



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee
From: Wayne Craig
Director of Development


Date: April 10, 2014

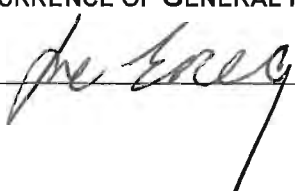
File: RZ 12-610011

Re: **Application by Pinnacle International (Richmond) Plaza Inc. for Rezoning at 3200, 3220, 3240, 3300, and 3320 No. 3 Road and 3171, 3191, 3211, 3231, 3251, 3271, 3291, 3331, and 3371 Sexsmith Road from "Single Detached (RS1/F)" to "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)" and "School & Institutional Use (SI)"**

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9135, to amend the Richmond Zoning Bylaw 8500 to create "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)" and for the rezoning of 3200, 3220, 3240, 3300, and 3320 No. 3 Road and 3171, 3191, 3211, 3231, 3251, 3271, 3291, 3331, and 3371 Sexsmith Road from "Single Detached (RS1/F)" to "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)" and "School & Institutional Use (SI)", be introduced and given first reading.
2. That the Conceptual Parks Plan for the Neighbourhood Park, as described in the report, dated April 10, 2014, from the Director of Development, be approved.


Wayne Craig
Director of Development
WC:spc
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Arts, Culture & Heritage	<input checked="" type="checkbox"/>	
Affordable Housing	<input checked="" type="checkbox"/>	
Community Social Development	<input checked="" type="checkbox"/>	
Parks Services	<input checked="" type="checkbox"/>	
Law	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	

Staff Report

Origin

Pinnacle International (Richmond) Plaza Inc. has applied to the City of Richmond for permission to rezone lands at 3200, 3220, 3240, 3300, and 3320 No. 3 Road and 3171, 3191, 3211, 3231, 3251, 3271, 3291, 3331, and 3371 Sexsmith Road from "Single Detached (RS1/F)" to "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)" and "School & Institutional Use (SI)" to permit the construction of a four-phase, high-rise, high density, mixed use development and City park in the City Centre's Capstan Village area (Attachments 1 & 2). The proposed rezoning is consistent with City Centre Area Plan (CCAP) policy for Capstan Village (Attachment 3) and includes the following key features:

- a) A combined total floor area of 126,575 m² (1,362,491 ft²) in the development's four phases, including:
 - 98,008 m² (1,054,984 ft²) of residential; and
 - 28,567 m² (307,507 ft²) of hotel, retail, office, and public amenity uses;
- b) Approximately 1,128 dwelling units (to be confirmed through the Development Permit review and approval process for each of the subject development's four phases), including:
 - +/- 1,048 market units;
 - +/- 63 affordable housing units secured with a Housing Agreement, as per standard City policy (i.e. 5% of residential floor area); and
 - 17 subsidized affordable housing units for professional artists secured with a Housing Agreement (in addition to the 5% affordable housing provided with respect to standard City policy);
- c) Early Childhood Development (ECD) Hub, constructed at the developer's sole cost to a turnkey level of finish, including 1,428 m² (15,376 ft²) of indoor space for child care for 81 children and community amenity services, together with outdoor play space;
- d) 10,199 m² (2.52 ac) of park and public open space, constructed at the developer's sole cost, including:
 - 6,715 m² (1.66 ac) City-owned neighbourhood park adjacent to the future location of the Capstan Canada Line Station;
 - 1,674 m² (0.41 ac) of additional City-owned park space along the No. 3 Road frontage of the development site; and
 - 1,810 m² (0.45 ac) of publicly-accessible trails and greenways.
- e) Public art; and
- f) Road network and engineering improvements, including the extension of Hazelbridge Way.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 4), together with Conceptual Development Plans (Attachment 5).

Surrounding Development

- To the North: Sea Island Way, a designated Provincial highway, and highway-oriented commercial properties designated for future development with high-rise, high density, hotel, office, and accessory retail uses.
- To the East: Sexsmith Road and a transitional area (mostly vacant) designated for medium/high density residential development and a neighbourhood park, including the recently rezoned, 5-phase “Concord Gardens” development (RZ 06-349722) and the former Translink park-and-ride lot.
- To the South: Abutting the subject site is 8677 Capstan Way, a smaller property owned by the subject developer, Pinnacle International, which was recently rezoned to “Residential / Limited Commercial (RCL4)” to permit a 200-dwelling, high-rise development (RZ 10-544729 / DP 12-604012). South of that lies Capstan Way, low density commercial uses zoned “Auto Oriented Commercial (CA)” and designated for high-rise, high density, mixed use development, and the recently approved, 3-phase, Polygon “Avanti” development zoned “High Rise Apartment (ZHR 12) Capstan Village (City Centre)” (RZ 11-59198 / DP 12-612510).
- To the West: No. 3 Road and low density, automobile-oriented commercial uses that are currently subject to a rezoning application by Yuanheng Seaside Developments for high-rise, high density, residential, hotel, retail, office, and public amenity uses (RZ 12-603040).

