwelling units secured as social housing in sub-area I must not be less than the floor area set out in Figure 3.

Figure 3: Minimum Required Floor Area

Sub-Area	**Required minimum floor area (m^2)**		
	Secured Market Rental Dwelling Units	**Below-Market Rental Dwelling Units**	**Social Housing Dwelling Units**
I	1,735	578	9,522

7.3 In sub-area I, the floor area for Child Day Care Facility must not be less than 1,109 m^2.

7.4 In sub-area I, the floor area for Office Uses must not be less than 5,852 m^2.

7.5 In sub-area J, the floor area for Community Centre or Neighbourhood House must not be less than 2,095 m^2.

7.6 In sub-areas G and I combined, the floor area for Cultural and Recreational Uses, Institutional Uses, Live-Work Uses, Retail Uses, and Services Uses combined must not be less than 5,787 m^2.

7.7 No less than 553 m^2 of residential amenity floor area must be provided.

7.8 No less than 3.7 m^2 of residential storage space must be provided for each dwelling unit.

7.9 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

7.10 Computation of the floor area must exclude:

(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:

(i) the total area of these exclusions in each sub-area must not exceed 12% of the floor area being provided, and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, only if the Director of Planning first approves the design of sunroofs and walls;

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, residential storage area, bicycle storage area, heating and mechanical equipment of uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and

(d) entries, porches and verandas if the Director of Planning first approves the design.

7.11 Computation of the floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

(a) Community Centre or Neighbourhood Houses uses in sub-area J;

(b) Child Day Care Facility use in Sub-area I; and

(c) residential amenity spaces, except that the total floor area excluded must not exceed 553 m^2.

Building height

8. Buildings in each sub-area must not exceed the maximum permitted height for that sub-area, measured from base surface, as set out in Figure 4.

Figure 4: Maximum Permitted Building Storeys and Building Height

Sub-Area	Maximum permitted storeys	Maximum permitted height (m)
G	28	90
H	14	45.8
I	22	74
J	4	18
P	1	5

Horizontal angle of daylight

9.1 Each habitable room must have at least one window on an exterior wall of a building.

9.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

9.3 Measurement of the plane or planes referred to in section 9.2 must be horizontally from the centre of the bottom of each window.

9.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council, and:

(a) the minimum distance of unobstructed view is not less than 3.7 m; or

(b) the habitable room is within a unit assigned to moderate income households and containing a minimum of three bedrooms, where the horizontal angle of daylight requirement is relaxed for no greater than one of the habitable rooms in the unit.

9.5 An obstruction referred to in section 9.2 means:

(a) any part of the same building excluding permitted projections; or

(b) the largest building permitted on any adjoining site.

9.6 A habitable room referred to in section 9.1 does not include:

(a) a bathroom; or

(b) a kitchen whose floor area is the lesser of:

(i) 10% or less of the total floor area of the dwelling unit; or

(ii) 9.3 m^2.

Acoustics

10. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise levels in this the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

* * * * *

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
SOUTH - CONDITIONS OF APPROVAL

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Considerations by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Dialog Design, stamped received October 2, 2020, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with development applications.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1.1 Design development to refine massing of towers and buildings to optimize sunlight on the park, and open spaces by the following:

(a) Shape tower forms with upper storeys sculpted to minimize shadowing.

Note to Applicant: Access to sunlight is a fundamental principle aligned with connection and access to nature. Optimizing solar access to public parks and open space should be prioritized at the Spring and Fall equinox at 10am, noon, 2pm, and 4pm. Slim tower profiles are anticipated maintaining a 6,500 sq. ft. floor plate. This is particularly relevant for building B3 and B2 to minimize shadowing park west of Heather Street right-of-way and C1 to overall Park. This may also contribute to a more visually striking and recognizable roof form and skyline.

(b) Refine massing of B1 podium to minimize podium bulk/massing and shadowing of shared courtyard.

Note to Applicant: Due to podium location and orientation, partial 8th storey can be reallocated to reinforcing street framing along 35th Avenue as proposed 20m (65.6 ft) separation between B3 and B1 podiums can be lessened. 7th storey should be setback to read as a partial storey if practical.

(c) Generally limit residential floor to floor height to approximately 3m (10 ft.) with an additional 3m (10 ft.) to encourage a sculpted building top or enhanced ceilings at the upper storey and/or ground level.

Note to Applicant: This is particularly relevant to buildings parcel B and C1 in terms of reducing shadowing impacts to the Park.

(d) Step back upper levels of podiums E1 to minimize impacts to the Park.

Note to Applicant: Strategies for E1 can include reallocating floor area to a higher podium towards the lane.

(e) Step back rooftop amenity pavilions from all building edges to minimize appearance from ground level as well as shadowing impacts.
Note to Applicant: Additional height calculated for amenity spaces should be limited to 3.6m.

1.2 Design development to support biodiversity and robust rewilding initiatives in the Pollinator Corridor by minimizing hardscaping and private uses within the 5m setback.

Note to Applicant: Private patios should primarily be located inset within the building footprint to minimize hardscaped areas anticipated for the Pollinator Corridor. Note a minimum 50% area dedicated to pollinator planting should be calculated per each parcel and within private property. Additionally balcony projections should be sensitively located to minimize impacts to planted areas and ensure parkade is not encroaching into 5m setback. See also Landscape condition #1.11.

1.3 Design development to ensure varied and distinctive buildings which reflect a more fine grained residential scale and proportions as well as integrating passive energy strategies into the architectural expression.

Note to Applicant: Particular attention should be paid to breaking down the massing of buildings exceeding 150 feet in frontage to mitigate the perceived length and providing varied facades. For future design development, consider mass timber construction and passive energy strategies such as window placement and solar shading devices as an integral part of the building design and façade expression.

1.4 Design development to A1 podium massing to ensure a more compatible relationship to the neighbouring buildings, enhance street-wall framing along 35th Avenue and add presence to site entry point from Cambie Street.

Note to Applicant: Strategies should include reducing podium height to a maximum 6 storeys, and redistributing density by extending the podium massing to face W. 35th Ave in light of corner site location. The resulting 4 - 6 storey street wall will reinforce the flowing curvature of 35th Avenue and contribute to the character of the Pollinator Corridor. Additional consideration to relocate entry to offset alignment with building B1 parkade access.

1.5 Design development to Building F2 to establish a significant and recognizable benchmark of architectural excellence and enhanced public realm consistent with the Heather Lands Design Guidelines, by the following:

(a) Tower expression to make a significant contribution to the beauty and visual power of the city's skyline while optimizing solar access.

(b) Development of terraced podium form to step down in a more informal, flowing and less rigid pattern.

Note to Applicant: strategy to include reduced massing at upper levels above 8 storeys, introducing varied setbacks as well as to minimize shadowing to courtyards. Architectural expression to demonstrate excellence independent of planted landscape features.

(c) Enhance usability of corner plaza to accommodate small gatherings.

Note to Applicant: This can be achieved with a widened building setback to allow seating arrangements and introduction of commercial use at grade.

1.6 Design development to Parcel F, to enhance the use and animation of the courtyard open spaces.

Note to Applicant: This can be accomplished by reducing the number of parkade entries where practical or relocate away from the outer edge of courtyards, to replace with patios that offers more animation and social interaction. Other strategies to minimize negative impacts include enclosure, screening, high-quality finishes and landscaping.

1.7 Provision of an updated master public realm plan with each major Development Permit application to include the following:

(a) A conceptual signage plan;

(b) A landscape concept plan;

(c) A comprehensive circulation and wayfinding plan;

(d) A public art plan, and;

(e) A building and site lighting plan.

Note to Applicant: The intent of the Public Realm Plan should be to inform all future development applications of individual site-specific responsibilities, and implementation standards with close adherence to the Heather Lands Design Guidelines.

1.8 Design development to provide universally accessible pathways and connections to link transit, park, open space, and amenities as well as providing physical and visual linkages to the surrounding community.

1.9 Submission of a bird-friendly strategy for the design of the buildings as part of each development permit application. 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://guidelines.vancouver.ca/B021.pdf

Crime Prevention through Environmental Design (CPTED)

1.10 Design development to respond to CPTED principles, including:

(a) Provide natural surveillance throughout pedestrian realm including underground parking, with glazing into publicly accessible areas such as elevator lobbies, and stairs;

(b) Reduce opportunities for theft in the underground parking and mail theft;

(c) Reduce opportunities for mischief in alcove and vandalism, such as graffiti; and

(d) Reduce opportunities for skateboarding in the open spaces.

Landscape Design

1.11 Design development to ensure viability of the Pollinator Corridor by the planting of as much native or ecologically adapted species as possible to this region, including plants which represent biodiversity, are important to native wildlife habitat and conducive to rewilding of the native ecosystem. In order to establish rewilding, this should also include plants of variable sizes and heights including large scale forest dominant trees, smaller understorey trees and shrubs, lower native plants, native grasses, perennials and groundcovers. All planting along the Pollinator Corridor should be on parkade-free grade; (see also Urban Design condition #1.2).

1.12 Design development to improve and increase porosity of the pedestrian connections, including semi-private open spaces, to ensure access to all residents and public.

Note to Applicant: Currently it appears the semi-private open spaces are not connected to the rest of the pedestrian open space network.

1.13 Design development to ensure smooth transitions between the Park, public open spaces, semi-public open spaces and semi-private open spaces by the use of similar hard and soft landscape materials crossing from one space to another.

1.14 Design development to use water as an integrated, sustainable element into the landscape, in as many open spaces as possible, including interpretive signage describing and demonstrating the naturally occurring water cycle.

1.15 Design development to improve the sustainability strategy, by the following:

(a) Use water as an integrated, sustainable element into the landscape, in as many open spaces as possible, including interpretive signage describing and demonstrating the naturally occurring water cycle;

(b) Explore opportunities to add intensive or extensive green roofs to all available flat roof surfaces;

(b) Explore opportunities to add additional trees on rooftops for increased canopy cover, to create shade and alleviate urban heat island effect;

(c) Add substantially more landscape around all entry areas, to accent and soften them;

(d) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems).

(e) Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence; and

(f) Add as many edible plants as possible, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots; (see also Social Policy condition #1.55).

1.16 Design development to ensure the intended landscape design is carried into the future by adequate maintenance, as follows:

(a) Provide common maintenance access to all planted common areas;

(b) Provide a high efficiency irrigation system for all planted areas; and

(c) Provide a Landscape Management Plan as legally binding assurance of maintenance of all planted areas which rely on planting for architectural character and expression into the future, including private terraces.

1.17 Design development to ensure all residential buildings incorporate an outdoor pet relief area at grade on private land adjacent to a universally accessible building entrance. The pet relief area should be approximately 9 m^2, located in well lit areas with connections for water and sanitary sewer lines.

Note to Applicant: shared pet relief areas may be considered for multiple buildings within the same development parcel.

1.18 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

(a) Maximize natural landscape best management practises;

(b) Minimize the necessity for hidden mechanical water storage;

(c) Increase the amount of planting to the rooftop areas, where possible;

(d) Consider linear infiltration bio-swales along property lines, at lower site areas;

(e) Use permeable paving;

(f) Employ treatment chain systems (gravity fed, wherever possible); and

(g) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 & 2 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.

1.19 Provision of 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; and

(c) 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: the sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

Additional Standard Landscape Conditions at the time of DP Application:

1.20 Provision of an updated Arborist Report confirming commitment to tree retention, including but not limited to the following:

(a) Tree reference numbers on the Tree Management Plan;

(b) Current recent health conditions of each tree;

(c) Detailed tree retention strategy directives, methods of protection, methods of improvements and mitigation measures of trees with “marginal” designation; and

(d) Recommendations for future tree maintenance.

1.21 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.

1.22 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. 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.

1.23 Provision of detailed **architectural and landscape** cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: the sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and 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, such as residential units or amenity rooms.

1.24 Provision of a “Tree Management Plan” in coordination with updated Arborist Report.

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

1.25 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. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

1.26 Coordination for the removal and replacement of street trees.

Note to Applicant: Any City owned tree removals to be confirmed by Engineering and the Park Board. New street trees to be shown and confirmed on the development permit plans, including referenced on Plant List. Contact 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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

1.27 Provision of an outdoor Lighting Plan.

Engineering Services

1.28 All archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the Heritage Conservation Act (“HCA”) (S.13). Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The HCA does not distinguish between those archaeological sites which are “intact," (i.e., those sites which are in a pristine, or undisturbed state) and those which are “disturbed” (i.e., those sites which have been subject to alteration, permitted or otherwise). All archaeological sites, regardless of condition, are protected by the HCA, as described above. HCA-protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the

Archaeology Branch (Ministry of Forests, Lands Natural Resource Operations and Rural Development). It is the developer's responsibility to exercise due diligence to avoid damage to any unrecorded archaeological sites, which are still protected under the HCA.

1.29 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

(a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan https://vancouver.ca/files/cov/engineering-design-manual.PDF; and

(b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advance of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

1.30 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

1.31 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.

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

1.33 Provision of a finalized Transportation Demand Management ("TDM") Plan to the satisfaction of the General Manager of Engineering Services at each Development Permit stage with consideration of the following:

(a) For each development permit, a detailed TDM Plan meeting the requirements for Large Sites is required; and

(b) The TDM Plan shall be provided as a separate package with complete information on TDM measures proposed at each subsequent development permit;

Notes to Applicant:

i) A single TDM measure may count towards multiple land uses if it is usable by each land use;

ii) TDM points can only be claimed for Public Bike Share (PBS) station(s) located on private property; and

iii) Refer to Schedule B of the TDM policy for detailed requirements for each measure and development review requirements.

1.34 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which identifies the following:

(a) Secures provision of funding towards long-term TDM monitoring fund in the amount of $2 per square metre of gross floor area;

(b) Secures the provision of TDM measures on the site;

(c) Permits the City to access and undertake post occupancy monitoring of the TDM measures proposed; and

(d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

1.35 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including but not limited to:

(a) Improved interface of the parkade access and street/lane; and

(b) Eliminate any proposed off-set driveway configurations.

Note to Applicant: Driveways should be sited to ensure sufficient sight distances (intersection and stopping sight distances). Provision of updated detailed operational and sightline review to support the proposed driveway accesses is required. The sightline analyses in the updated TAMS dated September 2021 did not include intersection sight distance (ISD) review and operational impact of queue overspills to the access point from adjacent intersections. Driveway spacing shall also be considered.

Proposed access to Parcel B needs additional refinement as the location appears to be too close to the intersection of Manson Street / 37th Avenue.

1.36 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:

(a) Review of the horizontal swept paths of the largest commercial trucks servicing the site accessing to and departing from the loading bays;

(b) If the proposed loading space(s) is located below grade, the following will be required: and

(i) Review of the vertical swept paths;

(ii) Provision of access ramps not exceeding 10% slope; and

(iii) Provision of the Parking Bylaw required minimum vertical clearance along the access path(s).

(c) Provision off-street turnaround space for the largest service vehicles.

Note to Applicant: No vehicle will be allowed to reverse to/from a City street to access a loading area except for a loading bay(s) fronting a lane.

1.37 Provision of the following information as part of the drawing submission at the development permit stage to facilitate a complete Transportation review:

(a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;

(b) All types of parking and loading spaces individually numbered and labelled;

(c) Dimension of any/all column encroachments into parking stalls;

(d) Identification of all columns in the parking layouts;

(e) Dimensions for typical parking spaces;

(f) Dimensions of additional setbacks for parking spaces due to columns and walls;

(g) Dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;

(h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

(i) Details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans;

(j) Areas of minimum vertical clearances labelled on parking levels;

(k) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

(l) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.

(m) Existing street furniture including bus stops, benches etc. to be shown on plans; and

(n) The location of all poles and guy wires to be shown on the site plan.

1.38 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines or into the statutory right of way (SRW) area.

1.39 Prior to the issuance of the first development permit, a draft final site-wide Rainwater Management Plan ("RWMP") that details how the onsite rainwater management system meets the volume reduction, release rate and water quality requirements shall be submitted to the satisfaction of the General Manager of Engineering Services, including and clearly indicating the following:

(a) General requirements:

(i) Ensure design is coordinated and feasible particularly at locations with multiple proposed uses that may be competing or conflicting;

(ii) Ensure the site wide RWMP meets or exceeds all rainwater management requirements at each proposed phase of development;

Note to Applicant: Interim condition of substandard performance at any phase is not permitted.

(iii) Setback requirement: all infiltrating features should provide 5 metres offset from the building foundation and 3 metres offset from the water main. Check the City's Design Guidelines and Construction Standards for offset from other utilities to ensure compliance. Allowing adequate setback minimizes the impact of infiltration to the adjacent utilities and infrastructure;

(iv) Limits of the Building Foundation for each building should be shown along with the measured offset to the edge of each proposed infiltration practice;

(v) Maximum drawdown time of 72 hours for subsurface infiltration (rock reservoir layer) practice;

(vi) Maximum drawdown time shall be 24 hours for surface ponding depth of proposed best management practices;

(vii) Maximum depth of surface ponding should be limited to 300 mm wherever possible. Depth may increase up to maximum amount of 450 mm if additional considerations are incorporated into the design. These include safety (possible fencing required, reduce maximum side slope to 3:1 or less), erosion and scour (reduce maximum side slides to 3:1 or less), emergency access (not allowed at any potential emergency excavation or access route). See also Parks condition #1.70;

(viii) Modelling parameters and assumptions were not reviewed at Rezoning;

(ix) Proposed culverts and/or sewer crossings between private and public parcels as well as proposed ditches may need to be sized for the major system. Further coordination with the City is required;

(x) Supporting information for the proposed design infiltration rates to be provided by a Qualified Professional. Rates should be supported by percolation testing at the appropriate depth and locations;

(xi) Bottom of infiltration practices at private development and civic building parcels shall not be placed directly above compacted engineered fill;

(xii) Consideration for adequate access to various components of the rainwater management systems must be incorporated into the design. Personnel, vehicular or specialized machinery access may be required for maintenance, operation and inspection purposes; and

(xiii) Design to ensure minimum of one independent storm service connection for direct discharge to the City's system is provided for each parcel. Requests for additional storm service connections for individual parcel may be permitted if necessary due to local site constraints. Proposed number and location of all connections for each parcel shall be clearly shown and summarized in site wide RWMP.

(b) Volume reduction requirements:

(i) Calculation of any detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices for private development parcels and school parcel;

(ii) With the exception of rainwater reuse/harvesting systems, all proposed best management practices should infiltrate, evaporate and/or slowly release the target depth of rainwater within a 24 hour period ; and

(iii) Proposed rainwater management plan shall be consistent with accepted design guidelines.

(c) Water quality requirements:

(i) Runoff from the roof area cannot be considered clean. Treatment up to the first 24 mm of rainfall to remove 80% total suspended solids (“TSS”) by mass prior to discharge from the site is still required similar to other low pollutant loading surfaces;

(ii) Green roofs are recognized to provide 80% TSS removal if sized to accommodate the full 24 mm of contributing runoff within the soil media. Please use rainfall storage of 8-18% of soil volume as per Volume 2 of the City of Vancouver’s Best Management Practice Toolkit dated March 2016; and

(iii) Depth of soil media and base area of rain gardens should be sized for contributing runoff. Maximum Impervious to Pervious (I/P) ratio shall be 20:1 for all private development parcels.

(d) Release rate requirements:

(i) Peak flow calculations to use 1:10 year return period. Minimum inlet time = 5 minutes. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve value;

(ii) Minimum inlet time of 5 minutes for each catchment but additional flow travel time may be estimated using an appropriate formula based on the catchment properties (overland vs channel flow, etc.);

(iii) Peak flow control is required at every proposed Site Outlet (“storm service connections”). Pre-development and post-development catchments should be provided with respect to the proposed site outlets. For areas where flow attenuation is not feasible for a given Site Outlet, it should be clearly indicated as a sub-catchment in the applicable plan/figure/drawing. More stringent flow attenuation would be required in the remaining sub-catchments to compensate in such circumstances;

(iv) All rainwater should drain by gravity for capture, treatment and discharge offsite;

(v) Design considerations for emergency overflow/bypass mechanism for events greater than the 1:10 year return period in the design of the each best management practice is necessary; and

(vi) Confirm if there are any external drainage catchments entering the site and if so they should be described and shown in relevant site plans as part of the rainwater management plan. Runoff from external catchments need to be properly accommodated or bypassed as part of the proposed design in post development conditions.

Note to Applicant: As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

The applicant may schedule a meeting with Rainwater Management Review group prior to moving forward with the RWMP to address any concerns or questions related to the conditions or comments prior to resubmission with the DP application. To schedule the meeting, contact rainwater@vancouver.ca.

1.40 Provision of Rainwater Management Agreement(s) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to restrict the issuance of Development, Building, and Occupancy Permits, describe the Owner's post occupancy requirements, and provide the necessary rights of ways for any Rainwater Management System(s).

1.41 Provision of cost sharing agreement(s) between private property parcel(s) Owner(s) and the City where rainwater from private property is proposed to be managed within the City's right of way or property boundary to the satisfaction of the General Manager of Engineering Services and Director of Legal Services to describe the appropriate amount and frequency of payment to the City for the long term maintenance and operation of the shared rainwater management system.

Note to Applicant: There may need to be additional description of contingencies and obligations to continue to meet rainwater performance requirements solely within the Owner's own property boundary should the agreement ever be dissolved in the future. See also Enactment Condition #2.7.

1.42 Provision of a draft final RWMP prior to DP issuance for any individual parcel.

Note to Applicant: The draft final RWMP submitted at DP stage for any future parcel level submission will, along with achieving the objectives outlined for the site-wide RWMP, achieve the following:

(a) For any future DPs submitted for individual parcels on this large site, each must demonstrate how that site area or phase contributes to the overall site-wide Rainwater Management Plan. Each subsequent DP submission will also include an updated overall site plan with details provided for that phase or site area. Clearly demonstrate how the proposed Parcel RWM system design is consistent with the site-wide RWMP report and that relevant rainwater management targets have been met;

(b) Provide a servicing plan which includes all routing of rainwater into the proposed systems and out to the municipal system; and

(c) Provide draft final detailed drawings of all proposed rainwater management systems including but not limited to, dimensions, inverts, stage-storage-discharge characteristics, design criteria and all assumptions.

1.43 Provision of a final RWMP for each Parcel prior to the issuance of any future building permit for the construction of any building, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services.

1.44 Provision of a final Operation & Maintenance ("O&M") Manual for each parcel for all rainwater systems to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The O&M Manual shall be tailored specifically for the rainwater management practices proposed to meet on-site requirements and submitted as a standalone document prior to the issuance of any building permit.

Green Infrastructure Rezoning Conditions (Public Realm)

Prior to the issuance of each development permit, the design and construction of green rainwater infrastructure ("GRI") shall be reviewed and approved to the satisfaction of the General Manager of Engineering Services, unless stated otherwise, clearly indicating:

1.45 Provision of the following GRI design target and setback requirements:

(a) Public Realm Rainwater Management Target: To treat and retain 48 mm of rainwater in any 24hr event (or 90% of average annual rainfall) to the greatest extent practicable, as specified in the Rain City Strategy and Cambie Corridor Public Realm Plan; and

(b) Setback Requirement: All infiltrating GRI features should provide 5m offset from the building foundation, unless a site-specific geotechnical report proves that the offset can be safely reduced and all infiltrating GRI features should provide 3m offset from the existing and proposed water main.

Note to Applicant: Check the City's Design Guidelines and Construction Standards for offset from other utilities to ensure compliance. Allowing adequate setback minimizes the impact of infiltration to the adjacent utilities and infrastructure.

1.46 Confirmation of GRI measures including provision of the following:

(a) Incorporation of the following for GRI measures located in the Rights of Way ("ROW") and laneway for public realm rainwater management:

(i) Bioretention (i.e. rain garden) is recommended on W. 35th Ave as a pollinator corridor, and at the north portion of the New Commercial St.

near the Cultural Centre;

Note to Applicant: Bioretention can be a linear feature in the street boulevard or in the curb bulges at a road intersection.

(ii) On Heather St. (between W. 33rd Ave and W. 35th Ave), New Commercial St. (south portion), Baillie St. and Manson St., and W. 37th Ave, minimize the number of bioretentions where possible;

Note to Applicant: Explore alternative subsurface GRI options, such as stormwater tree trenches, to reduce future maintenance efforts undertaken by the City. Stormwater tree trenches can be designed with soil cells or structural soil placed under the sidewalk or bike lane to manage rainwater and to enhance soil volume in support of healthy trees. Refer to the Engineering Design Manual Section 9.3.3 to meet minimum soil volume requirement for street trees;

(iii) For the Heather St. Greenway (section of Heather St. between of W. 35th Ave and W. 37th Ave), use bioretention (i.e. rain garden) to manage rainwater,, where possible;

(iv) For sections of W. 33rd and W. 37th Aves where street improvements will be implemented by the City, include provision for 100% funding for future construction of GRI to meet the public realm rainwater management target and for sections of W. 33rd and W. 37th Aves where street improvements will be implemented by the developer, include provision for construction of GRI to meet the public realm rainwater management target;

Note to Applicant: Coordination is required with Transportation Planning Branch.

(v) For Cambie St. at the W. 37th Ave intersection where the center median will be closed, provision for the construction of, or full funding for green infrastructure, and green infrastructure themed educational parklet/node with elements, as per the Cambie Corridor Public Realm Plan Figure 3.7.4 a & b, all to the satisfaction of the General Manager of Engineering Services;

(vi) Use permeable pavement to manage rainwater in all laneways; and

Note to Applicant: The permeable pavement should provide equal performance and design life as the pavement structure specified by City's Street Design Branch.

(vii) Provision of an infiltration gallery under laneway parcel S2 (refer to Figure 8 of the RWMP).

Note to Applicant: The gallery will be constructed with load bearing modular stormwater system (or equivalent). It receives direct rainfall from

the permeable laneway surface, and inflow from proposed storm sewer pipe 3 (refer to Figure 8 of the Rainwater Management Plan). The gallery infiltrates, attenuates and conveys rainwater before overflowing to the downstream drainage system on W. 33rd Ave. The proposed infiltration gallery is a pilot project that supports the vision of sustainable large development by providing innovative infrastructure solutions and technologies. It eliminates the need for the proposed storm sewer pipe 1, and takes advantage of the good infiltration potential of the site to reduce rainwater discharge to the downstream sewer system.

(b) 48 mm rainwater treatment and retention for W. 37th Ave east of Heather St. (sub-catchment S14) frontage from the property line to the road centreline in addition to the proposed GRI in the RWMP;

(c) Updated GRI type, location, and layout design to ensure consistency in the overall frontage design by coordinating the latest geometric design provided by the City's Transportation Design Branch and latest Landscaping Plan and Tree Management Plan mentioned design/plan to ensure consistency in the overall frontage design;

(d) Detailed GRI design and supporting documents for each proposed GRI, including catchment delineation, treatment and capture volume calculation, plan and section views, catch basin connection detail, planting plan, etc.;

Note to Applicant: Site specific infiltration test result is required to support the design. Submissions will be reviewed by the City's Green Infrastructure Implementation branch for approval.

(e) A phasing plan for the proposed GRI and Erosion Sediment Control ("ESC") procedures for GRI protection during construction; and

Note to Applicant: Operating and maintenance ("O&M") procedures should be submitted to guide City's long term operation and maintenance efforts.

(f) Acknowledgment that GRI features in the ROW will prioritize managing rainwater from the ROW surface.

Note to Applicant: It is not recommended to direct on-site rainwater to GRI in the ROW due to limited space and capacity. If such an option is proposed, it is subject to the City's review and approval on a case by case basis. The City requires provision of funding to support future operation and maintenance of the GRI.

Note to Applicant: Green Infrastructure Implementation Branch is developing draft standard drawings and specs for bioretention and stormwater tree trenches. They can be made available to the consultants upon request.

1.47 Incorporation of the following for GRI measures located in parks and Heather Street Greenway for public realm rainwater management:

(a) Heather St. Greenway will prioritize managing rainwater from parcel S11;

Note to Applicant: The feasibility of receiving additional on-parcel rainwater from sub-catchments S17 and S19 is to be studied. GRI design should consider the offset requirement for the existing underground water main, sewer main and building foundation. There is an additional proposed water transmission main under Heather St., refer to City water main preliminary design drawing for Heather St – W33rd Ave to W41st Ave. Coordinate with Transportation Design branch to obtain the latest data on street and bike lane alignment.

(b) Rainwater from sub-catchments S17 and S19 cannot be directed to GRI features on W. 35th Ave (e.g. S24-1 and S24-2);

(c) Management of on-site rainwater in the park south of 35th Ave (Phase 2) to the satisfaction of the General Manager of the Park Board;

(d) Detailed GRI design and supporting documents for each proposed GRI, including catchment delineation, treatment and capture volume calculation, plan and section views, catch basin connection detail, planting plan, etc.;

Note to Applicant: Site specific infiltration test result is required to support the design. Submissions will be reviewed by the City's Green Infrastructure Implementation branch for approval.

(e) Prepare phasing plan and ESC procedures for the proposed GRI protection during construction;

(f) Provide O&M procedures and clarify ownership and the party responsible for the long term operation and maintenance of the proposed GRI.

1.48 Provision of the following updated revisions to the draft RWMP which includes:

(a) Show horizontal distance from the edge of the proposed rain gardens in parcel S3, S10, and S11 to the adjacent building foundation and ensure adequate offsets (5m) are met;

(b) Confirmation that permeable laneway design considerations (similar to section 5.1 for rain garden) support capture volumes shown in Table 4; and

(c) Confirmation of no utility conflicts for all proposed GRI.

Note to Applicant: In Figure 5, the detention rain garden in parcel S11 may be in conflict with an existing water main running under Heather Street.

Note to Applicant: For further information, contact Green Infrastructure Implementation Branch at ESRGGIIDL@vancouver.ca

1.49 Provision of a Final Hydrogeological Study, prior to issuance of each Development Permit, to the satisfaction of the General Manager of Engineering Services, that meets the requirements of the Groundwater Management Bulletin, and includes:

(a) A Groundwater Management Plan that meets the Bulletin requirements, and outlines how the permanent discharge of groundwater to the sewer system will be avoided;

Note to Applicant the discharge rates provided in Table 1 of the Preliminary Hydrogeological Report (dated Feb, 2021) will not be permitted to enter the City drainage system.

A groundwater management plan consisting of waterproofing and strengthening the portion of the foundations and elevator pits extending below the water table, as proposed in the Preliminary Hydrogeological Report, is acceptable.

A permanent groundwater management plan consisting of the use of a cut off wall for groundwater control may also be acceptable but would result in discharge to the City drainage system. Should this approach be considered, its approval will be contingent on further City review prior to development permit. In this case, the consultant must provide anticipated flow rates for each building. The impact of proposed cut off walls on regional groundwater flow must also be considered as part of an impact assessment.

Construction-related discharge to the sewer must be measured, and reported to the City. This monitoring must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the Building Permit; to lift the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.

(b) A Groundwater Impact Assessment, that meets the requirements of the Groundwater Management Bulletin, and includes the potential impacts of any low-carbon energy options involving groundwater (e.g. Concept 2), which includes:

(i) Groundwater modelling that assesses the impacts to the groundwater conditions in the surrounding area. This should include the impacts from low-carbon energy options involving groundwater, as well as the impacts of on-site infiltration;

Note to Applicant: Heather Lands is an important recharge area for the Quadra Sands Aquifer. Additionally, there are several current and future groundwater users in the area (e.g. Oakridge). As a result, a very high level of care is required in the design of Concept 2.

(ii) Significant green infrastructure is being proposed for the site. The impacts of infiltration local groundwater flow have not been considered. There is significant increase in infiltration on site from pre-development to post-development.

(iii) Analysis related to the potential for groundwater contaminant transport; and

(iv) An assessment of the potential for thermal impacts to groundwater (e.g. warming of groundwater) offsite due to the low-carbon energy options involving groundwater being considered (e.g. Concept 2), including any associated impacts to down-gradient receptors. This analysis should include recommendations for how such thermal impacts will be monitored and mitigated (if applicable).

Note to Applicant: Concept 2 may require water use authorization from the Province under the *Water Sustainability Act.* The applicant is advised to contact the Province as soon as possible due to the lengthy approval process.

The Piteau report referenced in KWL's August 2020 memo detailing the hydrogeological concerns for Concept 2 is required for a more detailed review. The technical memorandum authored by Piteau (dated February 2, 2021) does not address Concept 2.

1.50 Provision and confirmation of the following are required in order for Engineering to support plant materials on the street Rights of Way:

(a) All plant material within the same continuous planting area which is located on street Rights of Way within 10.0 m (32.8 ft.), measured from the corner of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas, shall not exceed a mature height of 0.6 m (2 ft.), measured from the sidewalk;

(b) All plant material within the street Right of Way that is located outside of the areas described in the bullet above shall not exceed a mature height of 1.0 m (3.3 ft.), measured from the sidewalk;

(c) Plants shall be planted in such a way as to not encroach on the sidewalk, street, lane, and/or bike lane and shall provide a minimum 0.45 m (1.5 ft.) buffer of low groundcover or sod grass for plantings adjacent to sidewalks;

(d) No permanent irrigation system shall be installed in the street Right of Way; and

(e) All planting on street Rights of Way are to be maintained by the adjacent property owner.

Note to Applicant: Refer to City of Vancouver Boulevard Gardening Guidelines for more information on boulevard planting.

1.51 Provision of waste minimization and waste diversion as per the *Rezoning Policy for Sustainable Large Developments*. Section F of the Policy outlines a list of zero waste requirements which must be met for this site, including the following:

(a) Adequate space for collection bins and zero waste initiatives in buildings (F.3.1), with mandatory requirements for Zero Waste Initiatives including the following:

(i) Solid waste storage amenities must be no more than one storey below grade and must be designed to ensure all waste collection day activities occur onsite, as opposed to placing bins onto City property for collection;

(ii) The size of storage rooms must be in compliance with the guidelines set out in the Garbage and Recycling Storage Amenity Design Supplement allowing a sufficient number of carts/containers to meet the needs of the entire building;

(iii) The space allotted must exceed the minimum set out in the guidelines to allow for waste diversion programs to ensure items banned from garbage are not put in garbage (e.g. electronics, foam packaging); and

(iv) There must be an infrastructure and maintenance plan to maintain a litter-free environment in exterior areas (e.g. public sidewalks and paths).

(b) Occupant/Public communication and education program required (F.3.2), including a minimum of three items from the Occupant/Public Education and Outreach Actions list under the Sustainable Large Developments Administrative Bulletin;

(c) Additional Zero Waste Actions: Recycling, Organics and Waste Collection Systems (F.3.3) – Buildings must incorporate zero waste efforts beyond the provision of standard recycling bins; and

Note to Applicant: The applicant must show how they plan to meet this objective by choosing and implementing as least seven initiatives from a list of 18 items under the Bulletin.

(d) Post Occupancy Plan Implementation Report Plan (F.3.4) – the applicant must acknowledge intent to provide a Plan Implementation Report within 18 months post occupancy, with details regarding who will be responsible for submitting.

Note to Applicant: Staff acknowledge that the applicant has provided a preliminary waste management plan to meet the above requirements 1 to 3. The submission will be further reviewed during the development permit application stage.

1.52 Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for a site-wide Solid Waste Reporting Covenant prior to the issuance of the first development permit.

1.53 Provision of the following statement on the landscape plan:

"This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact

Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."

Childcare

1.54 Design development of any childcare facility associated with the CSF Elementary School on Parcel D to be licensable by Community Care Facilities Licensing and meet the requirements of the City's *Childcare Design Guidelines and Childcare Technical Guidelines*, to the satisfaction of the General Manager of Arts, Culture and Community Services.

Social Policy

1.55 Fulfill, to the satisfaction of the Director of Social Policy, the Sustainable Food Systems requirements of the Rezoning Policy for Sustainable Large Developments for sites over 10 acres in size. Specifically, on the south parcel, deliver residential community garden plots. The following is required:

(a) Residential community garden plots: Design development of all parcels with residential units to include include community garden plots satisfying the *Rezoning Policy for Sustainable Large Developments Administrative Bulletin* and the City's *Urban Agriculture Guidelines for the Private Realm*, or any other applicable policy at the time of development permit, and meeting the following requirements:

(i) Provide a combination of individual plots and shared growing space to meet the minimum requirement for 24 square feet of gardening space for at least 30% of the residential units with less than 100 square feet of private outdoor space.

Note to Applicant: as part of each development permit submission, provide calculations to demonstrate adherence to the 30% minimum.

(ii) Provide support facilities as outlined in the *Urban Agriculture Guidelines for the Private Realm.*

(iii) To the extent possible, provide plots in semi-public areas to enable public access through garden pathways.

(b) Submission requirements**:** Food assets to be indicated on all drawings and plans submitted as part of the development permit process.

Note to Applicant: Food assets to be delivered within CD-1 North include community kitchen facilities, a community food market, edible plantings (Indigenous plant garden and food forest/orchard), and resident community garden plots.

Housing

1.56 The proposed rental housing unit mix including 41 studio units (14.5%), 135 1-bedroom units (48%), 78 two-bedroom units (27.7%), and 27 three-bedroom units (9.6%) located on Parcels B and F combined, is to be included in the Development Permit drawings.

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

Note to Applicant: The family unit mix requirements must each be met within each associated parcel.

1.57 The proposed Below Market Rental housing unit mix, including 13 studio units (14.1%), 44 1-bedroom units (47.8%), 26 two-bedroom units (28%), and 9 three-bedroom units (9.7%) located on Parcels B and F combined, is to be included in the Development Permit drawings.

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

Note to Applicant: The family unit mix requirements must each be met within each associated parcel.

1.58 The proposed strata housing unit mix, including 130 studio units (14.7%), 437 1-bedroom units (49%), 217 two-bedroom units (24.6%), and 95 three-bedroom units (10.8%) located on Parcels B and F combined, is to be included in the Development Permit drawings.

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

Note to Applicant: The family unit mix requirements must each be met within each associated parcel.

1.59 The proposed social housing unit mix, including 84 studio units (20%), 125 1-bedroom units (30%), 125 two-bedroom units (30%), and 84 three-bedroom units (20%) located on Parcels A and E combined, is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 50% of the dwelling designed to be suitable for families with children.

Note to Applicant: The family unit mix requirements must each be met within each associated parcel.

1.60 Ensure no less than 35% of all strata, market rental and below-market rental residential units, and the buildings containing such units, and no less that 50% of all social housing residential units and the buildings containing such units, are designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including but not limited to the provision of:

(a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture, ranging in size from 130 sq. m (1,399 sq. ft.) to 280 sq. m (3,014 sq. ft.) and situated to maximize sunlight access (S. 3.3.2, 3.4.3);

(b) A private outdoor space for each unit with minimum 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

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

1.61 Design development of the social housing should reference the *BC Housing Design and Technical Guidelines*, the City of Vancouver *Housing Design and Technical Guidelines*, and other forms of best practices for social housing unit design, including but not limited to unit sizes, outdoor and indoor amenity space, and a minimum of five per cent of units as wheelchair accessible.

1.62 Integrate 4-8 family-oriented units that are suitable to accommodate licensed family childcare, in each social housing building (Parcel A and Parcel E).

Note to Applicant: Family childcare units are licensed by Vancouver Coastal Health's Community Care and Facilities Licensing (CCFL) post occupancy. The following advice seeks to maximize the ability for purpose-built housing units to be licensable.

(a) Consider developing family housing unit sizes to accommodate more childcare spaces (up to seven children), thereby maximizing the revenue-generating ability for the future childcare operator.

(b) Consider allocating the family childcare units on the ground floor with a secure and contiguous outdoor play area, or easy access to the building's outdoor common area.

(c) Maximize opportunities to integrate additional indoor and outdoor storage.

Note to Applicant: The applicant is encouraged to work with staff to integrate City indoor and outdoor design considerations for family-oriented units that are suitable to accommodate licensed family childcare.

1.63 Provide indoor multi-purpose amenity space, as follows:

(a) buildings with up to 90 units (excluding townhouse buildings) will provide at least 46.5 sq. m (500 sq. ft.);

(b) buildings with more than 90 units will provide at least 92.9 sq. m (1,000 sq.ft.);

(c) each multi-purpose indoor amenity space is to include a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and

(d) the minimum indoor amenity space required per parcel is per the following table:

Parcel	**Minimum Required Amenity Space**
Parcel A (Social Housing)	369 sq. m (3,975 sq. ft.)
Parcel B	279 sq. m (3,000 sq. ft.)
Parcel C	93 sq. m (1,000 sq. ft.)
Parcel E (Social housing)	307 sq. m (3,300 sq. ft.)
Parcel F	186 sq. m (2,000 sq. ft.)
Total	**1,234 sq. m (13,275 sq. ft.)**

Note to Applicant: The required amenity space may be provided in each building, for each parcel, or combined for multiple parcels only if made available to all residents of the development.

Note to Applicant: The required amenity space may be excluded from the overall site density, as set out in the CD-1 by-law.

1.64 Ensure that no less than 5% of the units in each development phase of the site, respectively including market housing, rental housing, and social housing tenures, are designed to be wheelchair accessible.

Parks

1.65 The applicant is responsible for delivering a total minimum of 4.4 acres of park and open space between the North and South parks and the cultural centre plaza.

Note to Applicant: within the minimum 4.4 acres, the south park will be a minimum of 2.27 acres.

1.66 The applicant will work collaboratively with Park Board staff to ensure the successful design and delivery of a minimum 2.27 acre south park. The south park will be designed to the approval of the General Manager of Parks and Recreation and the elected Board of Parks and Recreation through a co-design process, coordinated by the applicant.

(a) Park Board staff to oversee the public engagement process to Park Board standards.

(b) MST Nations to set parameters for, and oversee, MST engagement.

(c) MST Nations to coordinate appropriate MST approvals process, in particular, related to any cultural design aspects of the park.

(d) MST Nations to lead park naming process.

1.67 The applicant will work collaboratively with Park Board staff on the establishment of an intergovernmental working group between the MST Nations and Park Board with terms of reference to the satisfaction of the General Manager of Parks and Recreation prior to the initiation of the co-design process.

Note to Applicant: The purpose of the working group is long term co-management of the south park including high level decision making around park renewals or significant shifts in park programming. This working group could be framed to oversee the south park at Heather Lands as well as other future co-managed parks on land owned by the MST Nations.

1.68 The applicant shall enter into a Park Development Agreement for the design and delivery of the south park parcel to the satisfaction of the General Manager of Parks and Recreation to Park Board standards and as per conditions #1.66 and #1.67.

1.69 Design development through joint Park Board - MST Nations co-design process to include but not be limited to:

(a) Park programming

(b) Planting plan

(d) Tree retention

(c) Circulation system within, including through, the park

(e) Configuration of rainwater management feature(s)

(d) Alignment, materials, width and other specifications of the forest trail

(f) Lighting

(e) Vegetation coverage %

(g) Expression of pollinator corridor within the park, if any (Policy Statement stipulates requires a 5m enhanced setback on private property, specific requirements not stipulated for the park)

(f) Site furnishings including park signage.

Note to Applicant: The rezoning application shows a design intent for the south park. While the Park Board will strongly consider the general intent of the rezoning application

as it pertains to the park the design will be further explored through the co-design process and associated public engagement, closer to the time of park development.

1.70 Design development to confirm rain water management feature in the south park to accommodate a maximum volume of 59m^3 to support rainwater management from Parcel C. The repair, maintenance, replacement, and operation of the rainwater management feature will remain the sole responsibility and expense of the MST Nations as Parcel C landowner.

Note to Applicant: Rainwater management from other parcels into the park is not supported. Rainwater management from parcel C is being accepted given the intent to co-manage the park (see also condition #1.67) and given the rainwater feature supports the general design intent for the south park.

Note to Applicant: Acceptance of rainwater from Parcel C is contingent on Parcel C remaining residential land use at the rezoning approved density.

Note to Applicant: Configuration of rainwater management feature(s) in the south park will be considered through the joint Park Board - MST Nations co-design process. The full size of the rainwater management feature may be larger in order to accommodate rainwater from within the south park, or for programmatic reasons. Any proposed modifications to the rain water management feature(s) to support Parcel C during design development or over the life of the park must remain within the same footprint and be approved by the General Manager of Parks and Recreation.

1.71 The south park is to be operated by the Vancouver Board of Parks and Recreation with oversight and input from the intergovernmental working group (see also condition #1.67).

Note to Applicant: Drainage easements will be required on Parcel C to permit the maximum volume of 59 m3 of rainwater to be transferred to the park and confirm that all responsibilities related to the rainwater from Parcel C will remain the sole responsibility and expense of the Parcel C landowner. The lease agreement for the park parcel will also note that the rainwater management feature in the park will remain the sole responsibility of the MST Nations.

1.72 Concept design of the north park, cultural centre plaza and Heather St Right-of-Way between 35th and 37th avenue to be closely coordinated with the concept design of the south park.

Note to Applicant: regardless of phasing, these spaces should be conceptually designed at the same time in order to ensure appropriate transitions between spaces and seamless design of the forest trail through the two parks.

1.73 Design development of the forest trail through both the north and south parks to occur through Park Board – MST Nations park co-design process.

Note to Applicant: the alignment, dimensioning, surfacing and lighting (if applicable) of the forest trail through the parks through the co-design process to the satisfaction of the General Manager of Parks and Recreation. The trail will be designed to connect to a crosswalk across 35th Avenue, location to be confirmed by City Engineering.

1.74 Design development to improve solar access to the south park to the satisfaction of the General Managers of Parks and Recreation and the General Manager of Planning, Urban Design, and Sustainability. See also Urban Design Condition #1.1.

1.75 No non-park building, non-park subsurface building structure, or non-park infrastructure shall be located within or otherwise encroach upon the south park.

Note to Applicant: use of park space for rainwater management is an exception to this condition. See also conditions #1.70 and #1.71.

1.76 Design development to ensure no direct development parcel or building access into the park, including the Forest Trail where it runs through the park parcel.

Note to Applicant: A collector pathway is required within private property and is required to connect to sidewalks within the rights of way and not directly into internal park pathways, including the forest trail.

1.77 Through the co-design and co-management approach for the south park, the applicant is to consult the Park Board on the siting of any public art proposed within the parcel.

Note to Applicant: Should public art be proposed/located in the south park area, development of a Public Art Plan and implementation must include collaboration with Park Board staff to ensure siting of public art aligns with the advancement of the detailed design of the park and enhances and supports parks and recreation uses.

Sustainability

1.78 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at http://guidelines.vancouver.ca/G015.pdf

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For phased developments, it is expected that the individual development permits will meet the requirements of the Green Buildings Policy for Rezonings in effect at the time of development permit application. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezonings – Process and Requirements* (amended April 28, 2017 or later).

1.79 Show how resilience has been incorporated in the building design. Submit a refined resilience worksheet at time of Development Permit application. Refer to the Sustainable Large Developments Admin Bulletin for an up to date copy of the City's resilience worksheet.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owners 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 Engineering Services, the General Manager of Arts, Culture and Community Services, and the General Manager of Parks and Recreation (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

2.1 Arrangements are to be made to the satisfaction of the Approving Officer for the subdivision of the site to create the contiguous minimum 2.27 acre southern park parcel and the development parcels associated with the CD-1 South enactment, generally as described on Figure 14, and to dedicate to the City:

West 35th Avenue

(a) A 20 m wide dedication for an extension of W. 35th Ave from the lane east of Willow St. to the lane west of Ash St.;

Note to Applicant: The alignment of this dedication should meet the existing W. 35th Ave street Right of Way at the west side of the site and the future W. 35th Ave street Right of Way at the east side of the site.

New Street from the lane east of Willow Street to Baillie Street

(b) A 15.0 m wide dedication for a new street from the lane east of Willow St. to the new Baillie St. extension (south of the W. 35th Ave extension and north of W. 37th Ave);

Baillie Street

(c) A 20 m wide dedication for an extension of Baillie St. from W. 37th Ave to the W. 35th Ave extension;

Manson Street

(d) A 20 m wide dedication for an extension of Manson St. from W. 37th Ave to the W. 35th Ave extension;

Intersection of W 35th Avenue / Heather Street

(e) An additional dedication on the northwest corner at the intersection of Heather St. and W. 35th Ave to provide an arc with a minimum radius of 38 m where Heather St. meets W. 35th Ave at a right angle;

Note to Applicant: This is required in order to provide a minimum radius of 50 m for the painted centerline of the road.

(f) A 2.0 m wide dedication on the north side of W. 37th Ave adjacent to the site from the lane west of Ash St. to the Baillie St. extension; and

(g) A 2.5 m wide dedication on the west side of Heather St. from W. 35th Ave to the northern boundary of the area being rezoned.

Note to Applicant: A phased approach to subdivision may be supportable subject to legal arrangements. It may be preferable to leave the development site in whole blocks subject to further subdivision prior to development permit issuance. A no-development covenant may be required to secure the future subdivision.

Any new streets will be named in consultation with the MST Nations. Refer to the Civic Asset Naming Committee (CIAN) for approval of street names for the proposed public streets. Upon dedication of the roads to the City CIAN will advance recommendations to Council for the formal amendment to the Street Name Bylaw.

Pedestrian SRW

2.2 Provision of an encroachment agreement to secure ongoing maintenance by the applicant of proposed unique landscape treatment on Heather St. Right of Way between W. 35th Ave and W. 37th Ave.

2.3 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services for the physical closure of the southerly portion of Heather St. to vehicle traffic and for the appropriate allocation of any agreements related to the maintenance responsibilities associated with this area.

2.4 Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for registration of a Statutory Right of Way over the site for the pedestrian access routes (semi-public paths).

Note to Applicant: The SRWs may initially be blanket charges (defined by sketch plan), to be modified to a defined survey area based on the as-built conditions and registered prior to occupancy of each of the phased parcels.

2.5 Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to validate all private rainwater management drainage piping that is proposed to cross a dedicated City street.

Note to Applicant: This includes underground crossings on 35th Ave and Baillie Street.

2.6 Provision of private legal agreement(s) between the Owners of land parcels where rainwater is proposed to cross between property boundaries to the satisfaction of the General Manager of Engineering Services and Director of Legal Services to confirm the responsibilities and rights of each property owner.

Note to Applicant: This includes description of easements, cost sharing, and long-term maintenance of any shared rainwater management system(s) as well as contingencies and obligations to continue to meet rainwater performance requirements solely within the Owner's own property boundary should the agreement ever be dissolved in the future.

2.7 Provision of a Section 219 Covenant restricting the issuance of a Development Permit until such time as the developer provides a cost sharing agreement(s), with terms to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, between private property parcel(s) Owner(s) and the City where rainwater from private property is proposed to be managed within the City's right of way or property boundary.

Note to Applicant: See also Engineering condition #1.41.

2.8 Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement & Indemnity Agreements 530425M & 475080M (commercial crossings); Easement & Indemnity Agreements BR35493, 177898M & 200430M (pertaining to a steam line & electrical conduit under Heather St.); and associated charges (Covenant BR35494, SRW BR35495 and Equitable Charge BR37695) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the adjacent sites. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment.

2.9 Provision of a Section 219 Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to place a hold on the issuance of any Development Permit for the site, and such agreement shall include, without limitation, the following provisions:

(a) That no Development Permit for the site or any improvements or building thereon shall be issued until the following have been satisfied:

(i) Provision of a detailed Transportation Demand Management (TDM) Plan for each development permit, meeting the requirements for large sites as described in the *Transportation Demand Management for Developments in Vancouver Administrative Bulletin*, to the approval of the General Manager of Engineering Services;

(ii) Provision of further legal agreements, including without limitation a TDM Agreement, to ensure that the owner of the lands will construct, install, operate and continuously maintain the TDM measures set out in the approved TDM Plan, with the following provisions:

i. Permit the City to access and undertake post occupancy monitoring of the TDM measures proposed; and

ii. Require the owner of the lands to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

Note to Applicant: These agreements would include but not be limited to a Section 219 Covenant and Statutory Right-of-Way, subject to additional details being formalized through detailed design.

(b) Financial security in the form of a Letter of Credit or alternate forms of security to the satisfaction of the Director of Legal Services to secure the obligations set out in the TDM Agreement;

(c) Funding towards long-term TDM monitoring fund in the amount of $2 per square metre of gross floor area; and

(d) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Engineering Services, may in their sole discretion require.

2.10 Prior to enactment, provision of a Preliminary Hydrogeological Study, to the satisfaction of the General Manager of Engineering Services, that meets the requirements of the Groundwater Management Bulletin, and includes:

(a) A Groundwater Impact Assessment, that meets the requirements of the Groundwater Management Bulletin, and includes the potential impacts of any low-carbon energy options involving groundwater (e.g. Concept 2), which includes:

i. Groundwater modelling that assesses the impacts to the groundwater conditions in the surrounding area. This should include the impacts from low-carbon energy options involving groundwater, as well as the impacts of on-site infiltration;

Note to Applicant: Heather Lands is an important recharge area for the Quadra Sands Aquifer. Additionally, there are several current and future groundwater users in the area (e.g. Oakridge). As a result, a very high level of care is required in the design of Concept 2.

Significant green infrastructure is being proposed for the site. The impacts of infiltration on local groundwater flow have not been considered. There is significant increase in infiltration on site from pre-development to post-development.

ii. Analysis related to the potential for groundwater contaminant transport; and

iii. An assessment of the potential for thermal impacts to groundwater (i.e. significant warming or cooling of groundwater) offsite due to the low-carbon energy options involving groundwater being considered (e.g. Concept 2), including any associated impacts to down-gradient receptors. This analysis should include recommendations for how such thermal impacts will be monitored and mitigated (if applicable).

Note to Applicant: Concept 2 may require water use authorization from the Province under the *Water Sustainability Act.* The applicant is advised to contact the Province as soon as possible due to the lengthy approval process.

The Piteau report referenced in KWL's August 2020 memo detailing the hydrogeological concerns for Concept 2 is required for a more detailed review. The technical memorandum authored by Piteau (dated February 2, 2021) does not address Concept 2.

An updated Groundwater Impact Assessment may be requested prior to issuance of the first Development Permit for the site.

2.11 Provision of a Services Agreement to detail the on- 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 all to the satisfaction of the General Manager of Engineering Services. No development permit for the site, or any portion thereof, or for any building or improvements thereon will be issued until the Letter of Credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in condition #2.12, the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

(a) Provision of adequate water service to meet the fire flow demands of the project.