Related Policies & Studies

Development of the subject site is affected by the City Centre Area Plan (CCAP) and other City policies (e.g., affordable housing). An overview of these considerations, together with the developer’s proposed response, is provided in the “Staff Comments” and “Analysis” sections.

Consultation

- a) Neighbouring Properties (Orphaned Lot): The area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way is comprised of the subject site, Pinnacle International’s approved 200-unit residential project at 8677 Capstan Way (RZ 10-544729 / DP 12-604012), and four lots owned by Concord Pacific (Attachment 6), including:
- Two contiguous lots forming a large site at the corner of No.3 Road and Capstan Way designated for high density, mixed use development and the future extension of Hazelbridge Way;
 - One small lot fronting No. 3 Road designated for park (and included on the City’s Development Cost Charge program for park acquisition and construction); and
 - One small lot at the corner of Sea Island Way and Sexsmith Road designated for high density, mixed use development.

Concord was consulted both during the rezoning of Pinnacle’s site at 8677 Capstan Way and the subject rezoning review regarding possible ways to improve development coordination between their lands and those of Pinnacle (e.g., consolidation), but Concord indicated that any such action would be premature. In light of this, based on staff’s review of alternative conceptual development options prepared by Pinnacle for Concord’s lands, staff concluded

that Concord's large site can reasonably be developed in a manner consistent with the CCAP (regardless of the future extension of Hazelbridge Way), but its small lot at the Sea Island Way/Sexsmith Road corner is considered to be "orphaned" because it cannot achieve the density permitted under the CCAP with a stand-alone project. Based on this, staff recommend and Pinnacle has agreed that, prior to rezoning adoption, a "no development" covenant will be registered restricting Development Permit issuance for Pinnacle's proposed lot located adjacent to the "orphaned" lot until:

- Pinnacle's proposed adjacent lot is consolidated with the "orphaned" lot;
- Concord transfers the density from the "orphaned" lot to another Capstan Village location (e.g., Concord's large site at the corner of No. 3 Road and Capstan Way), as permitted under CCAP policy (i.e. a comprehensively planned "development site" may be comprised of non-contiguous properties); OR
- If neither of the above options prove to be feasible for reasons of timing or otherwise, through the DP design review and approval processes for Pinnacle's lot, additional legal agreements are registered and features are incorporated into the design to facilitate the future development of the "orphaned" lot to the City's satisfaction (e.g., shared vehicle access and service uses, off-site parking, land set aside for possible future consolidation).

b) Advisory Design Panel (ADP): Due to the complexity and prominence of the proposed development, the subject rezoning application was considered on a preliminary basis at the ADP meeting on February 19, 2014 (Attachment 7). The Panel members commended the developer's team on a well-considered, well-presented project and were supportive of the application moving forward to Planning Committee. Some issues identified by ADP members for attention on a phase-by-phase basis at Development Permit stage include:

- **Architecture**: Design development with respect to tower expression, sunlight penetration to podium courtyards, streetscape expression and related features of the Early Childhood Development (ECD) Hub and ARTS units, and colour palette;
- **Landscape**: Design development with respect to opportunities for a unique urban environment, special landscape opportunities (e.g., urban forest), and enhanced pedestrian access to/from the future Capstan Canada Line Station; and
- **Sustainability**: A more detailed energy strategy including, if possible, higher performance.

c) School District and Vancouver International Airport: City policies regarding consultation with the Richmond School District No. 38 and Vancouver International Airport only apply to rezoning applications proposing an amendment to the Official Community Plan (OCP) or an Area Plan. As the subject rezoning application is consistent with the OCP and City Centre Area Plan (CCAP), no consultation with these parties is required. (Note that, as a courtesy, information regarding the subject rezoning will be provided to both parties for information purposes only.)

d) Ministry of Transportation and Infrastructure (MOTI): As the subject site is within 800 m of a Provincial highway (i.e. Sea Island Way), the rezoning application was referred to MOTI. Preliminary approval was granted for one year as of March 19, 2014. Final approval will include a review of the Servicing Agreement design, as indicated in the attached Rezoning Considerations (Attachment 8).

Public Input

Signage is posted on-site to notify the public of the subject rezoning application. At the time of writing this report, no correspondence regarding the application had been received. The statutory Public Hearing will provide local property owners and other interested parties with opportunity to comment on the application.