(i) All proposed new and upgraded water mains and required associated appurtenances as contemplated on *Figure 2 – Proposed Site Servicing Plan* of the Site Servicing Report with the following notes and modifications:

i. Construct water mains on Heather Street from McGuigan Ave to 35th Ave;

Note to Applicant: These mains are expected to be upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program. The City is targeting the completion of this upgrade prior to the Heather Lands development requiring this upgrade (prior to Phase 1 occupancy and as contemplated by the Site Servicing Report). Should the City's timeline change and these assets are not upgraded in time to meet each Phases' occupancy, the applicant would be responsible for delivering this asset and the City and the applicant will enter into a Front Ender Agreement.

ii. Construct water mains on Heather Street from 35th Ave to 37th Ave; and

Note to Applicant: These mains are expected to be upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program. The City is targeting the completion of this

upgrade prior to the Heather Lands development requiring this upgrade (prior to Phase 4 and 5 occupancy as contemplated by the Site Servicing Report). Should the City's timeline change and these assets are not upgraded in time to meet each Phases' occupancy, the applicant would be responsible for delivering this asset and the City and the applicant will enter into a Front Ender Agreement.

iii. Construct water mains on 37th Ave from Willow Street to Manson Street.

Note to Applicant: These mains are expected to be upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program. The City is targeting the completion of this upgrade prior to the Heather Lands development requiring this upgrade (prior to Phase 2 occupancy as contemplated by the Site Servicing Report). Should the City's timeline change and these assets are not upgraded in time to meet each Phases' occupancy, the applicant would be responsible for delivering this asset and the City and the applicant will enter into a Front Ender Agreement.

Note to Applicant: the extent of this upgrade is greater than what is shown in the submitted KWL Site Servicing Report; it is required that the scope be extended.

(ii) The timing for delivering these water main assets need to follow what is presented in the "Development Phasing Plan" section of the Site Servicing Report. Each Phases' noted upgrades must be completed prior to occupancy of the first building within the phase.

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

(i) Provision of internal site (onsite) sewer system upgrades which includes:

i. Provision of sewer mains on Baillie St. & W. 35th Ave tie to W. 35th Ave & Willow Street:

a. construct 101 m of 375 mm SAN main and 525 mm STM main on W. 35th Ave from the intersection of W. 35th Ave and Willow St. to the intersection of W. 35th Ave and Baillie St.;

b. construct 103 m of 300 mm SAN main and 450 mm STM main on Baillie St. from the intersection of W. 35th Ave and Baillie St. to the Right of Way between Parcel E and D;

c. construct 58 m of 250 mm SAN main and 375 mm STM main on Baillie St. from the Right of Way between Parcel E and D to fronting Parcel D and C;

d. construct 45 m of 375 mm STM main on W. 35th Ave from the intersection of W. 35th Ave and Baillie St. to fronting Parcel G1; and

e. construct 50 m of 200 mm STM main on W. 35th Ave from fronting Parcel G1 to the intersection of W. 35th Ave and Heather St.

ii. Provision of sewer mains on Heather St. (Storm only) tie to Heather St. & 37th Ave:

a. construct 91 m of 250 mm STM main on Heather St. from fronting Parcel G1 and F2 to the intersection of W. 35th Ave and Heather St.; and

b. construct 113 m of 300 mm STM main on Heather St. from the intersection of W. 35th Ave and Heather St. to intersection of W. 37th Ave and Heather St.

iii. Provision of sewer mains on 35th Ave & Manson St. & 37th Ave tie to Heather St. & 37th Ave:

a. construct 72 m of 300 mm SAN main and 375 mm STM main on W 35th Ave from the intersection of W. 35th Ave and Heather St. to fronting Parcel B3 and F1;

b. construct 37 m of 375 mm SAN main and 375 mm STM main on W. 35th Ave from fronting Parcel B3 and F1 to the intersection of Manson St. and W. 35th Ave;

c. construct 57 m of 375 mm STM main on W. 35th Ave from the lane east of Manson St. to the intersection of Manson St. and W. 35th Ave;

d. construct 75 m of 375 mm SAN main and 450 mm STM main on Manson St. from the intersection of Manson St. and W. 35th Ave to the intersection of W. 37th Ave and Manson St.; and

e. construct 109 m of 375 mm SAN main and 450 mm STM main on W. 37th Ave from the intersection of W. 37th Ave and Manson St. to the intersection of W. 37th Ave and Heather St.

(ii) Provision of offsite sewer system upgrades which includes:

i. Provision of Heather St. offsite upgrades:

a. separate and upgrade 11 m of 250 mm COMB main to 375 mm SAN main and 450 mm STM main on Heather St. from MH__FJCQ42 to MH__FJCQ41;

b. separate and upgrade 97 m of 375 mm COMB main to 375 mm SAN main and 525 mm STM main on Heather St. from MH__FJCQ41 to MH__FJCQ43;

c. separate and upgrade 100 m of 375 mm COMB main to 375 mm SAN main and 525 mm STM main on Heather St. from MH__FJCQ43 to MH__FJCP6C;

d. separate and upgrade 110 m of 375 mm COMB main to 375 mm SAN main and 525 mm STM main on Heather St. from MH __FJCP6C to MH __FJCP6O;

e. separate and upgrade 89 m of 450 mm COMB main to 450 mm SAN main and 675 mm STM main on Heather St. from MH __FJCP6O to MH__FJCP6K;

f. separate and upgrade 48 m of 600 mm COMB main to 525 mm SAN main and 900 mm STM main on W. 41st Ave from MH__FJCP6K to MH __FJCP6M;

g. separate and upgrade 11 m of 600 mm COMB main to 675 mm SAN main and 900 mm STM main on W 41st Ave from MH __FJCP6M to MH __FJCP6N; and

h. separate and upgrade 25 m of 750 mm COMB main to 675 mm SAN main and 1050 mm STM main on W. 41st Ave from MH __FJCP6N to MH __FJCP6L.

Note to Applicant: The applicant may enter to a Front Ender Agreement (FEA) with City. For further information, please contact the Development Water Resources Management (DWRM) branch at utilities.servicing@vancouver.ca.

ii. Provision of Willow St. offsite upgrades:

a. separate and upgrade 61 m of 200 mm COMB main to 375 mm SAN main and 525 mm STM main on Willow St. from W. 35th Ave to MH__FJCQ4C. (Split 91 m of 200 COMB main to 61m and 30 m);

b. Separate and upgrade 92 m of 200 mm COMB main to 375 mm SAN main and 525 mm STM main on Willow St. from MH__FJCQ4C to MH__FJCR4K; and

c. Separate and upgrade 50 m of 250 mm COMB main to 375 mm SAN main and 525 mm STM main on Willow St. from MH__FJCR4K to MH__FJCR4N.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

iii. Provision of 33rd Ave & Laurel St. & 32nd Ave offsite upgrades:

a. upgrade 51 m of 200 mm SAN main to 375 mm SAN main from MH__FJCR4P to MH__FJCR4N and 375 mm STM main to 450 mm STM main on W. 33rd Ave from MH__FJCR4Q to MH__FJCR4M;

b. upgrade 85 m of 250 mm SAN main to 375 mm SAN main from MH__FJCR4N to MH__FJCR4F and 450 mm STM main to 525 mm STM main on W. 33rd Ave from MH__FJCR4M to MH__FJCR4G;

c. upgrade 21 m of 250 mm SAN main to 375 mm SAN main from MH__FJCR4F to MH__FJCR4J and 450 mm STM main to 525 mm STM main on W. 33rd Ave from MH__FJCR4G to MH__FJCR3J;

d. separate and upgrade 60 m of 450 mm COMB main to 375 mm SAN main and 600 mm STM main on Laurel St. from MH__FJCR3J and MH__FJCR4J to MH__FJCR36;

e. separate and upgrade 49 m of 450 mm COMB main to 375 mm SAN main and 600 mm STM main on Laurel St. from MH__FJCR36 to MH__FJCR4A; and

f. separate and upgrade 11 m of 450 mm COMB main to 375 mm SAN main and 600 mm STM main on Laurel St. from MH__FJCR4A to MH __FJCR4B.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

The City may decide to deliver the off-site servicing upgrade along Heather St. as per the provisions under the Services Agreement at the applicant's cost.

The applicant is to inform the Development Water Resources Management (DWRM) Branch (utilities.servicing@vancouver.ca) of any updates to the on-site stormwater servicing strategy as the development progresses as it may impact the servicing plan.

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

(c) The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change;

(d) Provision of design brief, calculations and/or model, and design drawings by the applicant's Engineer to include issued for construction (IFC) drawings;

Note to Applicant: Issued for Construction (IFC) drawings are required to be reviewed and accepted by the City Engineer prior to building permit issuance.

(e) Development to be serviced to the proposed SAN and STM sewers which includes:

(i) Parcel A is to be serviced to the proposed 375 mm SAN sewer and 450 mm STM sewer on Manson St.;

(ii) Parcel B is to be serviced to the proposed 375 mm SAN and 375 mm STM sewers on W. 35th Ave;

(iii) Parcel C is to be serviced to the proposed 250 mm SAN and 375 mm STM sewers on Baillie St.;

(iv) Parcel D is to be serviced to the proposed 250 mm SAN and 375 mm STM sewers on Baillie St.;

(v) Parcel E is to be serviced to the proposed 300 mm SAN and 450 mm STM sewers on Baillie St St.;

(vi) Parcel F is to be serviced to the proposed 300 mm SAN and 375 mm STM sewers on W. 35th Ave;

(vii) Parcel G is to be serviced to the proposed 300 mm SAN and 300 mm STM sewers on New Commercial St.;

(viii) Parcel H is to be serviced to the proposed 375 mm SAN and 525 mm STM sewers on W. 35th Ave,;

(ix) Parcel I is to be serviced to the proposed 375 mm SAN and 450 mm STM sewers on New Commercial St.; and

(x) Parcel J is to be serviced to the proposed 375 mm SAN and 450 mm STM sewers on New Commercial Street.

(f) Provision of a sewer abandonment plan to the City that details the following:

(i) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site; and

(ii) The abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

W 35th Avenue

(g) Provision for the construction of street improvements from property line to property line on W. 35th Ave from Willow St. to the lane east of Willow St. including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Concrete sidewalks;

(iii) Curb ramps;

(iv) Green rainwater infrastructure;

(v) Improved street lighting including adjustment to all existing infrastructure; and

(vi) Road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

W 37th Avenue

(h) Provision for the construction of, or full funding for, street improvements from property line to property line on W. 37th Ave from Willow St. to the lane west of Ash St. including any transition areas to connect existing and new curb alignments in order to provide an AAA Greenway, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Raised protected bike lanes;

(iii) Concrete sidewalks;

(iv) Protected intersection corners;

(v) Curb ramps;

(vi) Green rainwater infrastructure;

(vii) Partial street closure to restrict vehicle through movements at a location to be determined;

(viii) Improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure; and

(ix) Road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

(i) Provision for the construction of, or full funding for, street improvements from property line to property line on W. 37th Ave from the lane west of Ash St. to the lane west of Cambie St. including any transition areas to connect existing and new curb alignments in order to provide an AAA Greenway, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include the following:

(i) New concrete curb and gutter;

(ii) Raised protected bike lanes;

(iii) Concrete sidewalks;

(iv) Curb ramps;

(v) Green rainwater infrastructure;

(vi) Improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure; and

(vii) Road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Heather Street

(j) Provision for the construction of street improvements from property line to property line on Heather St. from the lane south of McGuigan Ave to W. 35th Ave including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Raised protected bike lanes;

(iii) 50mm mill and pave full width of Heather St. along the development site's frontage;

(iv) Concrete sidewalks;

(v) Protected intersection corners;

(vi) Curb ramps;

(vii) Green rainwater infrastructure;

(viii) Relocation of the existing utility poles;

(ix) Improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure; and

(x) Road reconstruction as required to accommodate the proposed street improvements.

(k) Provision for the construction of street improvements from property line to property line on Heather St. from W. 35th Ave to W. 37th Ave including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) Removal of the existing street infrastructure such as vehicular travel lanes and curbs;

(ii) New bike paths;

(iii) Concrete hard surfaces within the Public Bike Share (PBS) station footprint and supporting electrical service for PBS;

(iv) Concrete sidewalks;

(v) Green rainwater infrastructure;

(vi) Curb ramps; and

(vii) Improved pedestrian and cyclist lighting including adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: The concept design of this section of Heather Street should be closely coordinated with the concept design of the south park, to the satisfaction of the General Manager of Parks and Recreation, including, but not limited to the landscape and planting design.

Any portion of the Right of Way that falls under a future maintenance agreement with the Vancouver Park Board to be designed to the satisfaction of the General Manager of Parks and Recreation.

Willow Street, Ballie Street, Manson Street

(l) Provision of the construction of the following new streets and associated infrastructure to current City standards:

(i) 35th Ave from the lane east of Willow St. to the lane west of Ash St.;

(ii) Baillie St. from 35th Ave to 37th Ave;

(iii) Manson St. from 35th Ave to 37th Ave; and

(iv) New street from the lane east of Willow St. to Baillie St.

Note to Applicant: Pavement structure for all proposed internal streets and laneways within the development site to meet current City “Higher-Zoned Street” specifications at time of construction and incorporating green rainwater infrastructure where conditioned.

Intersection of W 33rd Avenue / Oak Street

(m) Provision for the construction of improvements at the intersection of W. 33rd Ave and Oak St. to provide eastbound and westbound painted left turn bays on W. 33rd Ave, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Curb ramps;

(iii) Green rainwater infrastructure;

(iv) Installation of eastbound and westbound left turn arrows;

(v) Relocation and/or replacement of the existing catch basins; and

(vi) Adjustment to all existing infrastructure and road reconstruction as required to accommodate the proposed street improvements as well as provision for future bike lanes on W. 33rd Ave.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 33rd Avenue / Heather Street

(n) Provision for the construction of, or full funding for, improvements at the intersection of W. 33rd Ave and Heather St., all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Protected bike lanes with protected intersection corners;

(iii) Curb ramps;

(iv) Green rainwater infrastructure;

(v) Left turn bays;

(vi) Design and installation of a new traffic signal;

(vii) Installation of eastbound and westbound left turn arrows;

(viii) Relocation and/or replacement of the existing catch basins and utility poles;

(ix) 50mm mill and pave where the existing asphalt has deteriorated;

(x) Entire intersection lighting upgrade to current City standards and IESNA recommendations; and

(xi) Adjustment to all existing infrastructure and road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 33rd Avenue / Cambie Street

(o) Provision for the construction of improvements at the intersection of W. 33rd Ave and Cambie St., all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Protected bike lanes with protected intersection corners;

(iii) Curb ramps;

(iv) Green rainwater infrastructure;

(v) Left turn bays;

(vi) Design and installation of a new traffic signal;

(vii) Installation of eastbound and westbound left turn arrows;

(viii) Relocation and/or replacement of the existing catch basins;

(ix) Entire intersection lighting upgrade to current City standards and IESNA recommendations; and

(x) Adjustment to all existing infrastructure and road reconstruction as required to accommodate the proposed street improvements as well as provision for future bike lanes on W. 33rd Ave.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 35th Avenue / Cambie Street

(p) Provision for the construction of improvements at the intersection of W. 35th Ave and Cambie St. to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the the following:

(i) Modification of the existing center median to provide northbound and southbound turn bays;

(ii) Design and installation of a new traffic signal;

(iii) Installation of northbound and southbound left turn arrows;

(iv) New concrete curb and gutter;

(v) Curb ramps;

(vi) Green rainwater infrastructure;

(vii) Relocation and/or replacement of the existing catch basins;

(viii) Entire intersection lighting upgrade to current City standards and IESNA recommendations;

(ix) Adjustment to all existing infrastructure; and

(x) Road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 37th Avenue / Cambie Street

(q) Provision for the construction of, or full funding for, improvements at the intersection of Cambie St. and W. 37th Ave as required to provide a closure of the center median to motor vehicles on Cambie St. at W. 37th Ave, all to the satisfaction of the General Manager of Engineering Services. This is required to reduce through traffic on the Ridgeway Greenway and will generally include the following:

(i) New concrete curb and gutter;

(ii) Green infrastructure elements;

(iii) Adjustment to all existing infrastructure; and

(iv) Road reconstruction as required to accommodate the proposed street improvements.

(r) 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.

(s) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations;

(t) Provision of new street lighting (roadway and sidewalk), new intersection lighting, and forest trail, bicycle and pedestrian paths lighting on on rights of way;

(u) Provision of entire intersection lighting upgrade at all existing intersections adjacent to the site to current City standards and IESNA recommendations;

(v) Provision of lane lighting on standalone poles connecting to underground ducts. The ducts should be connected to the existing City Street Lighting infrastructure;

(w) Provision of two pad mounted service cabinets/kiosks;

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with Standard Specification of the City of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition).

(x) Provision to rebuild existing lane between W. 33rd Ave and W. 37th Ave (on the western side of the development site) as per City "Higher Zoned Laneway" pavement structure. Relocate existing catch basins or install new catch basins as required;

Note to Applicant: Use permeable pavement to manage rainwater in all the laneways.

(y) Provision to rebuild existing lane between Heather St. and W. 37th Ave as per City "Higher Zoned Laneway" pavement structure. Relocate existing catch basins or install new catch basins as required;

Note to Applicant: Use permeable pavement to manage rainwater in all the laneways.

(z) Provision of new standard concrete pedestrian lane crossings, new curb returns and curb ramps at all existing lane crossings and all new lane crossings adjacent to the site; and

(aa) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

2.12 Provision of a legal agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services whereby the applicant is entitled to receive latecomer charges for a period of 24 hours following completion of the works contemplated by the following condition(s), which require(s) the applicant to provide

excess or extended services:

(a) Willow St. offsite sewer upgrades per condition #2.11.(b).(ii).(ii);

Note to Applicant: The benefiting area for these works is under review.

(b) W. 33rd Ave & Laurel St. & W. 32nd Ave offsite sewer upgrades per condition #2.11.(b).(ii).(iii).;

Note to Applicant: The benefiting area for these works is under review.

(c) Provision for the construction of street improvements from property line to property line on W. 35th Ave from Willow St. to the lane east of Willow St. per condition #2.11.(g).;

Note to Applicant: The benefiting area for these works is under review.

(d) Provision for the construction of street improvements from property line to property line on 37th Ave from Willow St. to the lane west of Ash St. including any transition areas to connect existing and new curb alignments in order to provide an AAA Greenway per condition #2.11.(h).;

Note to Applicant: The benefiting area for these works is under review.

(e) Provision for the construction of, or full funding for, street improvements from property line to property line on W. 37th Ave from the lane west of Ash St. to the lane west of Cambie St. including any transition areas to connect existing and new curb alignments in order to provide an AAA Greenway per condition #2.11.(i).;

Note to Applicant: The benefiting area for these works is under review.

(f) Improvements at the intersection of 35th Ave and Cambie St. per condition #2.11.(p).

Note to Applicant: The benefiting area for these works is under review.

Note to Applicant: An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the agreement.

For general Latecomer Policy information refer to the website at https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect.

2.13 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be

located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Housing

Secured Market Rental Housing and Below Market Rental Housing

2.14 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into one or more Housing Agreements and/or Section 219 Covenants to secure a minimum of 373 residential units as secured market rental housing units, located on Parcels B and F combined, for the longer of 60 years or the life of the respective buildings, subject to no-separate-sales covenants and a no-stratification covenants, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

Note to Applicant: This condition will be secured by one or more Housing Agreements to be entered into by the City at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and/or Section 219 Covenants.

2.15 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into one or more Housing Agreements and/or Section 219 Covenants to secure a minimum of 33,543 sq. m. (361,059 sq. ft.) of residential floor space, and approximately 373 residential units located on Parcels B and F combined, as secured rental housing, including at least 25 per cent of the residential floor area that is counted in the calculation of the market rental dwelling unit area per the CD-1 By-law (at least 8,385 sq. m. [90,265] sq. ft.) as below-market rental units ("below-market rental units"). The below-market rental units are to be rented at 25% below the CMHC average market rents for the area, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, for a term equal to the longer of 60 years and the life of the respective building. The agreement or agreements will include, but not be limited to, the following conditions, and requirements:

(a) A no separate sales covenant;

(b) A no stratification covenant;

(c) A provision that not of such units will be rented for less than one month at a time;

(d) A provision that none of such units will be Seniors Supportive or Assisted Housing;

(e) That a rent roll will be provided indicating the agreed initial monthly rents for each below market rental unit at time of the respective occupancy permit application;

(f) That the average initial starting monthly rents for all below market rental housing units in the project will be at or below 25% below the CMHC city-wide average market rent;

(g) That rent increases for the below market rental units will be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy;

(h) That the below-market rental units referenced in (f) are applicable only to households earning between $30,000- $80,000 per year, and where the rent level does not exceed 30 per cent of the household's gross monthly income;

(i) The applicant will verify the ongoing eligibility of existing tenants in the units secured at below-market rental rates as referenced in (f) every five (5) years after initial occupancy;

(i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below market rental units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below market rental units, and a summary of the results of eligibility testing for these units;

(i) For such tenants, rent control cannot exceed 30 per cent of the households gross monthly income;

(j) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion.

Note to Applicant: This condition will be secured by one or more Housing Agreements to be entered into by the City at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and/or Section 219 Covenants.

<u>Social Housing</u>

2.16 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability (or successor in function) and the Director of Legal Service to enter into one or more Housing Agreements and Section 219 Covenants securing a minimum of 32,327 sq. m. (347,972 sq. ft.), equivalent to approximately 418 residential units, located on Parcels A and E combined, as social housing for 60 years or life of the respective building, whichever is greater, which will contain the following terms and conditions:

(a) A no separate-sales covenant;

(b) A no stratification covenant;

(c) That the social housing units will be legally and beneficially owned by a non-profit corporation created by the MST Nations, or by or on behalf of the city, the Province of British Columbia, or Canada as a single legal entity and used only to

provide rental housing for terms of not less than one month at a time and prohibiting the separate sale or transfer of legal or beneficial ownership of any such units;

(d) Requiring such units to be used for "social housing", as that term is defined in the Vancouver Development Cost Levy By-law No. 9755;

(e) Not less than 70 per cent of the social housing units will be occupied only by households with incomes below the then current applicable Housing Income Limits, as set out in the current “Housing Income Limits” table published by the British Columbia Housing Management Commission, or equivalent publication, and each rented at a rate no higher than 30 per cent of the aggregate household income of the members of the household occupying such social housing unit;

(f) The remaining social housing units (30 per cent or less) are to be rented at affordable market rents. “Affordable Market Rents” means the average market rents posted by CMHC applicable to the location of the Lands, provided that such rents do not exceed 90% of:

(i) CMHC’s Rental Survey for Vancouver for the applicable area, and by year of construction, (currently the 2005+ category), or an equivalent publication as may be approved by the City; or the appraised market rent for a comparable unit in the local area (where a “comparable unit” means a unit of the same type, similar size and in a building with a similar age and quality of construction).

(g) Such other terms and conditions as the General Manager of Planning Urban Design and Sustainability and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by one or more Housing Agreements to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

2.17 The City’s requirement is that the social housing remains owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada for the duration of the Housing Agreement and is continuously operated as social housing as will be required by the Housing Agreement.

In addition to the Housing Agreement, the City’s requirements are to be secured on title as a Right of First Refusal, Option to Purchase agreement, and Option to Lease agreement, with an assignment clause, on terms and conditions satisfactory to the Director of Legal Services.

The Right of First Refusal and Option to Purchase agreement will provide that if the owner or operator of the social housing parcel chooses to not continue ownership of the social housing parcel and intends to sell the social housing to an entity other than: 1) a non profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation or 2) another non-profit or government entity acceptable to the City, then

the City will have the option to purchase the social housing at a nominal purchase price, noting that an air space subdivision to effect such transfer may also be required. The Option to Purchase will include an assignment and assumption of any necessary rights of access and support as may be required, including with respect to any associated parking for the social housing.

The Option to Lease agreement will provide that if the owner or operator of the social housing parcel chooses to not continue operation of the social housing parcel as required under the Housing Agreement and the Owner does not seek arrangement for a substitute operator including: 1) a non profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation, or 2) another non-profit or government entity acceptable to the City, then the City will have the option to lease the social housing, as the case may be, at a nominal lease rate, and may retain, but shall not be obligated to, a substitute operator for the social housing. The Option to Lease will include an assignment and assumption of any necessary rights of access and support as may be required, including with respect to any associated parking for the social housing.

2.18 The owner is responsible for demonstrating that they will create, implement and comply with a Building Maintenance Plan ("Plan") for the social housing floor space, to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability. The Plan will include, at a minimum, the following elements:

(a) A commitment to plan and carry out effective and efficient property management, maintenance and capital replacement of the building;

(b) Ensure financial viability and sustainability of the property ensuring adequate income/ funds to meet costs over the life of the building;

(c) Require the owner to maintain a capital replacement reserve that is adequately funded from the operating budget (i.e. does not rely on government funding); and

(d) The owner/operator is responsible for the ongoing maintenance of the building over its full operational life.

Note to Applicant: The final Plan is to be submitted by the non-profit housing operator and will be required prior to the issuance of the occupancy permit(s) for the applicable building. At the request of the City, from time to time, the Owner will make the Plan including the capital maintenance plan available to the City.

2.19 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability, the Director of Finance, and the Director of Legal Services for the delivery of social housing units in Phases 1 and 3. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:

(a) Construction and delivery of Building A1 with no less than 15,305 sq. m (164,739 sq. ft.), equivalent to approximately 196 social housing units, in Phase 1 along with required parking, storage and amenity spaces:

(i) Prior to the issuance of any occupancy permit for any building on Parcel F (Phase 1), and

(ii) Prior to the issuance of any development permit or building permit for any building on Parcel C (Phase 2).

(b) Construction and delivery of Building E1 with no less than 17,023 sq. m (183,233 sq. ft.), equivalent to approximately 220 social housing units, in Phase 3 along with required parking, storage and amenity spaces by the earlier of:

(i) Prior to the issuance of any occupancy permit for any building in Parcel G (Phase 3), and

(ii) Prior to the issuance of any development or building permits for any building in Parcel I (Phase 4) or Parcel H (Phase 5).

Parks

2.20 Make arrangements to the satisfaction of the General Manager of Parks and Recreation, in consultation with the General Manager of Planning, Urban Design and Sustainability, and the Director of Legal Services, for the delivery of a minimum 2.27 acre permanent park which shall be leased for park purposes by the City of Vancouver for a term of 99 years at a nominal lease rate of $1.00 for the term, with an option to renew. To secure this condition, the applicant will enter into agreements with the City, including a Park Development Agreement, which will include, but may not be limited to, the following requirements, all to be satisfied at no cost to the City:

a) Subdivision to create a contiguous minimum 2.27 acre permanent park parcel, with ownership to be retained by the MST Nations;

b) Enter into a 219 covenant to be registered on the park parcel restricting the use of the land to park use in perpetuity;

c) The design and construction of all the improvements on the minimum 2.27 acre park parcel are to be constructed at the sole cost of the applicant;

d) Design, public engagement, and delivery of the finished park will be undertaken at the sole cost of the applicant;

e) The applicant will be responsible for servicing the park parcel, which shall include without limitation, providing power and storm services to the Lands, and provision of water, sewer and other site services contingent on the future park design;

f) The applicant will be responsible, at its sole cost, for satisfying all Environmental Management Act requirements and completing any remediation required to ensure the park parcel meets numeric standards of remediation for park use, prior to completion of the park development. The Applicant shall be required to deliver to the City a separate Certificate of Compliance that meets these standards to the City's satisfaction;

g) Enter into a nominal lease with the City pursuant to which the park lands will be leased to the City for a term of 99 years for the purposes of public park. The lease must be entered into prior to acceptance of the park by the City, with the effective date of the lease being the date of acceptance of the completed park by the City. The lease will contemplate that the park is to be operated by the City, through the Vancouver Board of Parks and Recreation, with oversight and input from the intergovernmental working group established in accordance with condition #1.67. The Vancouver Board of Parks and Recreation will be responsible for the day to day maintenance of the park, as well as any park renewals during the lease term.

h) Prior to the effective date of the lease, the park parcel shall be free and clear of any financial charges, liens, and other encumbrances.

i) The applicant will be responsible for any increase or escalation in costs to build the turnkey park.

j) If the applicant is otherwise in default in completing any or all of the 2.27 acre park, the City and Park Board may commence the design, construction and completion of any or all of the remaining park works all at the Applicant's sole cost and expense, details of which are to be outlined in the Park Development Agreement;

Note to Applicant: Costs to cover remaining work will be at the sole cost of the applicant, will be lodged as a cash deposit by the applicant, and will be estimated by the Park Board.

k) The foregoing agreements will provide occupancy permit holds, as required by the City in its sole discretion, to ensure that the construction and delivery of the park with no less than 2.27 acres, and execution of the lease is completed in Phase 2 by the earlier of:

(i) Prior to the issuance of any occupancy permit for any building in Parcel C (Phase 2), and

(ii) Provision of a surety bond for the full value of park construction if turnkey delivery is not completed prior to issuance of any occupancy permit for any building in Parcel C (Phase 2).

2.21 To reflect the applicant's wishes that the park lands remain owned by the MST Nations, the continuous ownership of the park lands will be further secured by a Right of First Refusal and Option to Purchase agreement which will provide that if the owner of the park lands chooses to not continue ownership of the park lands and intends to sell the park lands, or any portion thereof, then the City will have the option to purchase the park lands, or any portion thereof being sold, for a nominal purchase price.

Social Policy

2.22 Fulfill, to the satisfaction of the Director of Social Policy, the Sustainable Food Systems requirements of the Rezoning Policy for Sustainable Large Developments for sites over

10 acres in size. Specifically, deliver resident community garden plots on all residential parcels as noted in condition #1.55. To secure this condition, the applicant will enter into one or more agreements with the City which include, but may not be limited to, the following requirements:

a) Permit holds subject to the completion of the design, construction, and satisfactory acceptance of the food assets if required.

b) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

Sustainability

2.23 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of each building constructed in CD-1 South to report energy use data, on an aggregated basis, for each applicable building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Community Benefits Agreement

2.24 Enter into a Community Benefits Agreement as per the City of Vancouver's Community Benefits Agreement ("CBA") Policy on terms and conditions satisfactory to the General Manager of Arts, Culture and Community Services and the Director of Legal Services, which will require the applicant and its development partners to:

a. Participate in a First Source Hiring program, in consultation and partnership with community stakeholder groups and the City, making new entry level jobs available to equity seeking community members in Vancouver first, and striving for an overall target of 10% of labour (including for contractors, subcontractors and other possible vendors) sourced from adjacent low-income communities and equity seeking groups across the city; including women in trades, Indigenous people, racialized communities, and others facing barriers to opportunity due to discrimination, exclusion and stigmatization;

(b) Demonstrate Best Efforts to procure a minimum of 10% of material goods and services from third party certified social impact and/or equity seeking businesses and social enterprises, across the entire lifecycle of the development site, prioritizing Vancouver-based ventures but extending through supply chains regionally and outside the Province and the Country where and when required. This includes, where applicable, post-occupancy and ongoing service needs;

(c) Demonstrate Best Efforts to attain 10% procurement of materials, goods and services from Vancouver companies or companies located in Metro Vancouver or British Columbia. These may or may not also be equity seeking 3rd party certified businesses as defined in the policy;

(d) Retain the services of an independent third party to the satisfaction of the City in order to assist in monitoring and reporting on the progress towards reaching these goals on an agreed upon timeline with the City of Vancouver during and upon completion of the project and its various development phases. This may include, where applicable and where possible, post-occupancy and ongoing service needs;

(e) Participate in a Project Specific Implementation and Monitoring Working Group with City staff, industry and training and skill development bodies, employment services organizations, and community representatives with knowledge of social procurement, social hiring, and community economic development, which commitments will be secured by Section 219 covenants and permit holds; and

(f) Section 219 is applicable to the entirety of the CBA Policy insofar as they:

(i) Participate in the city-wide CBA working group community of practice:

(ii) Retain the services of an independent third party to assist with achieving the targets established in the policy and monitoring and reporting on them and by doing so; and

(iii) Demonstrate Best Efforts to achieve the targets in the CBA Policy to the satisfaction of the General Manager of Arts Culture and Community Services.

Note to Applicant: Agreeing to these conditions as per the CBA Policy does not preclude the applicant from entering into any additional agreements with communities including ones geographically located nearby the development site, or sites, or with First Nations.

Environmental Contamination

2.25 If applicable:

(a) Submit a site disclosure statement to Environmental Services (Environmental Protection);

(b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

(c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and

off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Public Art

2.26 Execute a Public Art Agreement satisfactory to the Director of Legal Services and the Director of Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to cover all requirements for the site density and to provide for security in a form and amount satisfactory to the aforesaid officials; and provide the Public Art Checklist with development details to the satisfaction of the Head of Public Art. The public art requirement will apply at each Building Permit and require that public art be provided along with each building approval at a budget commensurate with the floor area in the permit. However, subject to the guidance of the public art master plan (see next paragraph) and with the agreement of the Director of Legal Services and the Director of Cultural Services, funds from individual buildings may be pooled to create larger art opportunities for the Heather Lands' public spaces.

Given the significance and scale of the site, the applicant should develop a public art master plan, in consultation with the City, for Heather Lands. The master plan will guide commissioning of public art for Heather Lands and can be developed alongside art plans required for the first Development Permit within CD-1 South.

Note to Applicant: Please contact Eric Fredericksen, Head of Public Art (604-871-6002), to discuss your application.

CD-1 (52A) and CD-1 (80) Amendment

2.27 That the by-laws to amend the boundaries and uses for CD-1 (52A) and CD-1 (80) are enacted prior to enactment of the by-law for this CD-1 (South), as per Recommendation A of this report.

Community Amenity Contributions

2.28 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability, the Director of Legal Services, and the General Manager of Finance to ensure the conditions for the ownership of in-kind amenities as set out in the Community Amenity Contribution Policy for Rezonings (2020) are met, including but not limited to:

(a) Securing the ongoing long-term use and availability of the in-kind amenities through legal agreements, including Section 219 covenants and/or statutory rights of way;

(b) Options to purchase the in-kind amenities if the MST Nations, or designate, intend to sell all or a portion of the in-kind amenity, as further set out in the preceding conditions of by-law enactment;

(c) Options to lease the in-kind amenities for a nominal amount if the MST Nations, or designate are unable to continue operation of all or a portion of the in-kind amenity, as further set out in the preceding conditions of by-law enactment;

(d) Securing the provision of affordable community access to the in-kind amenities equivalent to the value of the CAC credit secured through the rezoning;

(e) Payment of all costs to construct, finish, furnish and equip the amenity, including all applicable up-front development costs; and

(f) Selection of a non-profit operator for each in-kind amenity to be to the satisfaction of the City.

2.29 Pay to the City the Community Amenity Contribution of $13,000,000.00, to be allocated towards public realm improvements including, but not limited to, acquisition and construction of 35th Avenue and 37th Avenue between Willow Street and Oak Street, which the applicant has offered to the City. Payment is to be made prior to issuance of the first Development Permit within the CD-1 by-law area, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

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-laws.

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

* * * * *

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
NORTH - CONDITIONS OF APPROVAL

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Considerations by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Dialog Design, stamped received October 2, 2020, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with development applications.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1.1 Design development to refine massing of towers and buildings to optimize sunlight on the park, and open spaces by the following:

(a) Shape tower forms with upper storeys sculpted to minimize shadowing.

Note to Applicant: Access to sunlight is a fundamental principle aligned with connection and access to nature. Optimizing solar access to public parks and open space should be prioritized at the Spring and Fall equinox at 10am, noon, 2pm, and 4pm. Slim tower profiles are anticipated maintaining a 6,500 sq. ft. floor plate. This may also contribute to a more visually striking and recognizable roof form and skyline.

(b) Refine retail passage to enhance solar access and connection to the Cultural Plaza.

Note to Applicant: Widened passage entry by shaping building I1 podium can achieve the intent of this condition as well as contributing to a more vibrant and successful neighbourhood heart.

(c) Generally limit residential floor to floor height to 3m (10 ft.) with an additional 3m (10 ft.) to encourage a sculpted building top or enhanced ceilings at the upper storey and/or ground level.

Note to Applicant: In addition to solar access, the intent is to ensure a more neighbourly transition in height along the east and west site interface. This is particularly relevant for buildings G1, G2 & H1.

(d) Step back upper levels of podiums H1 to minimize impacts to the north park.

Note to Applicant: Although a significant 5m is provided for H1, refinements and shadow studies should ensure shadowing resulting from a 6 storey podium is equivalent to a 4 storey podium

(e) Step back rooftop amenity pavilions from all building edges to minimize appearance from ground level as well as shadowing impacts.

Note to Applicant: Additional height calculated for amenity spaces should be limited to 3.6m.

1.2 Design development to support biodiversity and robust rewilding initiatives in the Pollinator Corridor by minimizing hardscaping and private uses within the 5m setback.

Note to Applicant: Private patios should primarily be located inset within the building footprint to minimize hardscaped areas anticipated for the Pollinator Corridor. Note a minimum 50% area dedicated to pollinator planting should be calculated per each parcel and within private property. Additionally balconies projections should be sensitively located to minimize impacts to planted areas.) See also landscape condition #1.11.

1.3 Design development to ground level retail/commercial frontages along Heather and New Commercial St. to contribute to street character and an engaging interface for pedestrians.

Note to Applicant: Retail frontages should reinforce the scale of a walking, shopping street. As such, retail frontages, should generally not exceed not exceed 12.2m (40 ft.) width.

1.4 Design development to ensure varied and distinctive buildings articulated to reflect a more fine grained residential scale and a commitment to passive energy elements integrated within the architectural expression.

Note to Applicant: Particular attention should be paid to buildings exceeding 150 feet in frontage to mitigate the length. Additionally as a consideration to incorporate mass timber construction as well as passive energy elements such as window placement and shading devices as an integral part of the building design and façade expression.

1.5 Design development to Building G1 to establish a significant and recognizable benchmark of architectural excellence and strengthen Meeting Point public realm consistent with the Heather Lands Design Guidelines, by the following:

(a) Tower expression to make a significant contribution to the beauty and visual power of the city's skyline while optimizing solar access per condition #1.1(c).

(b) Development of terraced podium form to step down in a more informal, flowing and less rigid pattern.

Note to applicant: Strategy to include reduced massing at upper levels above 8 storeys aligning with the Policy Statement, introducing varied setbacks as well as

to minimize shadowing to courtyards. Architectural expression to demonstrate excellence independent of planted landscape features.)

(c) Enhance use of corner plaza to better accommodate small gatherings.
Note to applicant: This can be achieved with a widened building setback to allow seating and optional introduction of commercial uses.

1.6 Design development of the cultural centre (Parcel J) to demonstrate exceptional design of architectural creativity and excellence following the design directives drawn from the Heather Lands cultural interpretive plan and design guidelines with consideration to incorporate mass timber construction.

1.7 Provision of an updated master public realm plan with each major Development Permit application to include the following:

(a) a conceptual signage plan;

(b) a landscape concept plan;

(c) a comprehensive circulation and wayfinding plan;

(d) a public art plan, and;

(e) a building and site lighting plan.

Note to Applicant: The intent of the Public Realm Plan should be to inform all future development applications of individual site specific responsibilities and implementation standards with close adherence to the Heather Lands Design Guidelines.

1.8 Design development to provide universally accessible pathways and connections to link transit, park, open space, and amenities as well as providing physical and visual linkages to the surrounding community.) See also Parks condition #1.73.

1.9 Submission of a bird-friendly strategy for the design of the buildings as part of each development permit application.

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://guidelines.vancouver.ca/B021.pdf

Crime Prevention through Environmental Design (CPTED)

1.10 Design development to respond to CPTED principles, including:

(a) Provide natural surveillance throughout pedestrian realm including underground parking, with glazing into publicly accessible areas such as elevator lobbies, and stairs;

(b) Reduce opportunities for theft in the underground parking and mail theft;

(c) Reduce opportunities for mischief in alcove and vandalism, such as graffiti; and

(d) Reduce opportunities for skateboarding in the open spaces.

Landscape Design

1.11 Design development to confirm parkade-free areas along the Pollinator Corridor, to ensure viability of corridor into the future.

Note to Applicant: This can be achieved by clearly delineating limits of parkade on the plans are free of the 5 meter setback on W 35th Avenue on the plans.

1.12 Design development to improve and increase porosity of the pedestrian connections, including semi-private open spaces, to ensure access to all residents and public. See also Parks condition #1.73.

Note to Applicant: Currently it appears the semi-private open spaces are not connected to the rest of the pedestrian open space network.

1.13 Design development to ensure smooth transitions between Park, public open spaces, semi-public open spaces and semi-private open spaces by the use of similar hard and soft landscape materials crossing from one space to another.

1.14 Design development to use water as an integrated, sustainable element into the landscape, in as many open spaces as possible, including interpretive signage describing and demonstrating the naturally occurring water cycle.

1.15 Design development to improve the sustainability strategy, by the following:

(a) Explore opportunities to add intensive or extensive green roofs to all available flat roof surfaces;

(b) Explore opportunities to add additional trees on rooftops for increased canopy cover, to create shade and alleviate urban heat island effect;

(c) Add substantially more landscape around all entry areas, to accent and soften them;

(d) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems).

(e) Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence;

(f) Add as many edible plants as possible, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots; (see also Social Planning condition #1.57)

1.16 Design development to ensure the intended landscape design is carried into the future by adequate maintenance, as follows:

(a) Provide common maintenance access to all planted common areas;

(b) Provide a high efficiency irrigation system for all planted areas.

(c) Provide a Landscape Management Plan as legally binding assurance of maintenance of all planted areas which rely on planting for architectural character and expression into the future, including private terraces;

1.17 Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

1.18 Design development to ensure all residential buildings incorporate an outdoor pet relief area at grade on private land adjacent to a universally accessible building entrance. The pet relief area should be approximately 9 m^2, located in well lit areas with connections for water and sanitary sewer lines.

Note to Applicant: shared pet relief areas may be considered for multiple buildings within the same development parcel.

1.19 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

(a) maximize natural landscape best management practises;

(b) minimize the necessity for hidden mechanical water storage;

(c) increase the amount of planting to the rooftop areas, where possible;

(d) consider linear infiltration bio-swales along property lines, at lower site areas;

(e) use permeable paving;

(f) employ treatment chain systems (gravity fed, wherever possible); and

(g) use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 & 2 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.

1.20 Provision of 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; and

(c) 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: the sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

1.21 Provision of an updated Arborist Report confirming commitment to tree retention, including but not limited to the following:

(a) Tree reference numbers on the Tree Management Plan

(b) Current recent health conditions of each tree

(c) Detailed tree retention strategy directives, methods of protection, methods of improvements and mitigation measures of trees with “marginal” designation

(d) Recommendations for future tree maintenance.

1.22 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.

1.23 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. 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.

1.24 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: the sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and 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, such as residential units or amenity rooms.

1.25 Provision of a “Tree Management Plan” in coordination with updated Arborist Report.

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

1.26 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. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

1.27 Coordination for the removal and replacement of street trees.

Note to Applicant: Any City owned tree removals to be confirmed by Engineering and the Park Board. New street trees to be shown and confirmed on the development permit plans, including referenced on Plant List. Contact 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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

1.28 Provision of an outdoor Lighting Plan.

Engineering Services

1.29 All archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the Heritage Conservation Act (“HCA”) (S.13). Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The HCA does not distinguish between those archaeological sites which are “intact," (i.e., those sites which are in a pristine, or undisturbed state) and those which are “disturbed” (i.e., those sites which have been subject to alteration, permitted or otherwise). All archaeological sites, regardless of condition, are protected by the HCA, as described above. HCA-protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests, Lands Natural Resource Operations and Rural Development). It is the developer’s responsibility to exercise due diligence to avoid damage to any unrecorded archaeological sites, which are still protected under the HCA.

1.30 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan https://vancouver.ca/files/cov/engineering-design-manual.PDF; and

b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

1.31 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

1.32 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.

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

1.34 Provision of a finalized Transportation Demand Management ("TDM") Plan to the satisfaction of the General Manager of Engineering Services at each subsequent Development Permit stage with consideration of the following:

a) For each subsequent development permit, a detailed TDM Plan meeting the requirement for Large Sites is required;

b) The TDM Plan shall be provided as a separate package with complete information on TDM measures proposed at each subsequent development permit;

Notes to Applicant:

i. A single TDM measure may count towards multiple land uses if it is usable by each land use;

ii. TDM points can only be claimed for Public Bike Share ("PBS") station(s) located on private property; and

iii. Refer to Schedule B of the TDM policy for detailed requirements for each measure and development review requirements.

1.35 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which identifies the following:

a) Secures provision of funding towards long-term TDM monitoring fund in the amount of $2 per square metre of gross floor area;

b) Secures the provision of TDM measures on the site;

c) Permits the City to access and undertake post occupancy monitoring of the TDM measures proposed; and

d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

1.36 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including but not limited to:

a) Improved interface of the parkade access and street/lane; and

b) Eliminate any proposed off-set driveways configurations.

Note to Applicant: Driveways should be sited to ensure sufficient sight distances (intersection and stopping sight distances). Provision of updated detailed operational and sightline review to support the proposed driveway accesses is required. The sightline analyses in the updated TAMS dated September 2021 did not include intersection sight distance (ISD) review and operational impact of queue overspills to the access point from adjacent intersections. Driveway spacing shall also be considered.

Proposed access to Parcels G, I, and J requires further review and may need to be realigned.

1.37 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:

a) Review of the horizontal swept paths of the largest commercial trucks servicing the site accessing to and departing from the loading bays;

b) If the proposed loading space(s) is located below grade, the following will be required:

(i) Review of the vertical swept paths;

(ii) Provision of access ramps not exceeding 10% slope; and

(iii) Provision of the Parking Bylaw required minimum vertical clearance along the access path(s); and

c) Provision off-street turnaround space for the largest service vehicles.

Note to Applicant: No vehicle will be allowed to reverse to/from a City street to access a loading area except for a loading bay(s) fronting a lane.

1.38 Provision of the following information as part of the drawing submission at the development permit stage to facilitate a complete Transportation review:

a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;

b) All types of parking and loading spaces individually numbered and labelled;

c) Dimension of any/all column encroachments into parking stalls;

d) Identification of all columns in the parking layouts;

e) Dimensions for typical parking spaces;

f) Dimensions of additional setbacks for parking spaces due to columns and walls;

g) Dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;

h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;
Note to Applicant: These clearances must consider mechanical projections and built obstructions.

i) Details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans;

j) Areas of minimum vertical clearances labelled on parking levels;

k) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

l) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.

m) Existing street furniture including bus stops, benches etc. to be shown on plans; and,

n) The location of all poles and guy wires to be shown on the site plan.

1.39 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines or into the statutory right of way area.

1.40 If a statutory right of way is provided on private property for Public Bike Share (PBS), design development to locate a PBS Station pad within the surface statutory right of way, including design and servicing of the pad as required, to the satisfaction of the General Manager of Engineering Services.

1.41 Prior to the issuance of the first development permit, a draft final site-wide Rainwater Management Plan (RWMP) that details how the onsite rainwater management system meets the volume reduction, release rate and water quality requirements shall be submitted to the satisfaction of the General Manager of Engineering Services, including and clearly indicating the following:

a) General requirements:

(i) Ensure design is coordinated and feasible particularly at locations with multiple proposed uses that may be competing or conflicting;

(ii) Ensure the site wide RWMP meets or exceeds all rainwater management requirements at each proposed phase of development;

Note to Applicant: Interim condition of substandard performance at any phase is not permitted.

(iii) Setback requirement: all infiltrating features should provide 5 metres offset from the building foundation and 3 metres offset from the water main. Check the City's Design Guidelines and Construction Standards for offset from other utilities to ensure compliance. Allowing adequate setback minimizes the impact of infiltration to the adjacent utilities and infrastructure;

(iv) Limits of the Building Foundation for each building should be shown along with the measured offset to the edge of each proposed infiltration practice;

(v) Maximum drawdown time of 72 hours for subsurface infiltration (rock reservoir layer) practice;

(vi) Maximum drawdown time shall be 24 hours for surface ponding depth of proposed best management practices;

(vii) Maximum depth of surface ponding should be limited to 300 mm wherever possible. Depth may increase up to maximum amount of 450 mm if additional considerations are incorporated into the design. These include safety (possible fencing required, reduce maximum side slope to 3:1 or less), erosion and scour (reduce maximum side slides to 3:1 or less), emergency access (not allowed at any potential emergency excavation or access route);

(viii) Modelling parameters and assumptions were not reviewed at Rezoning;

(ix) Proposed culverts and/or sewer crossings between private and public parcels as well as proposed ditches may need to be sized for the major system. Further coordination with the City is required;

(x) Supporting information for the proposed design infiltration rates to be provided by a Qualified Professional. Rates should be supported by percolation testing at the appropriate depth and locations;

(xi) Bottom of infiltration practices at private development and civic building parcels shall not be placed directly above compacted engineered fill;

(xii) Consideration for adequate access to various components of the rainwater management systems must be incorporated into the design. Personnel, vehicular or specialized machinery access may be required for maintenance, operation and inspection purposes; and

(xiii) Update design to ensure minimum of one independent storm service connection for direct discharge to the City's system is provided for each parcel. Requests for additional storm service connections for individual parcel may be permitted if necessary due to local site constraints. Proposed number and location of all connections for each parcel shall be clearly shown and summarized in site wide RWMP.

b) Volume reduction requirements:

(i) Calculation of any detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices for private development parcels;

(ii) Calculation of any detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 48 mm rainfall not captured in Tier 1 & Tier 2 practices for the cultural centre parcel;

(iii) Further supporting details for the rainwater harvesting system proposed for the civic building parcel (S21_1) will be required at the DP submission.

If a substantial proportion of the parcel capture precipitations for non-potable water reuse purposes, then a treatment system for runoff discharged offsite may not be necessary. Harvesting and Reuse systems may contribute to meeting the peak flow release rate requirements;

(iv) With the exception of rainwater reuse/harvesting systems, all proposed best management practices should infiltrate, evaporate and/or slowly release the target depth of rainwater within a 24 hour period; and

(v) Proposed rainwater management plan shall be consistent with accepted design guidelines.

c) Water quality requirements:

(i) Runoff from the roof area cannot be considered clean. Treatment up to the first 24 mm of rainfall to remove 80% total suspended solids ("TSS") by mass prior to discharge from the site is still required similar to other low pollutant loading from the site is still required similar to other low pollutant loading surfaces;

(ii) Green roofs are recognized to provide 80% TSS removal if sized to accommodate the full 24 mm of contributing runoff within the soil media. Please use rainfall storage of 8-18% of soil volume as per Volume 2 of the City of Vancouver's Best Management Practice Toolkit dated March 2016; and

(iii) Depth of soil media and base area of rain gardens should be sized for contributing runoff. Maximum Impervious to Pervious (I/P) ratio shall be 20:1 for all private development parcels.

d) Release rate requirements:

(i) Peak flow calculations to use 1:10 year return period. Minimum inlet time = 5 minutes. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve value;

(ii) Minimum inlet time of 5 minutes for each catchment but additional flow travel time may be estimated using an appropriate formula based on the catchment properties (overland vs channel flow, etc.);

(iii) Peak flow control is required at every proposed Site Outlet ("storm service connections"). Pre-development and post-development catchments should be provided with respect to the proposed site outlets. For areas where flow attenuation is not feasible for a given Site Outlet, it should be clearly indicated as a sub-catchment in the applicable plan/figure/drawing. More stringent flow attenuation would be required in the remaining sub-catchments to compensate in such circumstances;

(iv) All rainwater should drain by gravity for capture, treatment and discharge offsite;

(v) Design considerations for emergency overflow/bypass mechanism for events greater than the 1:10 year return period in the design of the each best management practice is necessary; and

(vi) Confirm if there are any external drainage catchments entering the site and if so they should be described and shown in relevant site plans as part of the rainwater management plan. Runoff from external catchments need to be properly accommodated or bypassed as part of the proposed design in post development conditions.

Note to Applicant: As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

The applicant may schedule a meeting with Rainwater Management Review group prior to moving forward with the RWMP to address any concerns or questions related to the conditions or comments prior to resubmission with the DP application. To schedule the meeting, contact rainwater@vancouver.ca.

1.42 Provision of Rainwater Management Agreement(s) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to restrict the issuance of Development, Building, and Occupancy Permits, describe the Owner's post occupancy requirements, and provide the necessary rights of ways for any Rainwater Management System(s).

1.43 Provision of cost sharing agreement(s) between private property parcel(s) Owner(s) and the City where rainwater from private property is proposed to be managed within the City's right of way to the satisfaction of the General Manager of Engineering Services and Director of Legal Services to describe the appropriate amount and frequency of payment to the City for the long term maintenance and operation of the shared rainwater management system.

Note to Applicant: There may need to be additional description of contingencies and obligations to continue to meet rainwater performance requirements solely within the Owner's own property boundary should the agreement ever be dissolved in the future. See also Enactment Condition #1.35.

1.44 Provision of a draft final RWMP prior to DP issuance for any individual parcel.

Note to Applicant: The draft final RWMP submitted at DP stage for any future parcel level submission will, along with achieving the objectives outlined for the site-wide RWMP, achieve the following:

a) For any future DPs submitted for individual parcels on this large site, each must demonstrate how that site area or phase contributes to the overall site-wide Rainwater Management Plan. Each subsequent DP submission will also include an updated overall site plan with details provided for that phase or site area.

Clearly demonstrate how the proposed Parcel rainwater management system design is consistent with the site-wide RWMP report and that relevant rainwater management targets have been met;

b) Provide a servicing plan which includes all routing of rainwater into the proposed systems and out to the municipal system; and

c) Provide draft final detailed drawings of all proposed rainwater management systems including but not limited to, dimensions, inverts, stage-storage-discharge characteristics, design criteria and all assumptions.

1.45 Provision of a final RWMP for each Parcel prior to the issuance of any future building permit for the construction of any building, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services.

1.46 Provision of a final Operation & Maintenance ("O&M") Manual for each parcel for all rainwater systems to the satisfaction of Engineering Services.

Note to Applicant: The O&M Manual shall be tailored specifically for the rainwater management practices proposed to meet on-site requirements and submitted as a standalone document prior to the issuance of any building permit.

Green Infrastructure Rezoning Conditions (Public Realm)

Prior to the issuance of each development permit, the design and construction of green rainwater infrastructure ("GRI") shall be reviewed and approved to the satisfaction of the General Manager of Engineering Services, unless stated otherwise, clearly indicating:

1.47 Provision of the following GRI design target and setback requirements:

a) Public Realm Rainwater Management Target: To treat and retain 48 mm of rainwater in any 24hr event (or 90% of average annual rainfall) to the greatest extent practicable, as specified in the Rain City Strategy and Cambie Corridor Public Realm Plan; and

b) Setback Requirement: All infiltrating GRI features should provide 5m offset from the building foundation, unless a site-specific geotechnical report proves that the offset can be safely reduced and all infiltrating GRI features should provide 3 m offset from the existing and proposed water main.