Staff Comments

Based on staff's review of the subject application, including the developer's engineering capacity analysis, preliminary Transportation Impact Analysis (TIA), conceptual park design, and affordable housing proposal, staff are supportive of the subject rezoning, provided that the developer fully satisfies the Rezoning Considerations set out in Attachment 8. In addition, staff note the following:

- a) Neighbourhood Park Design: The City Centre Area Plan (CCAP) requires that the developer provides for the establishment of a new Neighbourhood Park along the No. 3 Road frontage of the subject rezoning site. The developer's proposed voluntary Neighbourhood Park (land and construction) contribution is approximately 0.67 ha (1.66 ac) in size and strategically located next to the proposed future Capstan Canada Line Station, making it an important feature of the downtown's expanding open space network. The Conceptual Parks Plan for the subject rezoning site, including the proposed Neighbourhood Park, together with trails, greenways, and related public open space features, was developed in consultation between Richmond Parks staff and the developer. (Attachment 8, Schedule I)

In brief, the Neighbourhood Park is envisioned as:

- An "urban square" providing an all-season, all-weather, 24/7, open space focus for the local community inviting people to gather, socialize, relax, play, eat, and pass through;
- An outdoor community venue for public art and related activities supportive of City Centre Area Plan (CCAP) objectives for Capstan Village's establishment as a focus for the arts; and
- A flexible, child-friendly public open space accommodating a variety of regular and special events and programs in an environment that is safe and welcoming;
- A combination of hard surface plazas, lawn, trees, decorative plantings, water features (e.g., water play, drinking fountain), varied seating opportunities (e.g., benches, seating walls, picnics tables, movable chairs), weather protected areas and features (e.g., for rain, wind, sun), play equipment, and infrastructure for events, performances, activities, and displays (e.g., power sources, lighting, temporary shelter); and
- An integrated urban open space, the design and use of which are coordinated with and complementary to public use and enjoyment of the proposed future Capstan Canada Line Station, fronting pedestrian-oriented commercial uses, nearby residential, and local community amenities (e.g., the developer's proposed Early Childhood Development Hub and Artist Residential Tenancy Studio (ARTS) units).

The implementation of the proposed Conceptual Parks Plan and the developer's voluntary contributions proposed as part of the subject rezoning application are an important step towards establishing public open space amenities critical to the livability of Capstan Village and a robust

public open spaces network for all City Centre residents. To date, public consultation has not been sought with respect to the Conceptual Parks Plan or its initial phase of implementation. Public consultation will be undertaken with respect to future phases of park and open space design and construction as opportunities arise (e.g., in coordination with Canada Line station design review).

As part of the subject rezoning application staff are seeking Council’s approval of the Conceptual Parks Plan for the Neighbourhood Park. (Attachment 8, Schedule I)

Analysis

Pinnacle International has made application to rezone a 4.26 ha (10.5 ac) site in Capstan Village, comprised of 14 single family lots (all of which are vacant, with the exception of an existing sales centre), to permit the construction of a four-phase, high-rise, high density, mixed use development containing +/-1,128 dwellings and 28,567 m² (307,507 ft²) of hotel, retail, office, and public amenity uses, together with City park space. The City Centre Area Plan (CCAP) designates the subject site and the surrounding area for pedestrian/transit-oriented, medium and high density, residential and mixed-use development, with an emphasis on projects that support City objectives for funding the construction of the future Capstan Canada Line Station and the area’s growth as the hub of a new “arts district”. The subject rezoning is notable for being the fourth application proposing to contribute funding towards Capstan Station’s construction and for facilitating the establishment of a new neighbourhood park, Early Childhood Development (ECD) Hub, and subsidized housing for professional artists (over and above the City’s standard affordable housing policy). This, together with the subject development’s large size and “gateway” location near the busy No. 3 Road/Sea Island Way intersection and proposed Canada Line station, will make it an important part of the emerging Capstan Village area. Moreover, staff’s review of the subject application shows it to be consistent with City policy and supportive of CCAP objectives for Capstan Village, as per the following.

- a) **Capstan Canada Line Station:** The CCAP’s Capstan Station (density bonus) funding strategy seeks to raise approximately \$25 million for the construction of the Capstan Canada Line Station by providing a 0.5 floor area ratio (FAR) residential density bonus to Capstan Village developer’s who voluntarily contribute towards the Capstan Station Reserve at a rate of \$7,800 per dwelling unit (September 2010 rate, to be adjusted annually as per the Consumer Price Index). Based on a City agreement with TransLink, construction of the station is expected to begin within 15 years if adequate funding can be secured. The subject development is consistent with Richmond’s station funding strategy in regard to voluntary developer contributions to the Capstan Station Reserve, together with requirements for the developer’s provision of additional public open space and a transit-oriented transitional parking strategy, as follows:

- **Estimated Capstan Station Reserve Contribution:** As per City policy, the developer proposes to voluntarily contribute approximately \$8,798,400 towards station construction (secured through “no build” covenants on title), to be paid on a phase-by-phase basis to the Capstan Reserve prior to Building Permit issuance, as follows:

Phase	Lot	No. of Dwelling Units <i>Estimate to be confirmed at Building Permit stage</i>	Capstan Station Reserve Voluntary Contribution <i>* Preliminary estimate based on \$7,800/unit</i>
1	1	405	\$3,159,000
2	2	451	\$3,517,800
3	3	181	\$1,411,800

Phase	Lot	No. of Dwelling Units <i>Estimate to be confirmed at Building Permit stage</i>	Capstan Station Reserve Voluntary Contribution <i>* Preliminary estimate based on \$7,800/unit</i>
4	4	91	\$709,800
TOTAL		1,128	\$8,798,400

* September 2010 rate. Actual applicable rates shall be determined, on a phase-by-phase basis, as per the Zoning Bylaw in effect at the time of Building Permit* approval.