Note to Applicant: Check the City's Design Guidelines and Construction Standards for offset from other utilities to ensure compliance. Allowing adequate setback minimizes the impact of infiltration to the adjacent utilities and infrastructure.

1.48 Confirmation of GRI measures including provision of the following:

a) Incorporation of the following for GRI measures located in the street Rights of Way ("ROW") and laneway for public realm rainwater management:

(i) Bioretention (i.e. rain garden) is recommended on W. 35th Ave as a pollinator corridor, and at the north portion of the New Commercial St. near the Cultural Centre;

Note to Applicant: Bioretention can be a linear feature in the street boulevard or in the curb bulges at a road intersection.

(ii) On Heather St. (between W. 33rd Ave and W. 35th Ave), New Commercial St. (south portion), Baillie St. and Manson St., and W. 37th Ave, minimize the number of bioretentions where possible;

Note to Applicant: Explore alternative subsurface GRI options, such as stormwater tree trenches, to reduce future maintenance efforts undertaken by the City. Stormwater tree trenches can be designed with soil cell or structural soil placed under the sidewalk or bike lane to manage rainwater and to enhance soil volume in support of healthy trees. Refer to the Engineering Design Manual Section 9.3.3 to meet minimum soil volume requirement for street trees.

(iii) For the Heather St. Greenway (section of Heather St. between W. 35th Ave and W. 37th Ave), use bioretention (i.e. rain garden) to manage rainwater, where possible;

(iv) For sections of W. 33rd and W. 37th Aves where street improvements will be implemented by the City, include for 100% funding for future construction of GRI to meet the public realm rainwater management target and for sections of W. 33rd and W. 37th Aves where street improvements will be implemented by the developer, include provision for construction of GRI to meet the public realm rainwater management target;

Note to Applicant: Coordination is required with Transportation Planning Branch.

(v) For Cambie St. at the W. 37th Ave intersection where the center median will be closed, provision for the construction of, or full funding for green infrastructure, and green infrastructure themed educational parklet/node with elements, as per the Cambie Corridor Public Realm Plan Figure 3.7.4 a & b, all to the satisfaction of the General Manager of Engineering Services;

(vi) Use permeable pavement to manage rainwater in all laneways; and

Note to Applicant: The permeable pavement should provide equal

performance and design life as the pavement structure specified by City's Street Design Branch.

(vii) Provision of an infiltration gallery under laneway parcel S2 (refer to Figure 8 of the RWMP).

Note to Applicant: The gallery will be constructed with load bearing modular stormwater system (or equivalent). It receives direct rainfall from the permeable laneway surface, and inflow from proposed storm sewer pipe 3 (refer to Figure 8 of the Rainwater Management Plan). The gallery infiltrates, attenuates and conveys rainwater before overflowing to the downstream drainage system on W. 33rd Ave. The proposed infiltration gallery is a pilot project that supports the vision of sustainable large development by providing innovative infrastructure solutions and technologies. It eliminates the need for the proposed storm sewer pipe 1, and takes advantage of the good infiltration potential of the site to reduce rainwater discharge to the downstream sewer system.

b) 48 mm rainwater treatment and retention for W. 37th Ave east of Heather St. (sub-catchment S14) frontage from the property line to the road centreline in addition to the proposed GRI in the RWMP;

c) Updated GRI type, location, and layout design to ensure consistency in the overall frontage design by coordinating the latest geometric design provided by COV Transportation Design Branch and latest Landscaping Plan and Tree Management Plan mentioned design/plan to ensure consistency in the overall frontage design;

d) Detailed GRI design and supporting documents for each proposed GRI, including catchment delineation, treatment and capture volume calculation, plan and section views, catch basin connection detail, planting plan, etc.;

Note to Applicant: Site specific infiltration test result is required to support the design. Submissions will be reviewed by the City's Green Infrastructure Implementation branch for approval.

e) A phasing plan for the proposed GRI and Erosion Sediment Control (ESC) procedures for GRI protection during construction; and

Note to Applicant: O&M procedures should be submitted to guide City's long term operation and maintenance efforts.

f) Acknowledgment that GRI features in the ROW will prioritize managing rainwater from the ROW surface.

Note to Applicant: It is not recommended to direct on-site rainwater to GRI in the ROW due to limited space and capacity. If such an option is proposed, it is subject to the City's review and approval on a case by case basis. City of Vancouver would require provision of funding to support future operation and maintenance of the GRI.

Note to Applicant: Green Infrastructure Implementation Branch is developing draft standard drawings and specs for bioretention and stormwater tree trenches. They can be made available to the consultants upon request.

1.49 Incorporation of the following for GRI measures located in Parks and Heather St. Greenway for public realm rainwater management:

a) Heather St. Greenway will prioritize managing rainwater from parcel S11;

Note to Applicant: The feasibility of receiving additional on-parcel rainwater from sub-catchments S17 and S19 is to be studied. GRI design should consider the offset requirement for the existing underground water main, sewer main and building foundation. There is an additional proposed water transmission main under Heather St., refer to City water main preliminary design drawing for Heather St – W33rd Ave to W41st Ave. Coordinate with Transportation Design branch to obtain the latest data on street and bike lane alignment.

b) Rainwater from sub-catchments S17 and S19 cannot be directed to GRI features on W. 35th Ave (e.g. S24-1 and S24-2);

c) Detailed GRI design and supporting data for each proposed GRI, including location, orientation, catchment delineation, treatment and capture volume calculation (including stormwater from parcels), plan and section views, catch basin connection and flow routing details, planting plan, etc.;

Note to Applicant: Site specific infiltration test result is required to support the design. Submit design drawings and supporting data to the Green Infrastructure Implementation Branch and Utility Development and Servicing Branch for review and approval.

d) Prepare phasing plan and ESC procedures for the proposed GRI protection during construction;

e) Provide O&M procedures and clarify ownership and the party responsible for the long term operation and maintenance of the proposed GRI;

f) The RWMP proposed that on-parcel rainwater be routed across Rights of Way and be treated and captured in the GRI within the park and open space. If this is permitted by the City, additional requirements should be met as listed below by the City's Development, Buildings and Licensing department:

(i) Legal agreements which would include, but are not limited to:

i. Encroachment agreement for areas where sub-surface storm sewers carrying private-side rainwater runoff cross the city's property (streets, boulevards, sidewalks, etc.); and

ii. Agreement for property owner to operate and maintain district scale GI practice in perpetuity and cost sharing mechanisms for other parties to equitably contribute to those O&M costs.

(ii) The consultant team should consider the existing environmental constraints in the design, such as groundwater contamination, and meet with the City to discuss mitigation measures if needed.

1.50 Provision of the following updated revisions to the draft RWMP which includes:

a) Show horizontal distance from the edge of the proposed rain gardens in parcel S3, S10, and S11 to the adjacent building foundation and ensure adequate offsets (5m) are met;

b) Confirmation that permeable laneway design considerations (similar to section 5.1 for rain garden)support capture volumes shown in Table 4; and

c) Confirmation of no utility conflicts for all proposed GRI.

Note to Applicant: In Figure 5, the detention rain garden in parcel S11 may be in conflict with an existing water main running under Heather Street.

Note to Applicant: For further information, contact Green Infrastructure Implementation Branch at ESRGGIIDL@vancouver.ca

1.51 Provision of a Final Hydrogeological Study, prior to issuance of each Development Permit, to the satisfaction of the General Manager of Engineering Services, that meets the requirements of the Groundwater Management Bulletin, and includes:

a) A Groundwater Management Plan that meets the Bulletin requirements, and outlines how the permanent discharge of groundwater to the sewer system will be avoided;

Note to Applicant: the discharge rates provided in Table 1 of the Preliminary Hydrogeological Report (dated Feb, 2021) will not be permitted to enter the City drainage system.

A permanent groundwater management plan consisting of waterproofing and strengthening the portion of the foundations and elevator pits extending below the water table, as proposed in the Preliminary Hydrogeological Report, is acceptable.

A permanent groundwater management plan consisting of the use of a cut off wall for groundwater control may also be acceptable but would result in discharge to the City drainage system. Should this approach be considered, its approval will be contingent on further City review prior to development permit. In this case, the consultant must provide anticipated flow rates for each building. The impact of proposed cut off walls on regional groundwater flow must also be considered as part of an impact assessment.

Construction-related discharge to the sewer must be measured, and reported to the City. This monitoring must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the Building Permit; to lift the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.

b) A Groundwater Impact Assessment, that meets the requirements of the Groundwater Management Bulletin, and includes the potential impacts of any low-carbon energy options involving groundwater (e.g. Concept 2), which includes:

(i) Groundwater modelling that assesses the impacts to the groundwater conditions in the surrounding area. This should include the impacts from low-carbon energy options involving groundwater, as well as the impacts of on-site infiltration;

Note to Applicant: Heather Lands is an important recharge area for the Quadra Sands Aquifer. Additionally, there are several current and future groundwater users in the area (e.g. Oakridge). As a result, a very high level of care is required in the design of Concept 2.

Significant green infrastructure is being proposed for the site. The impacts of infiltration local groundwater flow have not been considered. There is significant increase in infiltration on site from pre-development to post-development.

(ii) Analysis related to the potential for groundwater contaminant transport; and

(iii) An assessment of the potential for thermal impacts to groundwater (e.g. warming of groundwater) offsite due to the low-carbon energy options involving groundwater being considered (e.g. Concept 2), including any associated impacts to down-gradient receptors. This analysis should include recommendations for how such thermal impacts will be monitored and mitigated (if applicable).

Note to Applicant: Concept 2 may require water use authorization from the Province under the *Water Sustainability Act.* The applicant is advised to contact the Province as soon as possible due to the lengthy approval process.

The Piteau report referenced in KWL's August 2020 memo detailing the hydrogeological concerns for Concept 2 is required for a more detailed review. The technical memorandum authored by Piteau (dated February 2, 2021) does not address Concept 2.

1.52 Provision and confirmation of the following are required in order for Engineering to support plant materials on the street Rights of Way:

a) All plant material within the same continuous planting area which is located on street Rights of Way within 10.0 m (32.8 ft.), measured from the corner of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas, shall not exceed a mature height of 0.6 m (2 ft.), measured from the sidewalk;

b) All plant material within the street Right of Way that is located outside of the areas described in the bullet above shall not exceed a mature height of 1.0 m (3.3 ft.), measured from the sidewalk;

c) Plants shall be planted in such a way as to not encroach on the sidewalk, street, lane, and/or bike lane and shall provide a minimum 0.45 m (1.5 ft.) buffer of low groundcover or sod grass for plantings adjacent to sidewalks;

d) No permanent irrigation system shall be installed in the street Right of Way; and

e) All planting on street Rights of Way are to be maintained by the adjacent property owner.

Note to Applicant: Refer to City of Vancouver Boulevard Gardening Guidelines for more information on boulevard planting.

1.53 Provision of waste minimization and waste diversion as per the *Rezoning Policy for Sustainable Large Developments*. Section F of the Policy outlines a list of zero waste requirements which must be met for this site, including the following:

a) Adequate space for collection bins and zero waste initiatives in buildings (F.3.1), with mandatory requirements for Zero Waste Initiatives including the following:

(i) Solid waste storage amenities must be no more than one storey below grade and they must be designed to ensure all waste collection day activities occur onsite, as opposed to placing bins onto City property for collection;

(ii) The size of storage rooms must be in compliance with the guidelines set out in the Garbage and Recycling Storage Amenity Design Supplement allowing a sufficient number of carts/containers to meet the needs of the entire building;

(iii) The space allotted must exceed the minimum set out in the guidelines to allow for waste diversion programs to ensure items banned from garbage are not put in garbage (e.g. electronics, foam packaging); and

(iv) There must be an infrastructure and maintenance plan to maintain a litter-free environment in exterior areas (e.g. sidewalks and paths).

b) Occupant/Public communication and education program required (F.3.2), including a minimum of three items from Occupant/Public Education and

Outreach Actions list under the Sustainable Large Developments Administrative Bulletin;

c) Additional Zero Waste Actions: Recycling, Organics and Waste Collection Systems (F.3.3) – Buildings must incorporate zero waste efforts beyond the provision of standard recycling bins; and

Note to Applicant: The applicant must show how they plan to meet this objective by choosing and implementing as least seven initiatives from a list of 18 items under the Bulletin.

d) Post Occupancy Plan Implementation Report Plan (F.3.4) – the applicant must acknowledge intent to provide a Plan Implementation Report within 18 months post occupancy, with details regarding who will be responsible for submitting.

Note to Applicant: Staff acknowledge that the applicant has provided a preliminary waste management plan to meet the above requirements 1 to 3. The submission will be further reviewed during the development permit application stage.

1.54 Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for a site-wide Solid Waste Reporting Covenant prior to the issuance of the first development permit.

1.55 Provision of the following statement on the landscape plan:

"*This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details*."

Childcare

1.56 Design development of Parcel I to include a fit, furnished and equipped 74-space childcare facility to be licensable by Community Care Facilities Licensing and meet the requirements of the City's Childcare Design Guidelines and Childcare Technical Guidelines, to the satisfaction of the General Manager of Arts, Culture and Community Services and the General Manager of Real Estate and Facilities Management. Other requirements include, but may not be limited to, the following:

(a) The facility is to be located on the fourth floor podium of building I2 on Parcel I, with associated street-level presence and visibility.

(b) The facility must comprise a minimum gross indoor total area of 858 sq.m. (9236 sq.ft.), minimum net indoor activity area of 420sq.m. (4520 sq.ft.), and a minimum dedicated adjacent/contiguous outdoor area of 1040 sq.m. (11194 sq.ft.), all on one level with a height of not less than 12 ft floor-to-floor, and storage spaces.

Each program area is required to have adequate and contiguous indoor and outdoor space.

(c) Provision of a total of 12 dedicated and signed parking spaces, including 10 drop-off/pick-up parking stalls and 2 staff parking stalls. Design development to ensure that the location of parking and drop-off stalls are safe and in proximity to the childcare centre elevator. The path from drop-off parking to elevator must not require children to walk in the drive aisle.

(d) Design development to ensure that the indoor and outdoor spaces maximize opportunities for healthy child development while ensuring a functional and financially sustainable facility for the operator.

(e) Design development to maximize solar access and to ensure that the full indoor and outdoor area is supervisable and licensable.

(f) Design development to minimize the number of balconies overhanging the outdoor play space and to ensure mitigation of fallen or thrown objects from any remaining overhanging balconies.

Social Policy

1.57 Fulfill, to the satisfaction of the Director of Social Policy, the Sustainable Food Systems requirements of the Rezoning Policy for Sustainable Large Developments for sites over 10 acres in size. Specifically, on the north parcel, deliver the following on-site food assets with significant impact and presence and arrange for their programming and maintenance for a minimum of five years starting from date of occupancy: community kitchen facilities, a community food market, edible plantings (Indigenous plant garden and food forest/orchard), and resident community garden plots. Specific requirements include:

(a) Community kitchen facilities: Design development of the Parcel J to include a minimum 60m2 dedicated commercial teaching kitchen in the Cultural Centre and adjacent outdoor fire pit cooking facilities in the Plaza satisfying the requirements of the *City-Affiliated Kitchen Design Guidelines* and *Sustainable Large Developments Administrative Bulletin,* or any other applicable policy at the time of development.

Note to Applicant: Refer also to condition #1.78 for further requirements related to the community kitchen facilities.

(b) Community food market: Design development of Parcel J to include a community food market space meeting the design guidelines outlined in the *Sustainable Large Developments Administrative Bulletin*, or any other applicable policy at the time of development.

(c) Food Gardens: Design development of the Cultural Plaza and North Park Parcel to include an Indigenous Plant Garden, Food Forest, and Wild Orchard together comprising a minimum of 3,000m2 and meeting the following requirements:

(i) Provide landscape design and supporting infrastructure to enable opportunities for food-related educational, community, and stewardship programming by the Musqueam, Squamish, and Tsleil-Waututh Nations or a delegated non-profit society (eg: covered area/seating, signage, washroom and water access, etc.).

Note to Applicant: per the rezoning application, these areas are anticipated to feature edible and medicinal plants native to the region and reflective of Musqueam, Squamish, and Tsleil-Waututh Nations culture and traditions of looking to the land as a source of nourishment.

(ii) Layout and design to ensure appropriate connections between the Indigenous Plant Garden, Food forest and Wild Orchard.

(iii) Layout and design to and minimize conflict with other Plaza and North Park uses including but not limited to the fire pit cooking facilities, forest trail, and rainwater management.

(iv) Provide support facilities (eg: irrigation, storage, composting facilities) in alignment with *Sustainable Large Developments Administrative Bulletin*, or any other applicable policy at the time of development.

Note to Applicant: Refer also to Parks conditions for further requirements related to the North Park Parcel.

(d) Residential community garden plots: Design development of all parcels with residential units to include include community garden plots satisfying the *Rezoning Policy for Sustainable Large Developments Administrative Bulletin* and the City's *Urban Agriculture Guidelines for the Private Realm*, or any other applicable policy at the time of development permit, and meeting the following requirements:

(i) Provide a combination of individual plots and shared growing space to meet the minimum requirement for 24 square feet of gardening space for at least 30% of the residential units with less than 100 square feet of private outdoor space.

Note to Applicant: as part of each development permit submission, provide calculations to demonstrate adherence to the 30% minimum.

(ii) Provide support facilities as outlined in the *Urban Agriculture Guidelines for the Private Realm.*

(iii) To the extent possible, provide plots in semi-public areas to enable public access through garden pathways.

(e) Submission requirements: Food assets to be indicated on all drawings and plans submitted as part of the development permit process.

Housing

1.58 The proposed rental housing unit mix, including 3 studio units (15.7%), 10 1-bedroom units (52%), 5 two-bedroom units (26.3%) and 1 three-bedroom units (5.2%) all located on Parcel I, is to be included in the Development Permit drawings.

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

1.59 The proposed Below Market Rental housing unit mix, including 1 studio unit (12.5%), and 4 1-bedroom units (50%), 2 two-bedroom units (25%), and 1 three-bedroom units (12.5%), all located on Parcel I, is to be included in the Development Permit drawings.

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

1.60 The proposed strata housing unit mix including 119 studio units (15%), 397 1-bedroom units (50%), 198 two-bedroom units (24.9%), and 79 three-bedroom units (9.9%) located on Parcels G, I and H combined, is to be included in the Development Permit drawings.

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

Note to Applicant: The family unit mix requirements must each be met within each associated parcel.

1.61 The proposed social housing unit mix, including 25 studio units (20%), 36 1-bedroom units (30%), 37 two-bedroom units (30.3%), and 24 three-bedroom units (20%) all located on Parcel I, is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 50% of the dwelling designed to be suitable for families with children.

Note to Applicant: The family unit mix requirements must each be met within each associated parcel.

1.62 Ensure no less than 35% of all strata, market rental and below-market rental residential units, and the buildings containing such units, and no less that 50% of all social housing residential units and the buildings containing such units, are designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including but not limited to the provision of:

(a) Outdoor amenity areas are to include areas suitable for a range of children's play activities and urban agriculture, ranging in size from 130 sq. m (1,399 sq. ft.) to 280 sq. m (3,014 sq. ft.) and situated to maximize sunlight access (S. 3.3.2, 3.4.3);

(b) A private outdoor space for each unit with minimum 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

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

1.63 Design development of the social housing should reference the *BC Housing Design and Technical Guidelines*, the City of Vancouver *Housing Design and Technical Guidelines*, and other forms of best practices for social housing unit design, including but not limited to unit sizes, outdoor and indoor amenity space, and a minimum of 5% of units as wheelchair accessible.

1.64 Provide indoor multi-purpose amenity space, as follows:

(a) buildings with up to 90 units (excluding townhouse buildings) will provide at least 46.5 sq. m (500 sq. ft.);

(b) buildings with more than 90 units will provide at least 92.9 sq. m (1,000 sq. ft.);

(c) Each multi-purpose indoor amenity space is to include a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and

(d) The minimum indoor amenity space required per parcel is per the following table:

Parcel	**Minimum Required Amenity Space**
Parcel G	186 sq. m (2,000 sq. ft.)
Parcel H	93 sq. m (1,000 sq. ft.)
Parcel I	274 sq. m (2,950 sq. ft.)
Total	**553 sq. m (5,950 sq. ft.)**

Note to Applicant: The required amenity space may be provided in each building, for each parcel, or combined for multiple parcels only if made available to all residents of the development.

1.65 Ensure that no less than 5% of the units in each development phase of the site, respectively including market housing, rental housing, and social housing tenures, are designed to be wheelchair accessible.

Parks

1.66 The applicant is responsible for delivering a total minimum of 4.4 acres of park and open space between the North and South parks and cultural centre plaza.

Note to Applicant: within the minimum 4.4 acres the south park will be a minimum of 2.27 acres and the remainder will be divided between the north park and cultural centre plaza.

1.67 The applicant will work collaboratively with Park Board staff on the design of the north park to the satisfaction of the General Manager of Parks and Recreation. Public consultation for the north park will be undertaken through the co-design process for the south park.

(a) Park Board staff to oversee the public engagement process to Park Board standards;

(b) MST Nations to set parameters for, and oversee, MST engagement;

(c) MST Nations to coordinate appropriate MST approvals process;

(d) MST Nations to lead park naming process.

1.68 The applicant will work collaboratively with Park Board staff on the establishment of an intergovernmental working group between the MST Nations and the Park Board with terms of reference to the satisfaction of the General Manager of Parks and Recreation prior to the initiation of the co-design process.

Note to Applicant: The working group won't play a role in the long term management of the north park but will be involved in the design process and engaged in any long term decisions related to connected design elements such as the Forest Trail.

Note to Applicant: Engage with the City's Social Policy staff related to the design and operations of the food assets within the north park.

1.69 Design development of north park through joint Park Board – MST Nations co-design process to be only to level of conceptual design or on elements that extend between the north and south parks such as the forest trail and pollinator corridor.

1.70 Concept design of the north park, cultural centre plaza and Heather St Right-of-Way between 35th and 37th avenue to be closely coordinated with the concept design of the south park.

Note to Applicant: regardless of phasing, these spaces should be conceptually designed at the same time in order to ensure appropriate transitions between spaces and seamless design of the forest trail through the two parks.

1.71 Design development of the forest trail through the north and south parks to occur through Park Board – MST Nations park co-design process.

Note to Applicant: the alignment, dimensioning, surfacing and lighting (if applicable) of the forest trail through the parks through the co-design process to the satisfaction of the General Manager of Parks and Recreation. The trail will be designed to connect to a crosswalk across 35th avenue, location to be confirmed by City Engineering.

1.72 No non-park building, non-park subsurface building structure, or non-park infrastructure shall be located within or otherwise encroach upon the north park.

Note to applicant: use of park space for rainwater management is an exception to this condition.

1.73 Design development to ensure a maximum of 3 pathways from development parcels, including the Cultural Centre and associated plaza, connecting to the Forest Trail.

Note to Applicant: A collector pathway is required within private property to ensure no direct building access into the park. Consideration should be given to connecting the forest trail to the Cultural Centre and plaza, shared courtyard of buildings G1 and G2 and parcel H1.

Culture

1.74 Design development of Parcel J to include a minimum 2,095 sq.m (22,550 sq. ft) of gross floor area and fully fit, finished, furnished, and equipped Musqueam, Squamish, and Tsleil-Waututh Nation Cultural Centre ("the Cultural Centre") and adjacent 0.3 acre plaza ("Plaza"). Both are to be owned and operated by the MST Nations or a delegated arts and culture non-profit society, registered coop or charity for the practice and sharing of culture and traditions and use for community events. Design development and construction of the Cultural Centre and Plaza to be to the satisfaction of the MST Nations, and the General Manager of Arts, Culture and Community Services and the General Manager of Real Estate and Facilities Management. Other requirements include, but may not be limited to, the criteria outlined in the below conditions.

Note to Applicant: Design development of the Cultural Centre will be required through the Development Permit and Building Permit processes to ensure delivery of the Cultural Centre as laid out in the application.

1.75 Design development of the Cultural Centre and Plaza to:

(a) Meet requirements of relevant City by-laws and guidelines at the time of Development Permit, including Noise, Building and Fire By-laws.

(b) Provide a strong visual identity, ground-level entrance, and distinct street-level presence including signage to maximize street visibility.

(c) Consider inclusion of a passenger pick-up and drop-off area.

1.76 Within the Cultural Centre, design development of arts and culture programming and presentation spaces to enable a range of arts and cultural uses by incorporating flexible fit and finishes, including but not limited to consideration for: acoustic controls, architectural millwork, ceiling heights, wall, floor and ceiling finishes, adequate corridor

and loading clearance, mechanical including electrical, plumbing, lighting, and HVAC, specialties and furnishings, oversized elevator(s). Other requirements include, but may not be limited to:

(d) Include a variety of multi-purpose spaces to enable educational, arts, community, food, social, cultural, and conference programming.

(e) Include a performance space, gallery/exhibition space, artist studios (which can accommodate Class A and Class B activities), and workshop spaces;

(f) Provide “back of house” infrastructure (including loading, storage, green rooms, dressing rooms, and washrooms), etc, for any performance spaces;

(g) Provide oversized elevator(s) to ensure suitability for transportation of large-scale artworks, equipment, and supplies; and

(h) Consider inclusion of kitchenette(s) in larger multi-purpose rooms to support diverse programming and maximize use.

1.77 Design development of the Cultural Centre to adhere to the City of Vancouver’s *Arts and Culture Studios Technical Guidelines* and *Social Facility Technical Guidelines.* Other requirements include, but may not be limited to the following:

(a) Include covered Class B loading at grade, and provide direct and barrier-free access to zero waste facilities, any performance and back of house space(s), and circulation to other spaces which may require frequent access to loading (such as the commercial teaching kitchen, gallery/exhibition space, artist studios, workshops, multipurpose rooms, conference rooms, and auditorium);

(b) Meet enhanced soundproofing for all demising walls, ceilings, floors, and openings for artist studios and workspaces spaces (STC65 minimum—to be confirmed with any applicable guidelines at time of Development Permit). Enhanced sound proofing to allow Class B uses to meet Noise Bylaw;

(c) Enhanced soundproofing for the performance space, for acoustic performance.

(d) Include electrical/energy provisions to support arts and culture activities and utilize best practice design principles with regard to energy consumption (LEED guidelines); and

(e) Satisfy the following heat/HVAC/ventilation requirements:

(i) Commercial grade mechanical exhaust with associated ducting sufficient for the safe use of noxious or toxic materials in artist studio and workshop spaces; and

(ii) Artist studios and workshop spaces to be provided with enhanced commercial grade ventilation to suit Class B activities; with heating and air condition (no baseboard heating, consider radiant in-floor heating,

HRV); Provide natural ventilation by means of operable windows. Ventilation should consider a variety of uses;

Note to Applicant: Some flexibility in the application of these guidelines may be afforded in order to accommodate Musqueam, Squamish or Tsleil-Waututh cultural practices or unique design needs.

1.78 Provision of a minimum 60m^2 dedicated commercial teaching kitchen in the Cultural Centre, and adjacent outdoor fire pit cooking facilities in the Plaza. Design development to:

(a) Satisfy the *City-Affiliated Kitchen Design Guidelines* and *Sustainable Large Developments Administrative Bulletin;*

(b) Enable teaching, hosting community-kitchen style events; and large scale food preparation;

(c) Provide adjacencies to enable flexibility, including between the indoor and outdoor kitchens and with at least one multipurpose room;

(d) Include infrastructure required to enable safe and convenient outdoor food preparation, such as access to handwashing station, loading, power, water, lighting, fire safety, tables, covered area, and storage; and

(e) Meet licensing requirements of Vancouver Coastal Health for the intended uses including preparing food for the public.

Note to Applicant: The commercial teaching kitchen within the MST Cultural Centre, together with the outdoor firepit cooking facilities, is anticipated to be provided as a food asset required under the *Rezoning Policy for Sustainable Large Developments*. As such, the Cultural Centre café is expected to include its own dedicated and self-contained kitchen, and not rely on access to or use of the commercial teaching kitchen. See also condition #1.57.

1.79 Design development of the Plaza to:

(a) Enable educational, arts, community, food, social, cultural, and conference programming;

(b) Include staging and necessary infrastructure (such as access to loading, power, water, seating and access to the Cultural Centre back of house infrastructure) for outdoor special events and/or performances, a fire pit with outdoor cooking facilities, and other programming and ancillary spaces.

(c) Include space for temporary community food market(s) and Indigenous plants garden(s).

Note to Applicant: these elements are anticipated to be provided as a food assets required under the Rezoning Policy for Sustainable Large Developments. See also condition #1.57 for specific, additional requirements.

Sustainability

1.80 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at http://guidelines.vancouver.ca/G015.pdf

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For phased developments, it is expected that the individual development permits will meet the requirements of the Green Buildings Policy for Rezonings in effect at the time of development permit application. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezonings – Process and Requirements* (amended April 28, 2017 or later).

1.81 Show how resilience has been incorporated in the building design. Submit a refined resilience worksheet at time of Development Permit application. Refer to the Sustainable Large Developments Admin Bulletin for an up to date copy of the City's resilience worksheet.

1.82 Prior to demolition/deconstruction permit application for the Fairmont Building, submission of a green demo and salvage plan showing: results of pre-demo salvage appraisal, estimates of quantities and types of salvageable materials, outline of plan to safely unbuild the structure to maximize salvage of architecture elements and old growth lumber, plan to achieve a minimum salvage/recycling rate of 90% (after abatement). Green demo and salvage plan to be to the satisfaction of the Director of Sustainability. The building should be removed in a manner consistent with the green demo and salvage plan. Compliance to be documented using a format similar to the Green Demo Bylaw compliance report. Building demolition is at the applicant's sole cost and expense.

Note to Applicant: The green demo and salvage plan is to include consultation with the RCMP Veteran's Association to determine if any meaningful building elements can be salvaged for display.

Heritage

1.83 The Fairmont Building is to be kept in a stable and safe condition, at the applicant's sole cost and expense, until such time as it may be demolished or relocated. The building is to be protected from water ingress, infestation, and other damage from the elements. If possible the building should remain at least partially heated to avoid mold development. Fire fighting equipment is to remain intact and functioning if viable. The building is to be secured from vagrancy of occupation by securing openings with plywood or other means and limiting access to the perimeter of the building by secure fencing.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owners 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 Engineering Services, the General Manager of Arts, Culture and Community Services and the General Manager of Parks and Recreation (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

2.1 Arrangements are to be made to the satisfaction of the Approving Officer for the subdivision of the site to create a minimum 1.85 acre northern park parcel and the development parcels associated with the CD-1 North enactment generally as described on Figure 14 and to dedicate to the City:

New Commercial Street

(a) An 18.6 m wide dedication for New Commercial St. from Heather St. to W. 33rd Ave;

W 33rd Avenue

(b) A 1.75 m wide dedication on the south side of W. 33rd Ave adjacent to the site;

Heather Street

(c) A 2.5 m wide dedication on the west side of Heather St. from W. 33rd Ave to the southern boundary of the area being rezoned;

Intersection of W 33rd Avenue / Heather Street

(d) Overlapping triangular shaped dedications at the intersection of W. 33rd Ave and Heather St. adjacent to the site;

Note to Applicant: One triangle will measure 10.0 m along the new property line on W. 33rd Ave and 2.0 m along the new property line on Heather St. from the intersections of the new property lines on W. 33rd Ave and Heather St. The other triangle will measure 15.0 m along the new property line on Heather St. and 2.5 m along the new property line on W. 33rd Ave from the intersections of the new property lines on W. 33rd Ave and Heather St.

Intersection of W 35th Avenue/ Heather Street

(e) An additional dedication on the northwest corner at the intersection of Heather St. and W. 35th Ave to provide an arc with a minimum radius of 38 m where Heather St. meets W. 35th Ave at a right angle; and

Note to Applicant: This is required in order to provide a minimum radius of 50 m for the painted centerline of the road.

Intersection of Heather Street / New Commercial Street

(f) Additional triangular shaped dedications on the northwest and southwest corners at the intersection of Heather St. and New Commercial St.

Note to Applicant: These triangular dedications shall measure 15.0 m along the new property lines on Heather St. and 1.5 m along the property lines on New Commercial St. from the intersections of the property lines on New Commercial St. and the new property lines on Heather St.

Note to Applicant: A phased approach to subdivision may be supportable subject to legal arrangements. It may be preferable to leave the development site in whole blocks subject to further subdivision prior to development permit issuance. A no-development covenant may be required to secure the future subdivision.

Any new streets will be named in consultation with the MST Nations. Refer to the Civic Asset Naming Committee (CIAN) for approval of street names for the proposed public streets. Upon dedication of the roads to the City CIAN will advance recommendations to Council for the formal amendment to the Street Name Bylaw.

2.2 Arrangements are to be made to the satisfaction of the Director of Planning and the General Manager of Parks for an SRW/Covenant for public use to address access, use, and maintenance of any park parcels proposed to be held under private ownership, or satisfactory alternate arrangements.

2.3 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for registration of a Statutory Right of Way over the site for the pedestrian access routes (semi-public paths).

Note to Applicant: The SRWs may be blanket charges (defined by sketch plan), to be modified to a defined survey area based on the as-built conditions and registered prior to occupancy of each of the phased parcels.

2.4 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for registration of Statutory Right of Ways for the proposed Cultural Centre Plaza (Parcel J) and retail passage (Parcel I).

Note to Applicant: The SRWs may initially be blanket charges (defined by sketch plan) and be modified to a defined survey area based on the as-built conditions and registered prior to occupancy of each of the phased parcels.

2.5 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to validate all private rainwater management drainage piping that is proposed to cross a dedicated City street.

Note to Applicant: This includes underground crossings on the New Commercial Street.

2.6 Provision of private legal agreement(s) between the Owners of land parcels where rainwater is proposed to cross between property boundaries to the satisfaction of the General Manager of Engineering Services and Director of Legal Services to confirm the responsibilities and rights of each property owner.

Note to Applicant: This includes description of easements, cost sharing, and long-term maintenance of any shared rainwater management system(s) as well as contingencies and obligations to continue to meet rainwater performance requirements solely within the Owner's own property boundary should the agreement ever be dissolved in the future.

2.7 Provision of a Section 219 Covenant restricting the issuance of a Development Permit until such time as the developer provides a cost sharing agreement(s), with terms to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, between private property parcel(s) Owner(s) and the City where rainwater from private property is proposed to be managed within the City's right of way or property boundary.

Note to Applicant: See also Engineering condition #1.34.

2.8 Provision of a Section 219 Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to place a hold on the issuance of any Development Permit for the site, and such agreement shall include, without limitation, the following provisions:

(a) That no Development Permit for the site or any improvements or building thereon shall be issued until the following have been satisfied:

(i) Provision of a detailed Transportation Demand Management (TDM) Plan for each development permit, meeting the requirements for large sites as described in the Transportation Demand Management for Developments in Vancouver Administrative Bulletin, to the approval of the General Manager of Engineering Services;

(ii) Provision of further legal agreements, including without limitation a TDM Agreement, to ensure that the owner of the lands will construct, install, operate and continuously maintain the TDM measures set out in the approved TDM Plan, with the following provisions:

iii. Permit the City to access and undertake post occupancy monitoring of the TDM measures proposed; and

iv. Require the owner of the lands to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

Note to Applicant: These agreements would include but not be limited to a Section 219 Covenant and Statutory Right-of-Way, subject to additional details being formalized through detailed design.

(b) Financial security in the form of a Letter of Credit or alternate forms of security to the satisfaction of the Director of Legal Services to secure the obligations set out in the TDM Agreement;

(c) Funding towards long-term TDM monitoring fund in the amount of $2 per square metre of gross floor area; and

(d) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Engineering Services, may in their sole discretion require.

2.9 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, along W. 33rd Ave to achieve a 0.7 m offset distance measured from the new property line to the building face for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

2.10 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, along the west side of Heather St. from W. 33rd Ave to New Commercial St. to achieve a 1.5 m offset distance measured from the new property line for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

Courtyard Pathways

2.11 Provision of a surface statutory right of way (SRW) for public pedestrian use of the "Courtyard Pathways" proposed throughout the site.

Intersection of W 33rd Avenue / New Commercial Street

2.12 Provision of a blanket statutory right of way (SRW) over parcels J and I for any corner-cuts or additional space identified at the intersection of W. 33rd Ave and New Commercial St. as deemed necessary by the General Manager of Engineering Services through advancement of the road network design to accommodate turning movements for trucks servicing these parcels, safe crossings for pedestrians and bicycles, and adequate sidewalk space.

Note to Applicant: Any required corner cuts will be identified through advancement of the road design and once more detailed information about the size of trucks that will be

servicing these parcels is available. The corner cuts may need to be provided as dedication, rather than SRW, based on specific design requirements. When road design is sufficiently advanced and details related to the development of these parcels is available as to define these areas, the blanket SRWs can be modified with plans as appropriate.

2.13 Provision for a surface statutory right of way (SRW) to accommodate space for a Public Bike Share ("PBS") Station meeting the following requirements:

(a) Size: At a minimum 16.0 m x 4.0 m (or 8.0 m x 8.0 m) sized station shall be accommodated. The full length of the space is to be continuous;

Note to Applicant: The physical station with docked bicycles is 2.0 m (6.6 ft.) wide and has a required bicycle maneuvering zone of 2.0 m (6.6 ft.) for a total width of 4.0 m (13.1 ft.).

(b) Location: The station must be fully located on private property while still clearly visible to the public with 24/7 public access;

Note to Applicant: The station shall be located at the southwest corner of the intersection of W. 33rd Ave and Heather St. (Parcel I) to allow easy access to the street. If a PBS station cannot be accommodated on-site within Parcel I, then infrastructure shall be required to accommodate a PBS station on public property within Heather St., as per Engineering condition #2.15.(j).(iv).

(c) Access: Consideration for placement of building elements (e.g. fire department connections, HVAC vents, etc.) and landscaping that require frequent access and maintenance directly adjacent to the PBS space;

Note to Applicant: These elements shall not be in conflict or cause frequent disruption to the PBS station.

(d) Surface treatment: A hard surface, CIP concrete (saw cut or broom finished) is required with no utility access points (including vents, drains, etc.) within the PBS station footprint (except as noted below);

Note to Applicant: Any utility access point within 1 m of the PBS space is to be identified and shown in a detailed drawing submitted. Other firm, paved materials are subject to approval.

(e) 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%; and

Note to Applicant: At minimum, spot elevations at the four corners of the station must be provided.

(f) Sun exposure: There must be a minimum of 5.0 m (16.4 ft.) vertical clearance above the PBS space in order to maximize sun exposure as station operates on solar power.

Note to Applicant: Ideally the station should receive 5 hours of direct sunlight a day.

2.14 Prior to enactment, provision of a Preliminary Hydrogeological Study, to the satisfaction of the General Manager of Engineering Services, that meets the requirements of the Groundwater Management Bulletin, and includes:

(a) A Groundwater Impact Assessment that meets the requirements of the Groundwater Management Bulletin, and includes the potential impacts of any low-carbon energy options involving groundwater (e.g. Concept 2), which includes:

i. Groundwater modelling that assesses the impacts to the groundwater conditions in the surrounding area. This should include the impacts from low-carbon energy options involving groundwater, as well as the impacts of on-site infiltration;

Note to Applicant: Heather Lands is an important recharge area for the Quadra Sands Aquifer. Additionally, there are several current and future groundwater users in the area (e.g. Oakridge). As a result, a very high level of care is required in the design of Concept 2.

Significant green infrastructure is being proposed for the site. The impacts of infiltration on local groundwater flow have not been considered. There is significant increase in infiltration on site from pre-development to post-development.

ii. Analysis related to the potential for groundwater contaminant transport; and

iii. An assessment of the potential for thermal impacts to groundwater (i.e. significant warming or cooling of groundwater) offsite due to the low-carbon energy options involving groundwater being considered (e.g. Concept 2), including any associated impacts to down-gradient receptors. This analysis should include recommendations for how such thermal impacts will be monitored and mitigated (if applicable).

Note to Applicant: Concept 2 may require water use authorization from the Province under the *Water Sustainability Act.* The applicant is advised to contact the Province as soon as possible due to the lengthy approval process.

The Piteau report referenced in KWL's August 2020 memo detailing the hydrogeological concerns for Concept 2 is required for a more detailed review. The technical memorandum authored by Piteau (dated February 2, 2021) does not address Concept 2.

An updated Groundwater Impact Assessment may be requested prior to issuance of the first Development Permit for the site.

2.15 Provision of a Services Agreement to detail the on- 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 all to the satisfaction of the General Manager of Engineering Services. No development permit for the site, or any portion thereof, or for any building or improvements thereon will be issued until the Letter of Credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in their sole discretion and holds shall be placed on such permits as deemed necessary in their sole discretion. Except as explicitly provided for in Engineering condition #2.16, the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

(a) Provision of adequate water service to meet the fire flow demands of the project.

(i) All proposed new and upgraded water mains and required associated appurtenances as contemplated on *Figure 2 – Proposed Site Servicing Plan* of the Site Servicing Report with the following notes and modifications:

i. Construct water mains on Heather St. from McGuigan Ave to W. 35th Ave;

Note to Applicant: These mains are expected to be upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program. The City is targeting the completion of this upgrade prior to the Heather Lands development requiring this upgrade (prior to Phase 1 occupancy and as contemplated by the Site Servicing Report). Should the City's timeline change and these assets are not upgraded in time to meet each Phases' occupancy, the applicant would be responsible for delivering this asset and the City and the applicant will enter into a Front Ender Agreement.

ii. Construct water mains on Heather St. from W. 35th Ave to W. 37th Ave; and

Note to Applicant: These mains are expected to be upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program. The City is targeting the completion of this upgrade prior to the Heather Lands development requiring this upgrade (prior to Phase 4 and 5 occupancy as contemplated by the Site Servicing Report). Should the City's timeline change and these assets are not upgraded in time to meet each Phases' occupancy, the applicant would be responsible for delivering this asset and the City and the applicant will enter into a Front Ender Agreement.

iii. Construct water mains on W. 37th Ave from Willow St. to Manson Street.

Note to Applicant: These mains are expected to be upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program. The City is targeting the completion of this upgrade prior to the Heather Lands development requiring this upgrade (prior to Phase 2 occupancy as contemplated by the Site Servicing Report). Should the City's timeline change and these assets are not upgraded in time to meet each Phases' occupancy, the applicant would be responsible for delivering this asset and the City and the applicant will enter into a Front Ender Agreement.

Note to Applicant: The extent of this upgrade is greater than what is shown in the submitted KWL Site Servicing Report; it is required that the scope be extended.

(ii) The timing for delivering these water main assets need to follow what is presented in the "Development Phasing Plan" section of the Site Servicing Report. Each Phases' noted upgrades must be completed prior to occupancy of the first building within the phase.

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

(i) Provision of internal site (onsite) sewer system upgrades which includes:

i. Provision of sewer mains on W. 33rd Ave & New Commercial St. tie to W. 33rd Ave:

a. construct 86 m of 375 mm SAN main and 450 mm STM main on W. 33rd Ave from the existing sewer main on W. 35th Ave (MH__FJCR4P for SAN and MH__FJCR4Q for STM) to the intersection of W. 35th Ave and New Commercial St.;

b. construct 75 m of 375 mm SAN main and 450 mm STM main on New Commercial St. from the intersection of W. 35th Ave and New Commercial St. to fronting green space between Parcel J and Parcel G;

c. construct 52 m of 375 mm SAN main and 375 mm STM main on New Commercial St. from fronting green space between Parcel J and Parcel G to fronting Parcel G2; and

d. construct 40 m of 300 mm SAN main and 300 mm STM main on New Commercial St. fronting Parcel G2 to fronting Parcel G1.

ii. Provision of sewer mains on Baillie St. & W. 35th Ave tie to W. 35th Ave & Willow Street:

a. construct 101 m of 375 mm SAN main and 525 mm STM main on W. 35th Ave from the intersection of W. 35th Ave and Willow St. to the intersection of W. 35th Ave and Baillie St.;

b. construct 45 m of 375 mm STM main on W 35th Ave from the intersection of W. 35th Ave and Baillie St. to fronting Parcel G1; and

c. construct 50 m of 200 mm STM main on W. 35th Ave from fronting Parcel G1 to the intersection of W. 35th Ave and Heather St.

(ii) Provision of offsite sewer system upgrades which includes:

i. Provision of Willow St. offsite upgrades:

a. separate and upgrade 61 m of 200 mm COMB main to 375 mm SAN main and 525 mm STM main on Willow St. from W. 35th Ave to MH__FJCQ4C. (Split 91 m of 200 COMB main to 61m and 30 m);

b. Separate and upgrade 92 m of 200 mm COMB main to 375 mm SAN main and 525 mm STM main on Willow St. from MH__FJCQ4C to MH__FJCR4K; and

c. Separate and upgrade 50 m of 250 mm COMB main to 375 mm SAN main and 525 mm STM main on Willow St. from MH__FJCR4K to MH__FJCR4N

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

ii. Provision of W. 33rd Ave & Laurel St. & W. 32nd Ave offsite upgrades:

a. Upgrade 51 m of 200 mm SAN main to 375 mm SAN main from MH__FJCR4P to MH__FJCR4N and 375 mm STM main to 450 mm STM main on W. 33rd Ave from MH__FJCR4Q to MH__FJCR4M;

b. Upgrade 85 m of 250 mm SAN main to 375 mm SAN main from MH__FJCR4N to MH__FJCR4F and 450 mm STM main to 525 mm STM main on W. 33rd Ave from MH__FJCR4M to MH__FJCR4G;

c. Upgrade 21 m of 250 mm SAN main to 375 mm SAN main from MH__FJCR4F to MH__FJCR4J and 450 mm STM main to 525 mm STM main on W. 33rd Ave from MH__FJCR4G to MH__FJCR3J;

d. Separate and upgrade 60 m of 450 mm COMB main to 375 mm SAN main and 600 mm STM main on Laurel St. from MH__FJCR3J and MH__FJCR4J to MH__FJCR36;

e. Separate and upgrade 49 m of 450 mm COMB main to 375 mm SAN main and 600 mm STM main on Laurel St. from MH__FJCR36 to MH__FJCR4A; and

f. Separate and upgrade 11 m of 450 mm COMB main to 375 mm SAN main and 600 mm STM main on Laurel St. from MH__FJCR4A to MH __FJCR4B.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

The City may decide to deliver the off-site servicing upgrade along Heather St. as per the provisions under the Services Agreement at the applicant's cost.

The applicant is to inform the Development Water Resources Management (DWRM) Branch (utilities.servicing@vancouver.ca) of any updates to the on-site stormwater servicing strategy as the development progresses as it may impact the servicing plan.

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

(c) The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change;

(d) Provision of design brief, calculations and/or model, and design drawings by applicant's Engineer to include issued for construction (IFC) drawings;

Note to Applicant: Issued for Construction (IFC) drawings are required to be reviewed and accepted by the City Engineer prior to building permit issuance.

(e) Development to be serviced to the proposed SAN and STM sewers which includes:

(i) Parcel A is to be serviced to the proposed 375 mm SAN sewer and 450 mm STM sewer on Manson Street;

(ii) Parcel B is to be serviced to the proposed 375 mm SAN and 375 mm STM sewers on W. 35th Ave;

(iii) Parcel C is to be serviced to the proposed 250 mm SAN and 375 mm STM sewers on Baillie Street;

(iv) Parcel D is to be serviced to the proposed 250 mm SAN and 375 mm STM sewers on Baillie Street;

(v) Parcel E is to be serviced to the proposed 300 mm SAN and 450 mm STM sewers on Baillie Street;

(vi) Parcel F is to be serviced to the proposed 300 mm SAN and 375 mm STM sewers on W. 35th Ave;

(vii) Parcel G is to be serviced to the proposed 300 mm SAN and 300 mm STM sewers on New Commercial Street;

(viii) Parcel H is to be serviced to the proposed 375 mm SAN and 525 mm STM sewers on W. 35th Ave;

(ix) Parcel I is to be serviced to the proposed 375 mm SAN and 450 mm STM sewers on New Commercial Street; and

(x) Parcel J is to be serviced to the proposed 375 mm SAN and 450 mm STM sewers on New Commercial Street.

(f) Provision of a sewer abandonment plan to the City that details the following:

(i) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site; and

(ii) The abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

W 33rd Avenue

(g) Provision for the construction of street improvements from the centerline of W. 33rd Ave adjacent to the site including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of

Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Partial median;

(iii) Raised protected bike lane;

(iv) Concrete sidewalk;

(v) Green rainwater infrastructure;

(vi) Improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure; and

(vii) Road reconstruction as required to accommodate the proposed street improvements.

(h) Provision for the construction of, or full funding for, street improvements from property line to property line on W. 33rd Ave from Heather St. to Cambie St. including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Raised protected bike lanes;

(iii) Concrete sidewalks;

(iv) Green rainwater infrastructure;

(v) Improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure; and

(vi) Road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

New Commercial Street

(i) Provision for the construction of New Commercial St and all associated infrastructure from W 33rd Ave to Heather St to current City standards;

Note to Applicant: Alternative designs or treatments proposed will need to be reviewed and approved by the General Manager of Engineering Services. Alternative designs must consider accessibility, ease of operations and maintenance, and cost of rehabilitation or replacement.

Heather Street

(j) provision for the construction of street improvements from property line to property line on Heather St. from W. 33rd Ave to the lane south of McGuigan Ave including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Raised protected bike lanes;

(iii) 50mm mill and pave full width of Heather St. along the development site's frontage;

(iv) Concrete hard surfaces within the Public Bike Share (PBS) station footprint and supporting electrical service for PBS;

Note to Applicant: This is required if no SRW on private property is provided on private property, as per Engineering condition #2.13;

(v) Concrete sidewalks;

(vi) protected intersection corners;

(vii) Curb ramps;

(viii) Green rainwater infrastructure;

(ix) Relocation of the existing utility poles;

(x) Improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure; and

(xi) Road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 33rd Avenue / Oak Street

(k) Provision for the construction of improvements at the intersection of W. 33rd Ave and Oak St. to provide eastbound and westbound painted left turn bays on W. 33rd Ave, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Curb ramps;

(iii) Installation of eastbound and westbound left turn arrows;

(iv) Relocation and/or replacement of the existing catch basins; and

(v) Adjustment to all existing infrastructure and road reconstruction as required to accommodate the proposed street improvements as well as provision for future bike lanes on W. 33rd Ave.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 33rd Avenue / Heather Street

(l) Provision for the construction of, or full funding for, improvements at the intersection of W. 33rd Ave and Heather St., all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Protected bike lanes with protected intersection corners;

(iii) Curb ramps;

(iv) Green rainwater infrastructure;

(v) Left turn bays;

(vi) Design and installation of a new traffic signal;

(vii) Installation of eastbound and westbound left turn arrows;

(viii) Relocation and/or replacement of the existing catch basins and utility poles;

(ix) 50mm mill and pave where the existing asphalt has deteriorated;

(x) Entire intersection lighting upgrades to current City standards and IESNA recommendations; and

(xi) Adjustment to all existing infrastructure and road reconstruction as required to accommodate the proposed street improvements.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Intersection of W 33rd Avenue / Cambie Street

(m) Provision for the construction of improvements at the intersection of W. 33rd Ave and Cambie St., all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include, but not be limited to, the following:

(i) New concrete curb and gutter;

(ii) Protected bike lanes with protected intersection corners;

(iii) Curb ramps;

(iv) Green rainwater infrastructure;

(v) Left turn bays;

(vi) Design and installation of a new traffic signal;

(vii) Installation of eastbound and westbound left turn arrows;

(viii) Relocation and/or replacement of the existing catch basins;

(ix) Entire intersection lighting upgrades to current City standards and IESNA recommendations; and

(x) Adjustment to all existing infrastructure and road reconstruction as required to accommodate the proposed street improvements as well as provision for future bike lanes on W. 33rd Ave.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

(n) 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.

(o) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations;

(p) Provision of new street lighting (roadway and sidewalk), new intersection lighting, and forest trail, bicycle and pedestrian paths lighting on ROW;

(q) Provision of entire intersection lighting upgrade at all existing intersections adjacent to the site to current City standards and IESNA recommendations;

(r) Provision of lane lighting on standalone poles connecting to underground ducts. The ducts should be connected to the existing City Street Lighting infrastructure ;

(s) Provision of two pad mounted service cabinets/kiosks;

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with Standard Specification of the City of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition).

i. Provision to rebuild existing lane between W. 33rd Ave and W. 37th Ave (on the western side of the development site) as per City “Higher Zoned Laneway” pavement structure. Relocate existing catch basins or install new catch basins as required;

Note to Applicant: Use permeable pavement to manage rainwater in all the laneways

(t) Provision of new standard concrete pedestrian lane crossings, new curb returns and curb ramps at all existing lane crossings and all new lane crossings adjacent to the site; and

(u) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

2.16 Provision of a legal agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services whereby the applicant is entitled to receive latecomer charges for a period of 24 hours following completion of the works

contemplated by the following condition(s), which require(s) the applicant to provide excess or extended services:

(a) Willow St. offsite sewer upgrades per condition #2.15.(b).(ii).(i).;

Note to Applicant: The benefiting area for these works is under review.

(b) W. 33rd Ave & Laurel St. & W. 32nd Ave. offsite sewer upgrades per condition #2.15.(b).(ii).(ii).;

Note to Applicant: The benefiting area for these works is under review.

(c) Street improvements from property line to property line on W. 33rd Ave from Heather St. to Cambie St. per condition #2.15.(h);

Note to Applicant: The benefiting area for these works is under review.

(d) Street improvements improvements from property line to property line on Heather St. from W. 33rd Ave to the lane south of McGuigan Ave per condition #2.15.(j).;

Note to Applicant: The benefiting area for these works is under review.

(e) Improvements at the intersection of W. 33rd Ave and Oak St. per condition #2.15.(k);

Note to Applicant: The benefiting area for these works is under review

(f) Improvements at the intersection of W. 33rd Ave and Heather St. per condition #2.15.(l).; and

Note to Applicant: The benefiting area for these works is under review.

(g) Improvements at the intersection of W. 33rd Ave and Cambie St. per condition #2.15.(m).

Note to Applicant: The benefiting area for these works is under review.

Note to Applicant: An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

For general Latecomer Policy information refer to the website at https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect

2.17 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be

located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Housing

Secured Market Rental Housing and Below Market Rental Housing

2.18 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant to secure a minimum of 27 residential units on Parcel I as secured market rental housing units for the longer of 60 years or the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and/or a Section 219 Covenant.