- **Transit-Adaptive Parking Strategy:** The Zoning Bylaw requires that, prior to the Capstan Canada Line Station being operational, all Capstan Village developments must include parking strategies that satisfy higher “Parking Zone 2” requirements at their initial stages and, through subsequent phases, transition towards lower “Parking Zone 1” requirements. The developer proposes to comply with this Bylaw requirement by:
 - Over-supplying (99) parking spaces at Pinnacle International’s approved residential project at 8677 Capstan Way (DP 12-604012) in anticipation of sharing with Phase 1 of the subject development (i.e. as per legal agreements registered on title);
 - Over-supplying parking in the subject development’s first phase in the form of a 250-space commercial parking facility, including 125 spaces secured through legal agreement for general public use, and utilizing that extra parking to facilitate a:
 - i. 50% reduction in visitor parking for each of the project’s four phases (i.e. as per existing Zoning Bylaw shared parking provisions); and
 - ii. 250 space reduction in commercial parking for the project’s final phase (i.e., 250 of the total parking spaces required in the final phase are pre-built in the first phase); and
 - Incorporating Transportation Demand Management (TDM) measures to reduce the total number of parking spaces required on the subject site phases (i.e. as per existing Zoning Bylaw provisions allowing for reductions of up to 10%), including the developer’s voluntary contribution of the following:
 - i. 6 car-share parking spaces, equipped with 2 electric vehicle (EV) quick-charge (240 V) charging stations, within the public parking facility;
 - ii. Cash-in-lieu (\$280,000) for transit shelters and pedestrian mobility enhancements (e.g., special crossings), as determined to the sole satisfaction of the City;
 - iii. 2 City-owned EV quick-charge (240 V) charging stations for public use along the dedicated north-south street near the proposed neighbourhood park; and
 - iv. Street frontage improvements adjacent to all proposed parks.

Land Use	Rate*	Phase				Total
		1	2	3	4	
Residential	Varies	473	529	210	105	1,317
• ARTS Units (17)	0.81/unit	14	0	0	0	14
• Affordable Units (+/-63)	0.81/unit	11	12	19	10	52
• Market (+/-1,048)	1.00/unit	375	436	158	79	1,048
• Visitor (+/-1,128 units)	0.18/unit	73	81	33	16	203
Non-Residential	Varies	-	41	-	577	618
• ECD Hub	32 required	-	32	-	0	32
• Retail (Levels 1 & 2)	3.38/100 m ²	-	9	-	84	93

Land Use	Rate*	Phase				Total
		1	2	3	4	
· Office (Above Level 2)	2.30/100 m ²	-	0	-	455	455
· Hotel (+/-100 rooms)	0.38/room	-	0	-	38	38
SUB-TOTAL	Varies	473	570	210	682	1,935
· Commercial/Public Parking Facility	-	+250	-	-	-	+250
· Commercial parking reduction	-	-	-	-	-250	-250
· 50% resident visitor parking reduction	-	-36	-40	-16	-8	-100
· Shared parking pre-built through DP 12-604012**	-	-99	-	-	-	-99
TOTAL REQUIREMENT	Varies	588	530	194	424	1,736

* Based on "Parking Zone 1" and incorporating 10% Transportation Demand Management (TDM) reductions, except with respect to market resident parking (as per the proposed ZMU25 zone).

** Pinnacle's approved residential project at 8677 Capstan Way over-supplied parking (99 spaces secured with a legal agreement) in anticipation of sharing with Phase 1 of the subject development.

- Public Open Space Contribution:** As per the Capstan Station Bonus (CSB) policy and at no cost to Richmond, the developer proposes to voluntarily transfer 0.68 ha (1.683 ac) of land to the City in a combination of fee simple lots and statutory right-of-ways for public open space use at a rate of 5.74 m²/ dwelling unit (Attachment 8, Schedule C). The land transferred will, in part, be consolidated with lands being transferred to the City by the developer for neighbourhood park purposes (see below) and will be designed and constructed at the developer's sole cost as generally shown in the Conceptual Parks Plan (Attachment 8, Schedule D). As per the Capstan Station Bonus policy and the development's proposed site specific zone, "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)", the developer will be able to calculate buildable floor area on the lands transferred to the City, including the fee simple portion. (Note that neither the proposed land transfer nor its design/construction for park purposes is identified on the City's Development Cost Charge (DCC) program, so these items will not be eligible for DCC credits.)