2.19 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant to secure a minimum of 2,312 sq. m. (24,893 sq. ft.) of the residential floor space on Parcel I, and approximately 27 residential units, as secured rental housing in Parcel I, including at least 25 per cent of the residential floor area that is counted in the calculation of the market rental dwelling unit area per the CD-1 By-law (at least 579 sq. m. [6,233 sq. ft.]) as below-market rental units("below-market rental units"). The below-market rental units are to be rented at 25% below the CMHC average market rents for the area, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, for a term equal to the longer of 60 years and the life of the building. The agreement or agreements will include but not be limited to the following conditions, and requirements:

(a) A no separate sales covenant;

(b) A no stratification covenant;

(c) A provision that none of such units will be rented for less than one month at a time;

(d) A provision that none of such units will be Seniors Supportive or Assisted Housing;

(e) That a rent roll will be provided indicating the agreed initial monthly rents for each below market rental unit at time of occupancy permit application;

(f) That the average initial starting monthly rents for all below-market rental housing units in the project will be at or below 25% below the CMHC city-wide average market rent.

(g) That rent increases for the below market rental units will be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy;

(h) That the below-market rental units referenced in (f) are applicable only to households earning between $30,000- $80,000 per year, and where the rent level does not exceed 30 per cent of the household's gross monthly income;

(i) The applicant will verify the ongoing eligibility of existing tenants in the units secured at below-market rental rates as referenced in (f) every five (5) years after initial occupancy:

(i) For such tenants, rent cannot exceed 30 per cent of the households gross monthly income;

(j) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below-market rental units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below-market rental units, and a summary of the results of eligibility testing for these units; and

(k) such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter

<u>Social Housing</u>

2.20 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability (or successor in function) and the Director of Legal Service (or successor in function) to enter into a Housing Agreement and Section 219 Covenant securing a minimum of 9,522 sq. m. (102,495 sq. ft.) on Parcel I, equivalent to approximately 122 residential units as social housing for 60 years or life of the building, whichever is greater, which will contain the following terms and conditions:

(a) A no separate-sales covenant;

(b) A no stratification covenant;

(c) That the social housing units will be legally and beneficially owned by a non-profit corporation created by the MST Nations, or by or on behalf of the city, the Province of British Columbia, or Canada as a single legal entity and used only to provide rental housing for terms of not less than one month at a time and

prohibiting the separate sale or transfer of legal or beneficial ownership of any such units;

(d) Requiring such units to be used for "social housing", as that term is defined in the Vancouver Development Cost Levy By-law No. 9755;

(e) Not less than 70 per cent of the social housing units will be occupied only by households with incomes below the then current applicable Housing Income Limits, as set out in the current “Housing Income Limits” table published by the British Columbia Housing Management Commission, or equivalent publication, and each rented at a rate no higher than 30 per cent of the aggregate household income of the members of the household occupying such social housing unit;

(f) The remaining social housing units (30 per cent or less) are to be rented at affordable market rents. “Affordable Market Rents” means the average market rents posted by CMHC applicable to the location of the Lands, provided that such rents do not exceed 90% of:

(i) CMHC’s Rental Survey for Vancouver for the applicable area, and by year of construction, (currently the 2005+ category), or an equivalent publication as may be approved by the City; or the appraised market rent for a comparable unit in the local area (where a “comparable unit” means a unit of the same type, similar size and in a building with a similar age and quality of construction); and

(g) Such other terms and conditions as the General Manager of Planning Urban Design and Sustainability and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

2.21 The City’s requirement is that the social housing remains owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada for the duration of the Housing Agreement and is continuously operated as social housing as will be required by the Housing Agreement.

In addition to the Housing Agreement, the City’s requirements are to be secured on title as a Right of First Refusal, Option to Purchase agreement, and Option to Lease agreement, with an assignment clause, on terms and conditions satisfactory to the Director of Legal Services.

The Right of First Refusal and Option to Purchase agreement will provide that if the owner or operator of the social housing parcel chooses to not continue ownership of the social housing parcel and intends to sell the social housing to an entity other than: 1) a non profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation or 2) another non-profit or government entity acceptable to the City, then the City will have the option to purchase the social housing at a nominal purchase price,

noting that an air space subdivision to effect such transfer may also be required. The Option to Purchase will include an assignment and assumption of any necessary rights of access and support as may be required, including with respect to any associated parking for the social housing.

The Option to Lease agreement will provide that if the owner or operator of the social housing parcel chooses to not continue operation of the social housing parcel as required under the Housing Agreement and the Owner does not seek arrangement for a substitute operator including: 1) a non profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation, or 2) another non-profit or government entity acceptable to the City, then the City will have the option to lease the social housing, as the case may be, a nominal lease rate, and may retain, but shall not be obligated to, a substitute operator for the social housing. The Option to Lease will include an assignment and assumption of any necessary rights of access and support as may be required, including with respect to any associated parking for the social housing.

2.22 The owner is responsible for demonstrating that they will create, implement and comply with a Building Maintenance Plan ("Plan") for the social housing floor space, to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability. The Plan will include, at a minimum, the following elements:

(a) A commitment to plan and carry out effective and efficient property management, maintenance and capital replacement of the building;

(b) Ensure financial viability and sustainability of the property ensuring adequate income/ funds to meet costs over the life of the building;

(c) Require the owner to maintain a capital replacement reserve that is adequately funded from the operating budget (i.e. does not rely on government funding); and

(d) The owner/operator is responsible for the ongoing maintenance of the building over its full operational life.

Note to Applicant: The final Plan is to be submitted by the non-profit housing operator and will be required prior to the issuance of the occupancy permit(s). At the request of the City, from time to time, the Owner will make the Plan including the capital maintenance plan available to the City.

2.23 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability, the Director of Finance, and the Director of Legal Services for the delivery of social housing units on Parcel I, in Phase 4. To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:

b) Construction and delivery of Building I1 with no less than 9,522 sq. m (102,495 sq. ft.), equivalent to approximately 122 social housing, in Phase 4 along with required parking, storage and amenity spaces by the earlier of:

(i) Prior to the issuance of any occupancy permit for building I2 (Phase 4), and

(ii) Prior to the issuance of any development or building permits for building H in Phase 5.

Parks

2.24 North park to be owned by MST Nations, maintained and operated by MST Nations or their delegate.

2.25 Make arrangements to the satisfaction of the General Manager of Parks and Recreation, in consultation with the General Manager of Planning, Urban Design and Sustainability, and the Director of Legal Services, for the construction and development of a minimum 1.85 acre park. To secure this condition, the applicant will enter into agreements with the City, which will include, but may not be limited to, the following requirements, all to be satisfied at no cost to the City:

a) Subdivision to create a contiguous minimum 1.85 acre permanent park parcel, with ownership to be retained by the MST Nations;

b) Provision of a statutory right of way/covenant for public use of the North Park (see also Condition #2.2);

c) The design and construction of all the improvements on the minimum 1.85 acre park parcel are to be constructed at the sole cost of the applicant;

d) Design, public engagement, and delivery of the finished park will be undertaken at the sole cost of the applicant and in accordance with Parks conditions.

e) The applicant will be responsible for servicing the park parcel, which shall include without limitation, providing power and storm services to the Lands, and provision of water, sewer and other site services contingent on the future park design;

f) The applicant will be responsible, at its sole cost, for satisfying all Environmental Management Act requirements and completing any remediation required to ensure the park parcel meets numeric standards of remediation for park use, prior to completion of the park development.

g) To reflect the applicant's wishes that the park lands remains owned by the MST Nations, the continuous ownership of the park lands will be further secured by a Right of First Refusal and Option to Purchase agreement which will provide that if the owner of the park lands chooses to not continue ownership of the park lands and intends to sell the park lands, or any portion thereof, then the City will have the option to purchase the park lands, or any portion thereof being sold, for a nominal purchase price.

Note: Notwithstanding the requirements set out in the City's *Community Amenity Contribution Policy for Rezonings* (2020), the City does not require an option to lease the north park.

h) The foregoing agreements will provide occupancy permit holds, as required by the City in its sole discretion, to ensure that the construction and delivery of the park with no less than 1.85 acres, is completed in Phase 5 by the earlier of:

(iii) Prior to the issuance of any occupancy permit for any building in Parcel H (Phase 5), and

(iv) Provision of a surety bond for the full value of park construction if turnkey delivery is not completed prior to issuance of any occupancy permit for any building in Parcel H (Phase 5).

Childcare

2.26 Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services, for the construction of a fully fit, finished and equipped, 74-space licensed childcare facility for children aged 5 and under, on Parcel I. To secure this condition, the applicant will enter into one or more agreements with the City which include, but may not be limited to, the following requirements:

(a) The facility is to meet the City's Childcare Design Guidelines and Childcare Technical Guidelines and the Provincial Community Care Facilities Licensing requirements and must comprise a minimum gross indoor total area of 858 sq.m. (9236 sq.ft.), minimum net indoor activity area of 420sq.m. (4520 sq.ft.), and a minimum dedicated adjacent/contiguous outdoor area of 1040 sq.m. (11194 sq.ft.), all on one level with a height of not less than 12 ft floor-to-floor, and storage spaces. Each program area is required to have adequate and contiguous indoor and outdoor space;

(b) Provision of a total of 12 dedicated and signed parking spaces, including 10 drop-off/pick-up parking stalls and 2 staff parking stalls;

(c) The facility is to be all within a fee-simple air space parcel (with shared systems maintained by the market residential airspace parcel strata or commercial airspace parcel strata/owner (as applicable), with fair and equitable sharing of costs related thereto);

(d) An occupancy hold on Building I2 and development permit hold on Parcel H, subject to the completion of the design and construction of the licensed childcare facility and satisfactory acceptance of the fully fit, furnished and equipped licensed childcare facility by the City, if required. Holds on the Development Permit and above-grade Building Permit in connection with certain milestones will also be applied to the project;

(e) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

2.27 Make arrangements to the satisfaction of the Director of Legal Services, the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services, for the continuous operation of the 74-space licensed childcare facility on Parcel I to be constructed under condition #2.26. To secure this condition, the applicant will enter into one or more agreements with the City which include, but may not be limited to, the following requirements:

(a) A 219 covenant registered on title to Parcel I to secure:

(i) The use of the facility, for the lifetime of the building, as a licensed 74 space childcare facility;

(ii) The operation of the childcare facility by a registered not-for-profit organization, to the satisfaction of the Managing Director of Social Policy and Projects.

Note to Applicant: at the owner's request, City staff are available to provide advice or input on selection of a suitable not-for-profit childcare operator, and

(iii) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

2.28 To reflect the applicant's wishes that the childcare remains owned by the MST Nations, and will be operated by the Musqueam, Squamish and/or Tsleil-Waututh Nation or a non-profit corporation selected by them, the continuous ownership and operation of the childcare facility will be further secured by:

(a) A Right of First Refusal and Option to Purchase agreement which will provide that if the owner of the childcare facility chooses to not continue ownership of the childcare facility and intends to sell the childcare facility or any legal parcel containing the childcare facility to an entity other than: 1) a non-profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation or 2) another non-profit or government entity acceptable to the City, then the City will have the option to purchase the childcare facility for a nominal price, noting that an air space subdivision to effect such transfer may also be required. The Option to Purchase will include an assignment and assumption of any necessary rights of access and support as may be required, including with respect to any associated parking for the childcare facility.

(b) An Option to Lease agreement which will provide that if the owner of the childcare facility chooses to not continue operation of the childcare facility as required under the above conditions, and the Owner does not seek arrangement for a substitute operator including:

(i) a non-profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation, or

(ii) another non-profit or government entity acceptable to the City, then the City will have the option to lease the childcare facility, as the case may be, at a nominal rate.

If the City elects to exercise its option to lease, it may retain, but shall not be obligated to, a substitute operator for the childcare facility. The Option to Lease will include an assignment and assumption of any necessary rights of access as may be required, including with respect to any associated parking for the childcare facility.

Social Policy

2.29 Fulfill, to the satisfaction of the Director of Social Policy, the Sustainable Food Systems requirements of the Rezoning Policy for Sustainable Large Developments for sites over 10 acres in size. Specifically, deliver the three food assets specified in north parcel form of development condition #1.57 (ie: community kitchen facilities, a community food market, Indigenous plant garden and food forest/orchard, and resident community garden plots) and arrange for their programming and maintenance for a minimum of five years (starting from date of occupancy). To secure this condition, the applicant will enter into one or more agreements with the City which include, but may not be limited to, the following requirements:

a) Permit holds subject to the completion of the design, construction, and satisfactory acceptance of the food assets if required.

b) A legal agreement outlining terms for the operation (programming and maintenance) of the Indigenous Plant Garden, Food Forest, and Wild Orchard for educational, community, and stewardship purposes, for a minimum of five years from the date of occupancy by the Musqueam, Squamish, and Tsleil-Waututh Nations or a delegated non-profit society.

c) A Community Use Agreement for the commercial teaching kitchen and outdoor firepit cooking facilities, with details as to frequency of public use and costs to be determined at Development Permit stage in collaboration with the landowner (this agreement may be satisfied in combination with a Cultural Centre agreement as outlined in conditions #2.30 and #2.31.

d) A legal agreement outlining terms for the operation (programming and maintenance) of the Community Food Market for a minimum of five years from the date of occupancy by the Musqueam, Squamish, and Tsleil-Waututh Nations or a delegated non-profit society, satisfying the minimum expectation for a seasonal weekly market operated in alignment with the *Community Food Market Administrative Bulletin* or any other applicable policy at the time of development.

e) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

Culture

2.30 Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services, for the delivery of the Musqueam, Squamish and Tsleil-Waututh Nations Cultural Centre (the "Cultural Centre") and adjacent Cultural Centre Plaza ("Plaza"). To secure this condition the owner will enter into agreements with the City which include, but may not be limited to the following requirements, all to be satisfied at no cost to the City:

a) Design, construction and delivery of the Cultural Centre with no less than a minimum 2,095 sq.m (22,550 sq. ft) gross floor area and fully fit, finished, furnished and equipped to support the practice, presentation, production and sharing of arts, culture traditions and living cultural heritage of the Musqueam, Squamish and Tsleil-Waututh Nations.

b) Design, construction and delivery of the adjacent outdoor public Plaza with no less than a minimum of 0,3 acres.

c) The owner must complete the design of the Cultural Centre and Plaza, and obtain acceptance of same by the City, and have satisfactorily completed application for the first Development Permit for the Cultural Centre, prior to issuance of any Development Permit or Building Permit in respect of Parcel H (Phase 5).

d) The owner must complete construction of the Cultural Centre and Plaza in accordance with the design and specifications approved at Development Permit and Building Permit, and have obtained Occupancy Permit for the Cultural Centre prior to issuance of any Occupancy Permit in respect of Parcel H (Phase 5).

e) Provision of a surety bond for the full value of the cultural centre and plaza if construction and fit out are not completed to the satisfaction of the MST Nations and City prior to issuance of any occupancy permit for any building in Parcel H (Phase 5).

f) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

Note to Applicant: Holds on the Development Permits, Building Permits and Occupancy Permits in connection with certain milestones will also be applied to the project lands by the Real Estate and Facilities management and the Arts, Culture and Community Services, related to their satisfaction with the design, construction and completion of the Cultural Centre and Plaza.

2.31 Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General

Manager of Arts, Culture and Community Services for the continuous operation and public use of the Cultural Centre and public use of the Plaza to be constructed under condition #2.30, including by entering into one or more legal agreements with the City which will include, but not be limited to, a 219 covenant and such other agreements and rights of way as are necessary to secure the following requirements:

(a) the use of the Cultural Centre and Plaza, for the lifetime of the building, for the practice, presentation, production and sharing of arts, culture traditions and living cultural heritage of the Musqueam, Squamish and Tsleil-Waututh Nations and for community events secured through a Community Use Agreement;

(b) the operation of the Cultural Centre and Plaza by the Musqueam, Squamish, and Tsleil-Waututh Nations, or a delegated arts and culture non-profit society, registered coop or charity approved by the City and Musqueam, Squamish, and Tsleil-Waututh Nations;

(c) Community Use Agreement, and Statutory Right of Way to secure use and public access to the programming space and facilities in the Cultural Centre. Further details to be determined at Development Permit stage in collaboration with the City, landowner and the Musqueam, Squamish, and Tsleil-Waututh Nations.

(d) Provision of a plaza agreement and statutory right of way for public use of the Plaza refer to Engineering condition #2.4;

(e) The owner is responsible for the ongoing maintenance of the building over its full operational life. The owner is responsible for creating and implementing a building maintenance plan for the Cultural Centre which Plan will contemplate, at a minimum:

(i) The effective and efficient property management, maintenance and capital replacement of the Cultural Centre and Plaza;

(ii) Ensuring the financial viability and sustainability of the Cultural Centre and ensuring adequate income/ funds to meet costs over the life of the Cultural Centre building;

(f) Such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

2.32 To reflect the owner's wishes that the Cultural Centre be owned by the MST Nations, and will be operated by the Musqueam, Squamish and/or Tsleil-Waututh Nation, the continuous ownership and operation of the Cultural Centre will be further secured by a Right of First Refusal and Option to Purchase agreement which will provide that if the owner of the Cultural Centre chooses or is unable to continue ownership of the Cultural Centre and intends to sell the Cultural Centre or any legal parcel containing the Cultural Centre to an entity other than: 1) a non-profit organization controlled or owned but the Musqueam, Squamish and/or Tsleil-Waututh Nation or 2) another non-profit or government entity acceptable to the City, then the City will have the option to purchase

the Cultural Centre for a nominal price, noting that an air space subdivision to effect such transfer may also be required. The Option to Purchase will include an assignment and assumption of any necessary rights of access in respect of the Cultural Centre.

Note: Notwithstanding the requirements set out in the City's *Community Amenity Contribution Policy for Rezonings* (2020), the City does not require an option to lease the Cultural Centre in the event the owners or their designate are unable to continue operation of all or a portion of the Cultural Centre.

Sustainability

2.33 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services that requires the future owner of each building constructed in CD-1 North to report energy use data, on an aggregated basis, for each applicable building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Community Benefits Agreement

2.34 Enter into a Community Benefits Agreement as per the City of Vancouver's Community Benefits Agreement ("CBA") Policy on terms and conditions satisfactory to the General Manager of Arts, Culture and Community Services and the Director of Legal Services, which will require the Applicant and its development partners to:

(a) Participate in a First Source Hiring program, in consultation and partnership with community stakeholder groups and the City, making new entry level jobs available to equity seeking community members in Vancouver first and striving for an overall target of 10% of labour (Including that for contractors, subcontractors and other possible vendors) sourced from adjacent low-income communities and equity seeking groups across the city; including women in trades, Indigenous people, racialized communities, and others facing barriers to opportunity due to discrimination, exclusion and stigmatization;

(b) Demonstrate Best Efforts to procure a minimum of 10% of material goods and services from third party certified social impact and/or equity seeking businesses and social enterprises, across the entire lifecycle of the development site, prioritizing Vancouver-based ventures but extending through supply chains regionally and outside the Province and the Country where and when required. This Includes, where applicable, post-occupancy and ongoing service needs;

(c) Demonstrate Best Efforts to attain 10% procurement of materials, goods and services from Vancouver companies or companies located in Metro Vancouver or British Columbia. These may or may not also be equity seeking 3rd party certified businesses as defined in the policy;

(d) Retain the services of an independent third party to the satisfaction of the City in order to assist in monitoring and reporting on the progress towards reaching these goals on an agreed upon timeline with the City of Vancouver during and

upon completion of the project and its various development phases. This may include, where applicable and where possible, post-occupancy and ongoing service needs;

(e) Participate in a Project Specific Implementation and Monitoring Working Group with City staff, industry and training and skill development bodies, employment services organizations, and community representatives with knowledge of social procurement, social hiring, and community economic development, which commitments will be secured by Section 219 covenants and permit holds; and

(f) Section 219 is applicable to the entirety of the CBA Policy insofar as they:

(i) Participate in the city-wide CBA working group community of practice;

(ii) Retain the services of an independent third party to assist with achieving the targets established in the policy and monitoring and reporting on them and by doing so; and

(iii) Demonstrate Best Efforts to achieve the targets in the CBA Policy to the satisfaction of the General Manager of Arts Culture and Community Services.

Note to Applicant: Agreeing to these conditions as per the CBA Policy does not preclude the applicant from entering into any additional agreements with communities including ones geographically located nearby the development site, or sites, or with First Nations.

Environmental Contamination

2.35 If applicable:

(a) Submit a site disclosure statement to Environmental Services (Environmental Protection);

(b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

(c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Public Art

2.36 Execute a Public Art Agreement satisfactory to the Director of Legal Services and the Director of Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to cover all requirements for the site density and to provide for security in a form and amount satisfactory to the aforesaid officials; and provide the Public Art Checklist with development details to the satisfaction of the Head of Public Art. The public art requirement would apply to each Building Permit and require that public art be provided along with each building approval at a budget commensurate with the floor area in the permit. However, subject to the guidance of the public art master plan (see next paragraph) and with the agreement of the Director of Legal Services and the Director of Cultural Services, funds from individual buildings may be pooled to create larger art opportunities for the Heather Lands' public spaces.

Given the significance and scale of the site, the applicant should develop a public art master plan, in consultation with the City, for Heather Lands. The master plan will guide commissioning of public art for Heather Lands and can be developed alongside art plans required for the first Development Permit within CD-1 North.

Note to Applicant: Please contact Eric Fredericksen, Head of Public Art (604-871-6002), to discuss your application.

CD-1 (52A) and CD-1 (80) Amendments

2.37 That the by-laws to amend the boundaries and uses for CD-1 (52A) and CD-1 (80) are enacted prior to enactment of the by-law for this CD-1 (North), as per Recommendation A of this report.

Community Amenity Contributions

2.38 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability, the Director of Legal Services and the General Manager of Finance to ensure the conditions for the ownership of in-kind amenities as set out in the Community Amenity Contribution Policy for Rezonings (2020) are met, including but not limited to:

(a) Securing the ongoing long-term use and availability of the in-kind amenities through legal agreements, including Section 219 covenants and/or statutory rights of way;

(b) Options to purchase the in-kind amenities if the MST Nations, or designate, intend to sell all or a portion of the in-kind amenity, as further set out in the preceding conditions of by-law enactment;

(c) Options to lease the in-kind amenities for a nominal amount if the MST Nations, or designate are unable to continue operation of all or a portion of the in-kind amenity, as further set out in the preceding conditions of by-law enactment;

(d) Securing the provision of affordable community access to the in-kind amenities equivalent to the value of the CAC credit secured through the rezoning;

(e) Payment of all costs to construct, finish, furnish and equip the amenity, including all applicable up-front development costs; and

(f) Selection of a non-profit operator for each in-kind amenity to be to the satisfaction of 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-laws.

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

* * * * *

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
SOUTH - DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENT TO THE SIGN BY-LAW NO. 11879

1. Council amends Schedule A (CD-1 Zoning Districts regulated by Part 9) by adding the following:

"

657 West 37th Avenue	CD-1( )	[By-law #]	C-2

"

DRAFT AMENDMENT TO THE NOISE CONTROL BY-LAW NO. 6555

1. Council amends Schedule B (Intermediate Zone) by adding:

"

[CD-1 #]	[By-law #]	657 West 37th Avenue

".

DRAFT AMENDMENT TO REPEAL CD-1 (52A) By-law No. 4393

1. This By-law repeals CD-1 (52A) By-law No. 4393.

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
NORTH - DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENT TO THE SIGN BY-LAW NO. 11879

1. Council amends Schedule A (CD-1 Zoning Districts regulated by Part 9) by adding the following:

"

4949-5255 Heather Street	CD-1( )	[By-law #]	C-2

".

DRAFT AMENDMENT TO THE NOISE CONTROL BY-LAW NO. 6555

1. Council amends Schedule B (Intermediate Zone) by adding:

"

[CD-1 #]	[By-law #]	4949-5255 Heather Street

".

DRAFT AMENDMENT TO REPEAL CD-1 (80) By-law No. 4665

1. This By-law repeals CD-1 (80) By-law No. 4665.

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
DRAFT AMENDMENTS FOR CD-1 (52A) By-law No. 4393 – 657-707 37th Avenue

1. This By-law amends the indicated provisions of By-law No. 4393.

2. Council strikes out Schedule D and substitutes the map attached to this By-law as Schedule A.

3. Council strikes out section 1 and substitutes the following:

"**1.** This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.".

4. In section 1A, Council adds the following in the correct numerical order:

"6. A use required by a Public Authority (R.C.M.P. Headquarters) and customarily ancillary uses, existing as of [date of enactment]."

Schedule A

W 33RD AV
WILLOW ST
MCGUIGAN AV
W 35TH AV
ASH ST
HEATHER ST
W 37TH AV
EX. S 300'
S 300'
B
C
A

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
DRAFT AMENDMENTS TO REPEAL CD-1 (80) By-law No. 4665
4949-5201 Heather Street

1. Council strikes out Schedule D and substitutes the map attached to this By-law as Schedule A.

2. Council strikes out section 1 and substitutes the following:

   "1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.".

3. Council strikes out section 2 and substitutes the following:

   "2. The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area and the only uses for which development permits will be issued are:

      1. A use required by a Public Authority (R.C.M.P. Headquarters) and customarily ancillary uses, subject to such conditions as Council may by resolution prescribe, and

      2. The following uses existing as of [date of enactment]:

         (a) Office complex;
         (b) Physiotherapy clinic;
         (c) Gymnasium;
         (d) Off-street parking;
         (e) Uses ancillary to the above uses,

         subject to such conditions as Council may by resolution prescribe pursuant to section 565(f) of the Vancouver Charter."

Schedule A

W 33RD AV
WILLOW ST
MCGUIGAN AV
W 35TH AV
ASH ST
HEATHER ST
W 37TH AV
EX. S 300'
S 300'
A
B
C

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
ADDITIONAL INFORMATION

1. URBAN DESIGN PANEL

EVALUATION: SUPPORT with Recommendations (11-0)

Minutes: https://vancouver.ca/files/cov/udp-minutes-02-17-2021.pdf

Introduction: Zak Bennett, Rezoning Planner, noted the site is over 21 acres, bounded by 33rd, 37th Avenues, and located one block west of Cambie. It was the long-time headquarters of the RCMP's 'E' Division, which vacated the site in 2013. There are two new temporary modular housing buildings on the site, as well as the Fairmont building, which dates from 1914. The existing zoning in the area is predominantly a mix of RS-1 and CD-1. The majority of the CD-1 zones are recent buildings from the past decade built along Cambie Street. The other significant CD-1 sites are St. Vincent's and Children's and Women's Hospital to the north not covered in the Cambie Plan. Cambie Corridor Plan allows consideration of up to 18-storeys to the south. 3.5 and 4 storeys with commercial at 33rd/Heather. To the east and west, the Plan considers heights of 4-6 storeys. The site is close to Oak Meadow Park (11.7 ac), VanDusen Garden, and Queen Elizabeth Park (130 ac). Nearby schools, include Eric Hamber Secondary, Ecole Jules-Verne and Rose-des-Vents. Within a 10-15 minute walk of the site are the Oakridge-41st Canada Line station, Oakridge Centre mall, and the Oakridge Transit Centre (OTC) approved in December 2020.