Capstan Station Bonus (CSB) Public Open Space Features*		CSB Voluntary Public Open Space Contribution**	
		Fee Simple	SRW
A.	Neighbourhood Park (excluding DCC park)	3,326 m ² (0.82 ac)	nil
B.	No. 3 Road Greenway	1,674 m ² (0.41 ac)	nil
C.	Sea Island Greenway (Lot 4 SRW)	nil	670 m ² (0.17 ac)
D.	Neighbourhood Park Trail (Lot 4 SRW)	nil	503 m ² (0.12 ac)
E.	Mid-Block Trail (Lot 1 SRW)	nil	637 m ² (0.16 ac)
Sub-Total		5,000 m ² (1.23 ac)	1,810 m ² (0.45 ac)
TOTAL		6,810 m² (1.68 ac)	

* CSB public open space features are NOT eligible for Development Cost Charge (DCC) credits for park acquisition or park development; however, as per CCAP policy and the proposed ZMU25 zone, the developer may use the area of CSB public open space features for density calculation purposes.

** The developer must provide public open space in compliance with the provisions of the proposed ZMU25 zone. If the combined total number of dwellings on Lots 1, 2, 3, and 4 exceeds 1,186, additional public open space shall be required. (No adjustment shall be made if the number of dwellings is less than 1,186.)

- b) Neighbourhood Park: The CCAP proposes that the neighbourhood park needs of Capstan Village's anticipated residents, workers, and visitors are served through the establishment of a network of small parks (i.e. one within each quarter of a quarter-section), each of which is to have a distinct, yet complementary, program of uses and related features. Based on this, the subject development is required to provide for 0.34 ha (0.84 ac) of one such park (i.e. 72% of the designated neighbourhood park in the affected quarter of a quarter-section, based on the proportion of land owned by the developer within that area), which park is intended for a combination of socializing, children's play, gathering, passive recreation, and transit plaza-related activities (e.g., seating, food vendors, buskers). This space will be consolidated with a portion of the park land the developer proposes to transfer to the City with respect to the Capstan Station Bonus (described above) to provide for a combined effective neighbourhood park space of 0.67 ha (1.66 ac). (Note: The remaining 28% of the CCAP designated neighbourhood park (i.e. 0.33 ac / 0.13 ha) will be secured through the City's standard rezoning processes with respect to the remaining properties within the affected quarter of a quarter-section, all of which belong to a single owner, as shown in Attachment 6).

Prior to rezoning adoption, the subject developer will enter into a Servicing Agreement for the design and construction of the neighbourhood park, together with the contiguous lands that the developer proposes to transfer to the City with respect to the Capstan Station Bonus policy, as generally illustrated in the Conceptual Parks Plan (Attachment 8, Schedule I). In brief, this will include:

- **East portion**: Permanent improvements across approximately 50% of the park (adjacent to the proposed north-south street), including site preparation, raising the finished grade of the park to meet that of the proposed north-south street, pedestrian paths and plaza areas, lighting, site furniture, play features, lawn, planting, trees, rain garden and/or alternate eco-amenity features, and related infrastructure and features; and
 - **West portion** - Temporary improvements across approximately 50% of the park (adjacent to No. 3 Road and the future Canada Line station), including grading and site preparation, a lawn for informal play, pathways, and related features and furnishings. (Permanent park improvements are discouraged in this location until they can be coordinated with the design and development of the transit station, Capstan Village's residential community is better established, and future residents are able to participate in the park planning process.)
- c) Village Centre Bonus (VCB) Amenity Contribution: The CCAP designates the portion of the subject site situated north of the proposed Hazelbridge Way extension as a VCB area for the purpose of encouraging voluntary developer contributions towards child care and other community amenities. The VCB permits a density bonus of 1.0 FAR for commercial uses only (i.e. no residential) if a developer constructs at least 5% of the bonus floor area as turnkey community amenity space to the City's satisfaction.

The subject developer proposes to take full advantage of the bonus commercial density made available through the VCB for retail, office, and hotel, most of which will be constructed in the development's final phase at the corner of No. 3 Road and Sea Island Way where it will enjoy a high degree of exposure to passing motorists and Canada Line riders and have good proximity to the future transit station and park amenities. In addition, the developer proposes to design and construct to a turnkey level of finish, at the developer's sole cost, 5% of the

project's maximum permitted VCB density bonus floor area as a 1,428 m² (15,376 ft²), City-owned (i.e. air space parcel), Early Childhood Development (ECD) Hub in the project's second phase. Staff are supportive of the developer's proposal because it is consistent with VCB policy and will make a significant contribution towards ensuring that the needs of Capstan Village's anticipated population will have convenient and timely access to important services. In brief, the developer's voluntary contribution will provide for:

- **Early Childhood Development (ECD) Hub Goals:**

- To provide a one-stop service centre for families, providing them with supports including licensed child care for approximately 81 children, early childhood development programs, and family strengthening and wellness services.
- To help enhance children's readiness for school and help families connect with each other and access community services.
- To serve as a focal point for the emerging Capstan Village community.
- To assist in economic development by supporting working families.

- **Project Management:** Prior to adoption of the subject rezoning, a legal agreement shall be registered on title restricting Development Permit issuance for the development's second phase until the developer:

- Submits a voluntary cash-in-lieu contribution equivalent to 5% of the estimated construction value of the ECD Hub towards the City's project management costs;
- Submits an additional voluntary cash-in-lieu contribution equivalent to 10% of the estimated construction value of the ECD Hub for consultant costs (e.g., space programming, architecture, landscape, electrical, mechanical) if the developer requests and the City agrees (at the City's sole discretion) that the City will manage the design and construction of the facility's tenant improvements;
- Designs the 1,428 m² (15,376 ft²) ECD Hub to the satisfaction of the City, as generally described in the Early Childhood Development (ECD) Hub – Terms of Reference (Attachment 8, Schedule E) and providing for, among other things:
 - i. A functional, licensable, fully-finished child care facility including at least 836 m² (8,999 ft²) of indoor program space and at least 855 m² (9,203 ft²) of contiguous outdoor program (play) area located at the building's podium roof level (which shall not be situated higher than the fourth floor above finished grade);
 - ii. A fully finished "storefront space" of at least 465 m² (5,005 ft²) for early childhood, family support, and related programs, which space shall front onto and be directly accessible from the subject development's proposed north-south street and on-site parking designated for the exclusive use of the ECD Hub;
 - iii. Secure, dedicated vertical circulation connecting the child care level with the "storefront space", including a large elevator able to accommodate multi-passenger strollers; and
 - iv. Parking, bike storage, loading, garbage/recycling facilities, and related features secured for the exclusive use of the ECD Hub and its visitors, staff, guests, and related activities on a 24-hour/day basis, except as otherwise determined to the sole satisfaction of the City; and
- Enters into any and all legal agreements required to transfer the completed, turnkey ECD Hub facility to the City as an air space parcel and provide for its operation, in perpetuity, to the satisfaction of the City.

d) City Centre “Arts District”: The proposed development is situated within the CCAP’s designated “arts district”, the intent of which is to foster the growth of the arts in Richmond and the City Centre by encouraging the establishment of a focus for arts facilities, events, support services, studio spaces, and complementary uses and endeavours in a location offering strong regional linkages and proximity to the city’s rapidly growing downtown and public amenities. The subject development is consistent with the CCAP’s “arts district” policy, as follows:

- **Outdoor Community Venue:** The proposed neighbourhood park and transit plaza are envisioned as a performance and celebration venue for Capstan Village. Park features proposed in regard to this objective may include, but are not be limited to, a stage, performance/gathering plaza, large lawn, public art, food service, special lighting, and audio/visual capabilities.
- **Public Art:** As per City policy, Pinnacle proposes a voluntary developer contribution of at least \$879,653 towards public art (i.e. current City rate, but this will be adjusted on a phase-by-phase basis to reflect the rates in effect upon the date of Development Permit issuance). Prior to rezoning adoption, the developer shall prepare a Public Art Plan for the subject site and its immediate surroundings to the satisfaction of the City, including themes, costs, and, as appropriate, opportunities to coordinate public art projects within funding contributions from other sources (e.g., future developer contributions). As per the subject development’s Rezoning Considerations (Attachment 8), “no development” covenants shall be registered on title to restrict Development Permit issuance on a phase-by-phase basis until the developer enters into legal agreements and posts security to facilitate the implementation of the Plan to the satisfaction of the City.
- **ARTS Units:** The subject development is the second in Capstan Village to propose affordable housing for professional artists (over and above Richmond’s standard affordable housing policy requirements) in the form of Artist Residential Tenancy Studio (ARTS) units. (The area’s first ARTS units are currently under construction as part of the initial phase of “Concord Gardens”, RZ 06-349722 / DP 12-611486.) Many practicing artists have low household earning potential and, just as with other household types, require affordable housing options; however, conventional housing may not be well suited to the special needs of those artists who work from home. The developer’s proposal is consistent with CCAP objectives for an emerging “arts district” in Capstan Village and offers the opportunity for Richmond and its arts community to benefit from an innovative housing option that marries the City’s successful affordable housing policy with a developer-funded model for the creation of arts-supportive residential studio dwellings. More specifically, the developer proposes to:
 - Provide 1,394 m² (15,000 ft²) of habitable space incorporating 17 ARTS units (i.e. 5 bachelor units, 7 one-bedroom units, and 5 two-bedroom units);
 - Locate the ARTS units at grade along the Hazelbridge Way and Sexsmith Road frontages of the development’s first phase where they will contribute to a lively streetscape and provide continuity with the ARTS units at “Concord Gardens”;
 - Design and construct the ARTS units to a turnkey level of finish, at the sole cost of the developer, to the satisfaction of the City;
 - Provide loft-style units with high ceilings, durable finishes, and flexible designs that are able to accommodate a broad range of arts uses (e.g., painting, pottery, dance,