There are two policies that apply: the Heather Lands Policy Statement and the July 23, 2019 Issues Report entitled "Direction for Intensification of Large Sites to include Moderate Income Rental Housing". The Heather Lands Policy Statement is a guiding document that establishes planning principles and policies for the site across a range of topics. The Policy Statement was developed over a year and a half through a comprehensive process including public engagement and review by Council committees, technical staff review and consideration for aspirations of the Landowners, the MST Nations and CLC. As part of the process, staff held a workshop with UDP to seek advice on development of the plan in November 2017. The Policy Statement had public support and was unanimously approved by Council in May 2018. The policy, in support of reconciliation and the MST Nation, includes the removal of the Fairmont building from the site. Staff will report back to Council with a feasibility study, including costs, evaluation of potential sites and a potential contribution for relocation. If a receiver site cannot be identified within the allowed timeframe, then the building will be demolished. It is expected that the Heather Lands will incorporate opportunities for storytelling & interpretation, and this is reflected in the rezoning application. The July 2019 Issues Report enables the inclusion of moderate-income rental housing in response to Council direction on the ongoing housing affordability crisis within Vancouver. This Issues Report includes consideration of up to 10% additional density for rental housing, including moderate income rental, as well as consideration of additional height.

Development Planner, Susan Chang noted that as a phased master plan rezoning and given the scale of the proposal, a lower level of resolution is shown. This is intended as an indicative framework for future design development with individual projects anticipated to return to Urban Design Panel at the development permit application stage. The proposal is primarily a high-density residential neighbourhood, which frame 4.6 acres of park and public open space. The

site is organized around the forest trail within the park, providing a major north-south open space connection, and referencing the historical trails of the First Nations peoples. Significant trees or tree groupings will be retained in the park as well as the site. A new east-west connection will extend W 35th Ave, which is anticipated to be the main vehicular access from Cambie St., linking the site to Queen Elizabeth Park to the east and VanDusen Botanical Gardens and Oak Meadows Park. There will be a 5m setback on both sides of the street and 50% of this setback will be planted and is envisioned as a pollinator corridor. Heather Street between W 35th and 37th will be closed to vehicular traffic and serve as a ROW bike lanes and pedestrians.

Following the principles and built form guidelines set out in the Heather Lands Policy Statement, Key points include: the taller buildings are to be located centrally on the site, with tower placement to minimize shadowing on the park and impacts to surrounding development as well as to create an expressive and varied skyline with ground oriented units framing parks and open spaces and mid-rise buildings framing streets. Key changes since the policy statement to accommodate the 10% moderate income rental as well as additional office space include relocation of the cultural centre and removal of 6 storey building on W 33rd., incremental height and podium increases and building configuration adjusted east of the park trail. Maximum height is increased from 24 from the Policy to 28 storeys.

A previous panel reviewed three conceptual site plans at a UDP workshop (Nov. 2017) - Notable comments include:

- Consider First nations cultural concept as inherent in the form and to build around cultural values.
- Integrate nature into the built form, forest path to knit the streets together.
- The cultural centre should be a separate building so it has its own form and identity.

Shadow studies at spring and fall equinox have been provided with toned areas indicating policy and dashed showing a more developed proposal with 10% increase in density.

Advice from the Panel on this application is sought on the following:

1. Does the Panel support the proposed form of development including:
   - Distribution of height
   - Site density
2. Quality of open spaces: cultural plaza, semi-public courtyards, retail passage in terms of:
   - Configuration to optimize solar access • Welcoming and encouraging gatherings
3. Site edge conditions and entry points:
   - Northwest corner at park entry and public realm on 33rd Ave.
   - Site entry along W. 35th from Cambie
4. Preliminary comments or guiding principles to be incorporated into guidelines.

Applicant's Introductory Comments: The rezoning submission builds on the important work of the policy statement vision for a new neighborhood that will be a place welcoming to all: all people, all cultures, and a place where the traditions, cultures and values of the Musqueam, Squamish and Tsleil-Waututh (MST) First Nations are celebrated and integrated into all aspects of the design. Central to our design process was an extensive outreach and engagement with the communities of the three Nations, led by our cultural liaisons, Charleen Grant, Adrienne Charlie and Dennis Thomas. In addition, with guidance and input from the Canada Lands Company (CLC) and MST partnership, we hosted workshops in each of the three MST

communities. What we heard was then documented in the Cultural Interpretive Plan. The stories, ideas and teachings, which were shared by MST Elders, knowledge keepers and community members, are at the heart of the cultural interpretive plan. The four elements of life, water, earth, wind, and fire, organize what we heard and give guidance to the stories that were the foundation of the cultural interpretive plan and framework along with the MST values and the four overarching design principles.

The central organizing principle is the forest trail, framed around the retention of mature trees on site and weaving of open space throughout the plan. The site is the high point in the area and actually drains towards two watersheds, False Creek to the north and the Fraser River to the south with the Heather Lands as roughly the delineating north south ridgeline of the site that divides drainage areas. The public park is anticipated to be owned by the MST Partnership and maintained by the City of Vancouver. The Applicant's landscape team developed four eco-zones for the park that draws inspiration from the existing landscape and topography. There is a coniferous forest to the north, a wild orchard and berry garden as we move south towards 35th and a mix of oak meadow riparian woodland and forest conifer in the large marketplace. The 21-acre site is further organized around character areas or precincts. Starting at the north, there is the drumbeat heart, anchored by the cultural centre and adjacent plaza that can be programmed for ceremonies and potentially for an outdoor market and the 74-space childcare centre. Next is homes in the forest. The design elements in this area are focused on a vertical facade emphasis, neutral colors for cladding, and outdoor balconies that are incorporated into the mass and contained within the envelope rather than projected outward. At the southwest corner of the site is a one-acre parcel that would be leased by CSF, a Francophone school. Going east, there are homes in the village, will most likely be the first phase of development with a mix of market, social and rental housing and will be a diverse, vibrant community with a distinct architectural character that is extroverted and expressive, with projecting balconies and landscape treatment that extends up into the building elevations punctuated with bright colors. Finally, the spiritual centre of the neighborhood is the meeting point. This is a symbolic three-way intersection at the high point of the site framed by welcome poles from each of the three Nations and an integrated painting pattern inspired by MST. Signature towers frame the meeting point and views to the North Shore mountains and the two towers are the tallest buildings on the site and will be designed to reference the Two Sisters Peaks with expressive facades and balcony treatments. The guidelines include the opportunity to communicate the cultural identity of MST arts and cultural themes and draw inspiration from nature. In addition, there will be an emphasis on landscape as a kind of connective fabric that is expressed in building facades. Important design aspects include street facing balconies and mixes of smaller scale retail units, pops of colour and art and the finer grain design elements.

The planning and applicant team then took questions from the panel.

Panel's Consensus on Key Aspects Needing Improvement: Having reviewed the project, it was moved by MR. FRANCL and seconded by MS. MARCEAU: and, the decision of the Urban Design Panel was:

THAT the Panel **SUPPORTS** the project and asks the applicant team to consider the comments in the minutes. There are no conditions.

Panel Commentary: Panel members acknowledged and commended the applicant team in collaboration with the City for inspirational, unique project speaking to thousands of years of history. Project is a great reflection of partnership of CLC and MST as a model for development.

Panel supports distribution of height and density and how affordability has been balanced and inclusive in the proposal. The forest trail is profound and reimagining 35th passage as pollinator corridor as well as insertion into existing grid is well executed. Park space forming development rather than the other way around is spectacular. How site is divided into neighbor character areas and expression per areas is also appreciated as well as rooftop amenities. The cultural centre and Plaza associated works well with the retail configuration and is appropriately assembled at the one corner rather than dispersed through the site although built at an earlier phase would be more welcome. Retail passage could open more to Cultural Centre and allow more solar access.

The pedestrian gateway at 37th and Heather Street right-of-way is appreciated and suggests a similar level of detail for entry at 33rd and the forest trail at the northwest corner. At the site entry along W 35th Ave and Cambie, the Panel suggests more attention to announce the presence of entering this special site and consider adding some more public space there.

Some Panel members suggested a more pronounced peak but also buildings I1 and G2 could improve shadow performance with building sculpting for 4p equinox and B2 could expose park to more sunshine. Other comments included terraced podium expression could be carried over to other buildings to reflect topography as some more transition of height would be welcome. The gathering spaces work very well, in terms of being inclusive in appropriate locations for gathering but small children's area are sheltered that are shaded and would be nice to see sunlight in these areas on buildings B and C.

Guidelines should avoid being overly prescriptive and respond to ongoing evolution over the next 10-15 years. Precedent images showing strong architectural vocabulary with articulation, terracing so will look forward to future development. Appreciate that there is a lot of good solid, energy efficient sustainable design guidelines incorporated but consider opportunities for a greater commitment to low energy design as well as consider regenerative design. The Panel noted there is lots of density going into neighourhood and understanding the timing of a potential transit station at 33rd and Cambie is important.

Applicant's Response: The applicant team thanked the Panel for their comments.

2. HERITAGE COMMISSION

Staff and applicants delivered a presentation on the Heather Lands planning and development process, and subsequently responded to comments and questions.

Chair Kluckner thanked staff and applicants for the presentation, and noted it was very informative.

3. PUBLIC CONSULTATION SUMMARY

1. List of Notifications, Engagement Events, and Responses

Public Notification –As part of the Heather Lands Rezoning process, approximately 7,517 notifications were distributed within the neighbouring area on or about January 8, 2021. An additional 153 recipients on the Heather Lands email list received digital notifications on January 11, 2021. Notification and application information, as well as an online comment form, were provided on the City's Rezoning Application webpage (vancouver.ca/ rezapps) and linked on the City of Vancouver Heather Lands Shape Your City webpage (https://shapeyourcity.ca/heather-lands).

Figure 1: Map of Notification Area

Virtual Open House – A virtual open house was hosted as part of the Heather Lands Rezoning process from January 11 to January 31, 2021. In total, 1,372 people were engaged to some degree by this event, and 315 people submitted a comment form or asked a question.

Online Engagement - Shape Your City Vancouver – From November 2020 to January 2022, 2,353 people were engaged online, an online comment form was open, garnering a total of 348 submissions. From January 11 to January 31 2021, 25 questions were submitted regarding the Heather Lands Rezoning Application.

Figure 2: Notification and Public Response

	Dates	Results
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house Email notification via Heather Lands listserv	January 8, 2021 January 11, 2021	7,517 notices mailed 153 notifications emailed
Event		
Virtual open house (City-led)	January 11 – 31, 2021	1,372 (aware)* • 582 informed • 325 engaged
Public Responses		
Online questions	January 11 – 31, 2021	25 submittals
Online comment form	November, 2020 – January, 2022	348 submittals
Overall position • support • opposed • mixed	November, 2020 – January, 2022	348 submittals • 296 responses • 17 responses • 35 response
Other input	January – December, 2021	3 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	November, 2020 – January, 2022	2,353 participants (aware)* • 940 informed • 354 engaged

Note: All reported numbers above are approximate.

* The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware**: Number of unique visitors to the application webpage that viewed only the main page.
- **Informed**: Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged**: Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

2. Analysis of All Comments Received

Below is an analysis of all public feedback received by topic and ordered by frequency.

Generally, comments of **support** fell within the following areas:

- **Conseil scolaire francophone (CSF)**: Broad support for the inclusion of a new CSF elementary school on the site. Large proportion of respondents favour the construction of a school during the first phase of the development.

- **General support**: Non-specific comments expressing support for the proposal.

- **MST cultural centre**: The inclusion of an MST cultural centre seen as great addition to the community. Respondents excited by future opportunities for educational and cross-cultural learning.

- **Parks and open space**: The amount, type, and location of the parks and open spaces were supported. The proposed spaces are well integrated into the existing parks and open spaces network. Support for retention of large trees (cedars) and use of naturalised spaces and/or native plant species. Respondents also like the inclusion of MST cultural representation in the public realm.

- **Housing mix and affordability**: The mix housing tenures is seen as appropriate. There is support for the inclusion of affordable forms of housing, such as moderate income rental and social housing.

- **Childcare facilities**: The inclusion of childcare facilities is seen as desirable due to lack of existing (affordable) options in the area.

- **Retail and job spaces**: Support for the inclusion of retail, job spaces, and other community services, as they will contribute to the livability and liveliness of the community.

- **Active transportation and non-vehicular network**: Retention of the cycling infrastructure along W 37th Ave important. Support for non-vehicle access along section of Heather Street.

- **Building height and density**: Heights and density proposed appropriate given need for housing and proximity to Oakridge Municipal Town Centre and amenities.

Generally, comment of **concern** fell within the following areas:

- **Building height and density**: Proposed building heights and density too high. Some concerns that the proposal does not fit the character of the existing and/or future neighbourhood surrounding the site. Potential shadowing of neighbouring properties a concern.

- **Park and open space**: Insufficient park and open space proposed on the site. Some local parks already under pressure and increased population will only worsen this issue.

- **Housing mix and affordability**: Proposal doesn't go far enough to address the housing crisis. Proposed mix of housing tenures is not high enough**.** Higher proportion of affordable types of housing needed for low and middle income earners, such as social and non-market rental units.

- **Traffic impacts and future street network**: Concerns about future access along W 35th Avenue, connecting from the site to Cambie Street. Size of right-of-way insufficient to service traffic created by the proposed development. Closure of Heather Street between W 35th Ave and W 37th Ave will have negative impact on surrounding streets. Need for further transportation studies to better understand the potential impacts.

- **Fairmont building**: Demolition of the Fairmont building will result in the loss of a significant heritage building. Building should be retained and used as amenity for the community.

- **Childcare facilities**: Not enough childcare facilities proposed to meet the current and future demand of families in the area. Affordable childcare already difficult to find in the neighbourhood. Increased population will intensify this issue. Proposed location of childcare is close to busy street (W 33rd Avenue) and not adjacent to green space.

- **Parking**: Too few parking spaces for number of proposed units. Limited number of proposed parking spaces will have negative impact on parking availability in the surrounding area.

- **Community amenities and services**: Concern that existing community centres, such as Hillcrest and Douglas Park are already oversubscribed. More community amenities needed in the proposed development to service any increase in population. More retail and services desired.

- **Child-friendly spaces**: More child-friendly spaces needed in the proposed parks and open spaces.

- **School capacity**: Added population will put pressure on adjacent schools that are already close to or at capacity.

- **Transit station location**: Concern about the delivery and/or timing of a future potential SkyTrain station at Cambie and W 33rd Avenue. Insufficient access to transit without future station. Potential for increased vehicle congestion if the site is not well serviced by (rapid) transit. Concerns expressed about the amount of proposed density without provision of rapid transit close to the site.

- **Conseil scolaire francophone (CSF) drop off and pick up**: Provisions should be made for student drop-off and pick-up at the proposed CSF school. Students should not need to cross W 37th Avenue to access the proposed elementary school.

One off comments:

- Proposed redevelopment is premature in absence of an approved Vancouver Plan.

- Proximity of social housing to the proposed CSF school is a concern.
- More family-friendly units (3 or more bedrooms) needed.
- Design and form of the proposed buildings is banal.
- Concern about the sustainability of the proposed development, including embodied carbon required for construction of concrete towers, and potential emissions from vehicle use if site is not serviced by rapid transit.

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4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
FAIRMONT BUILDING STUDY

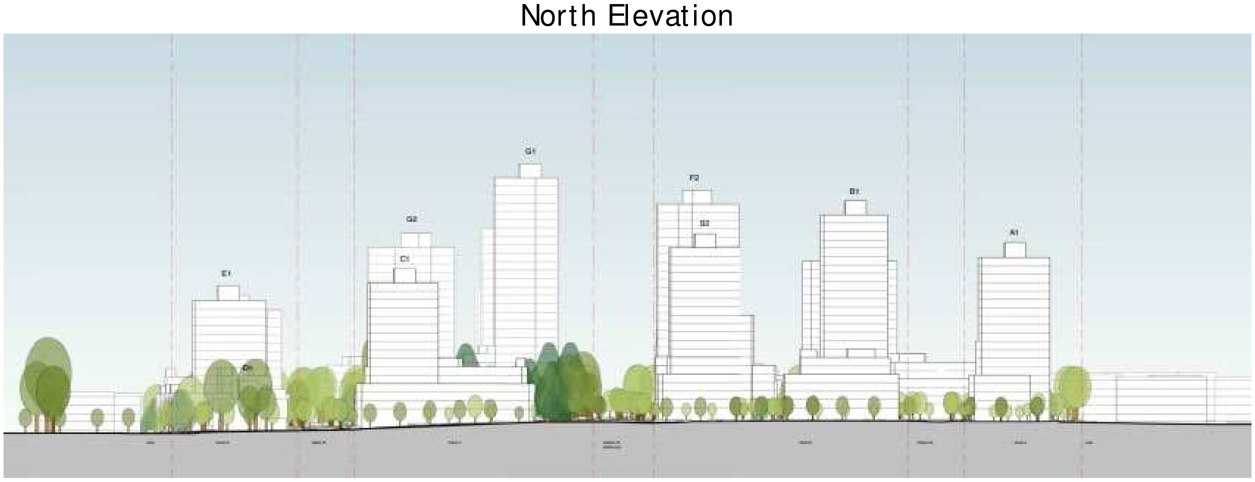
AVAILABLE ONLINE ON AGENDA PAGE.

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
FORM OF DEVELOPMENT

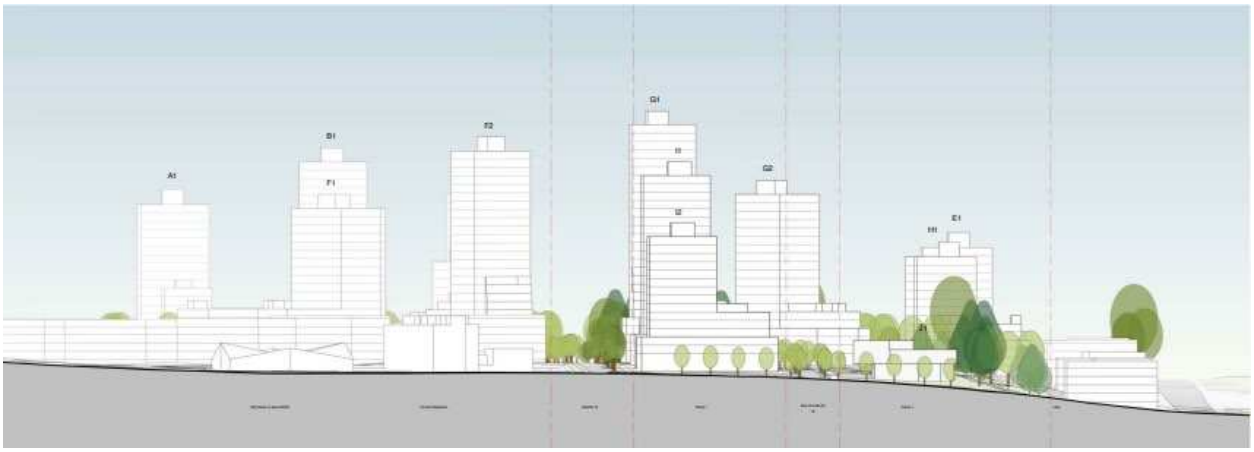
Overview Looking SE

Site Plan

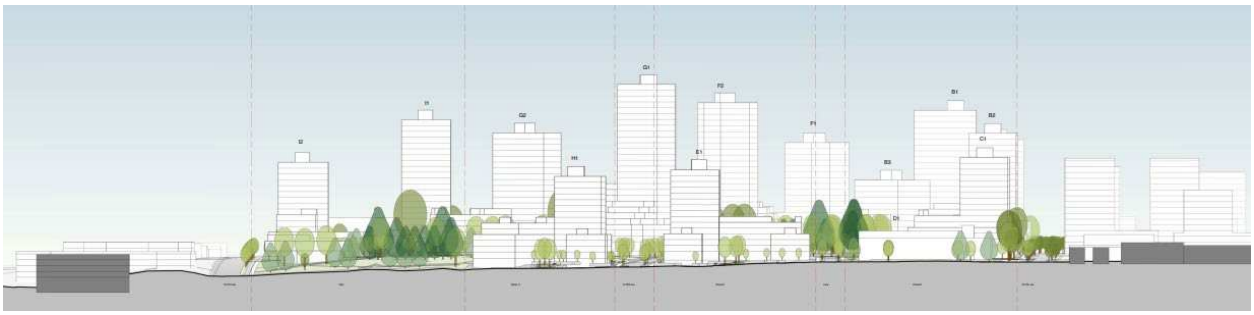
North Elevation



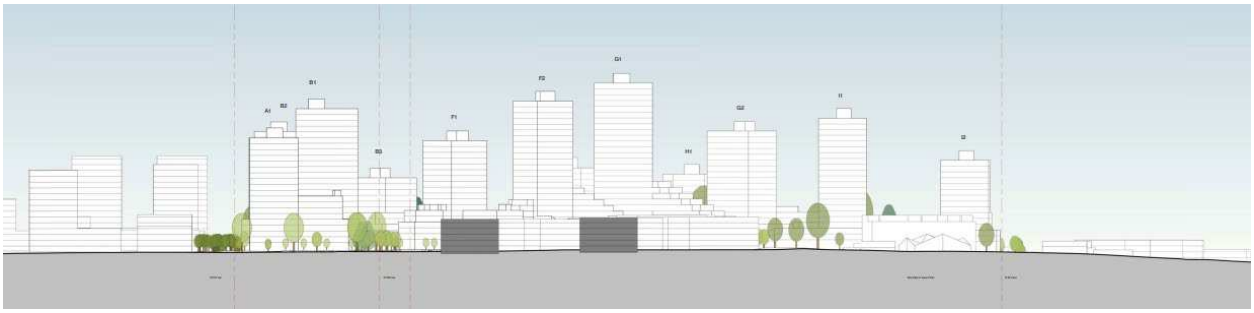
South Elevation



East Elevation



West Elevation



Shadow Study – Fall Equinox

10 am 12 pm 2 pm 4 pm

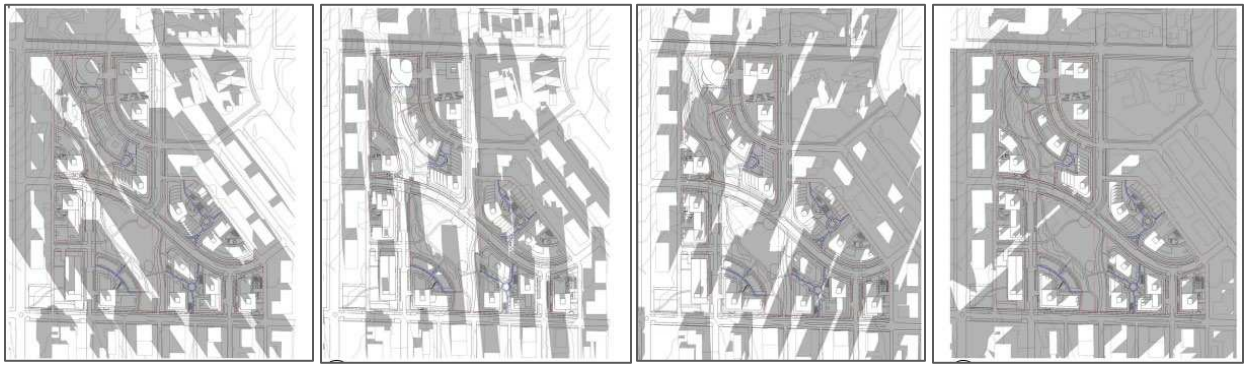
Shadow Study – Spring Equinox

10 am 12 pm 2 pm 4 pm

Shadow Study – Summer Solstice

10 am 12 pm 2 pm 4 pm

Shadow Study – Winter Solstice



3 am 12 pm 2 pm 4 pm

Retail Passage and MST Cultural Centre Plaza, Looking NW

Trail Through the Forest, Looking SW

Meeting Point, Looking NW

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
HEATHER LANDS DESIGN GUIDELINES

AVAILABLE ONLINE ON AGENDA PAGE.

4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)
PUBLIC BENEFITS SUMMARY

Project Summary

Multi-phase mixed-use development consisting of buildings between 3 and 28 storeys, including approximately 540 units of social housing, 400 units of secured market rental housing with 25% at Moderate Income Rents, and 1670 strata units proposed to be leasehold. The application proposes a total floor area of 234,219 sq. m. (2,521,107 sq. ft.).

Public Benefit Summary

540 units of social housing, 400 units of market rental housing with 25% below market rental, a 74-space childcare facility, 4.4 acres of park and public open space, a cultural centre and a site for a CSF school and childcare facility.

	Current Zoning	**Proposed Zoning**
Zoning District	CD-1 (52A) and CD-1 (80)	CD-1 (South) and CD-1 (North)
Floor Area	as existing	234,219 sq. m 2,521,107 sq. ft.
Land Use	Public Authority and Office	Mixed-use

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL[1]	$37,435,299
Utilities DCL[1]	$20,401,324
Public Art[2]	$4,268,314
Community Amenity Contribution – cash	$13,000,000
TOTAL VALUE OF DEVELOPER CASH CONTRIBUTIONS	**$75,104,937**

Other In-kind Community Benefits (non-quantified components):

- 540 social housing units,
- 400 secured market rental units with 25% of the floor area (approx. 100 units) dedicated to below market rental housing,
- 4.4 acres of parks and open spaces,
- 2,095 sq. m xʷməθkʷəy̓ əm, Sḵwx̱wú7mesh, and səlilwətaɬ cultural centre,
- 74-space childcare facility, and
- 1-acre site for a CSF school and childcare facility.

[1] Based on rates in effect as of September 30, 2021; DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection. See the City's DCL Bulletin for details.

[2] Based on rates in effect as of 2016; rates are subject to adjustments. See Public Art Policy and Procedures for Rezoned Developments for details.

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4949-5255 Heather Street and 657-707 West 37th Avenue (Heather Lands)

APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
4949-5201 Heather St	015-991-512	BLOCK 838 (REFERENCE PLAN 736), GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT THE SOUTH 300 FEET (SEE 208823L), DISTRICT LOT 526
5255 Heather St	015-991-466	THE SOUTH 300 FEET (SEE 208823L) OF BLOCK 838 (REFERENCE PLAN 736) DISTRICT LOT 526 GROUP 1 NEW WESTMINSTER DISTRICT
657 W 37th Avenue	009-958-461	LOT A (REFERENCE PLAN 3733) BLOCK 839 DISTRICT LOT 526 PLAN 6431

Applicant Information

Architect	Dialog Design
Registered Owner	Canada Lands Company CLC Limited
Developer	Canada Lands Company and Musqueam Indian Band, Squamish Nation and Tsliel-Waututh Nation (collectively "MST Nations")

Development Statistics

	Permitted Under Existing Zoning	Proposed Development	
Zoning	CD-1 (52A) and CD-1 (80)	CD-1 (South) and CD-1 (North)	
Uses	Public Authority and office uses	Mixed-use	
Floor Area	As existing	Leasehold Strata	144,874 sq. m
		Rental housing	35,856 sq. m
		Social housing	41,850 sq. m
		Retail and Service	5,787 sq. m
		Office	5,852 sq. m
		Sub-total	234,219 sq. m
		Excluded Amenities:	
		Childcare	1,109 sq. m
		Cultural Centre	2,095 sq. m
		School and Daycare	4,700 sq. m
Height	n/a	89.3 m (28 storeys)	
Parking, Loading and Bicycle Spaces	as per Parking By-law	as per Parking By-law at time of Development Permit application	

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