- choreography, non-amplified music, composing, conducting, arranging, recording, writing, media arts, photography, printmaking, and carving);
- Retain ownership of the units and be solely responsible for their management;
 - Comply with City objectives for affordable (low end market rental) housing, as generally defined by the City’s Affordable Housing Strategy and secured with a standard Housing Agreement, EXCEPT in addition:
 - i. At least one resident of each ARTS unit must satisfy the criteria of a “professional artist” (i.e. Canada Council defines this as a person who, among other things, has specialized training, is recognized by his/her peers, and has maintained an independent professional practice for at least three years); and
 - ii. The ARTS units shall be treated as bachelor units for the purposes of determining applicable maximum monthly unit rents and household incomes, regardless of actual unit size, configuration, number of bedrooms, or other features. This effectively makes the ARTS units “subsidized” housing because the minimum size of an ARTS unit is proposed to exceed that of a conventional bachelor unit in order to provide for necessary studio space.
- e) Affordable Housing: The subject developer proposes to provide approximately 80 affordable housing units, secured via a Housing Agreement(s) registered on title, including 63+ affordable (low end market rental) housing units as per the City’s Affordable Housing (5%) Strategy, together with the 17 Artist Residential Tenancy Studio (ARTS) units described above.

The developer proposes to construct the 17 ARTS units in the project’s first phase and entirety of the 1,428 m² (15,376 ft²) Early Childhood Development (ECD) Hub in the second phase. This creates a significant financial burden for the developer at the front end of the project. To help address this situation, the developer proposes to defer a portion of the project’s standard affordable housing to its third and fourth phases. While this will result in those later phases containing more than 5% affordable housing, staff are supportive of the developer’s proposal because:

- It will facilitate the early delivery of the Early Childhood Development (ECD) Hub (i.e. well in advance of the developer fully utilizing the Village Centre Bonus and triggering the ECD Hub/community amenity space requirement);
- The project’s first phase will include 6.4% affordable housing (i.e. 4.0% ARTS units plus 2.4% standard affordable housing units); and
- The affordable housing units in the project’s third and fourth phases will be satisfactorily dispersed and have ample access to residential amenities.

Phase	Lot	Village Centre Bonus Amenity (ECD Hub) 5% of max. Village Centre Bonus	Affordable Housing Habitable Floor Area (% of Residential Floor Area)		
			ARTS Units	Standard Affordable Housing Units	Total
1	1	-	1,393.5 m ² (4%)	843.8 m ² (2.4%)	2,237.3 m ² (6.4%)
2	2	1,428 m ² (15,376 ft ²)	-	979.9 m ² (2.5%)	979.9 m ² (2.5%)
3	3	-	-	1,980.4 m ² (12.6%)	1,980.4 m ² (12.6%)
4	4	-	-	1,026.6 m ² (12.9%)	1,026.6 m ² (12.9%)
TOTAL		1,428 m² (15,376 ft²)	1,393.5 m² (1.4%)	4,830.7 m² (5.0%)	6,224.2 m² (6.4%)

f) **Infrastructure Improvements:** The City requires the coordinated design and construction of private development and City infrastructure with the aim of implementing cost-effective means by which to meet the needs of the City Centre’s rapid growth. In light of this, staff recommend, and the developer has agreed, to the following:

- **Road Network Improvements:** As per the CCAP, at the developer’s sole cost the subject development shall provide for various road dedications and statutory right-of-ways, the extension of bike routes, sidewalk and greenway improvements, and the installation of related amenities (e.g., transit shelters, pedestrian crossings). The detailed design of the required road works, generally as shown in the attached “Preliminary Functional Roads Plan” (Attachment 8, Schedule H), shall be completed to the satisfaction of the City prior to rezoning adoption. (Additional detailed design may be required on a phase-by-phase basis with respect to frontage improvements requiring coordination with on-site, private development.) The developer’s construction of the required improvements shall be phased over four Servicing Agreements (SA) secured with Letters of Credit, as set out in the attached Rezoning Considerations. (Attachment 8, Schedules F and G) In brief, the improvements shall proceed as follows:

SA	SA Timing	Required SA Road Network Improvements
#1	Prior to rezoning adoption	<ul style="list-style-type: none"> • Hazelbridge Way & north-south street (excluding sidewalk/boulevard adjacent to the frontages of Phases 2, 3 & 4) • Sexsmith Road adjacent to Phase 1 • All neighbourhood park frontages
#2	Prior to Phase 2 DP issuance	<ul style="list-style-type: none"> • Hazelbridge Way & north-south street sidewalk/boulevard adjacent to Phase 2 • Sexsmith Road adjacent to Phase 2 <p><i>NOTE – Via the Phase 2 DP, the “private road” linking Sexsmith Road & the north-south road will be designed & secured with the DP Landscape Letter of Credit</i></p>
#3	Prior to Phase 3 DP issuance	<ul style="list-style-type: none"> • Sexsmith Road adjacent to Phase 3
#4	Prior to Phase 4 DP issuance	<ul style="list-style-type: none"> • North-south street sidewalk/boulevard adjacent to Phase 4 • Frontage improvements along No. 3 Road and Sea Island Way

- **Engineering Improvements:** The developer shall be responsible for the design and construction of required water, storm sewer, and sanitary sewer upgrades and related public and private utility improvements, as determined to the satisfaction of the City. The design of all required engineering improvements shall be completed to the satisfaction of the City prior to rezoning adoption. The developer’s construction of the required improvements shall be phased over four Servicing Agreements (SA) secured with Letters of Credit, as set out in the attached Rezoning Considerations. (Attachment 8, Schedules F and G) Prior to rezoning adoption, the developer will enter into the first Servicing Agreement, which shall include:
 - **Water:** 100% of water upgrades required with respect to the subject development shall be designed and constructed through the developer’s first Servicing Agreement. (Note: To address potential water quality issues on a temporary basis until the developer’s final phase is constructed, the developer shall be responsible for the design and construction, at the developer’s sole cost, of an interim automatic flushing system, together with all costs related to the system’s maintenance, operation, and removal, as determined to the satisfaction of the City through the Servicing Agreement and related processes.)

- *Storm Sewer*: Full upgrades between the proposed cul-de-sac and the south side of Capstan Way.
- *Sanitary Sewer*: Full upgrades works between the proposed cul-de-sac and the new Capstan Way sanitary pump station on the north side of Capstan Way.

g) Other Sustainable Development Measures: The CCAP encourages the coordinated planning of private development and City infrastructure with the aim of advancing opportunities to implement environmentally responsible services. Areas undergoing significant change, such as Capstan Village, are well suited to this endeavour. In light of this, staff recommend and the developer has agreed to the following:

- ***District Energy Utility (DEU)***: The developer will design and construct 100% of the subject development to facilitate its connection to a DEU system (which utility will be constructed by others), commencing with the project's first phase.
- ***Leadership in Energy and Environmental Design (LEED)***: The CCAP requires that all rezoning applications greater than 2,000 m² in size demonstrate compliance with LEED Silver (equivalency) or better, paying particular attention to features significant to Richmond (e.g., green roofs, urban agriculture, DEU, storm water management/quality). The developer has agreed to comply with this policy and will demonstrate this on a phase-by-phase basis through the City's standard Development Permit and Servicing Agreement design and approval processes.
- ***Flood Management Strategy***: The CCAP encourages measures that will enhance the ability of developments to respond to flood plain management objectives and adapt to the effects of climate change (e.g., sea level rise). To this end, the Plan encourages City Centre developers to build to the City's recommended Flood Construction Level of 2.9 m GSC and minimize exemptions, wherever practical. The developer has agreed to comply and, in addition, proposes to raise the elevation of new streets within the development (e.g., Hazelbridge Way) and the eastern half of the neighbourhood park above existing grade to enhance the climate adaptability of those features and their relationships with fronting residential, commercial, and community amenity uses.
- ***Aircraft Noise Sensitive Development (ANSD)***: The subject site is situated within ANSD "Area 3", which permits all ANSD uses (i.e. residential, child care, hospital, and school) provided that a restrictive covenant is registered on title, acoustics reports are prepared at Development Permit and Building Permit stages identifying appropriate noise attenuation measures and confirming their implementation, and various building design features are incorporated, including air conditioning or equivalent. The required covenant(s) will be registered prior to rezoning adoption, and other requirements will be satisfied prior to Development Permit and Building Permit issuance, as required. (Attachment 8)
- ***Tree Protection***: Richmond's Tree Protections Bylaw aims to sustain a viable urban forest by protecting trees with a minimum diameter of 20 cm (DBH (i.e. 1.4 m above grade) from being unnecessarily re-moved and setting replanting requirements. The developer has agreed to comply with this City policy. Moreover, due to the complexity of the subject development's phasing of private construction and City infrastructure, prior to rezoning adoption, in coordination with the Servicing Agreement review and approval processes, the developer will submit a Comprehensive Tree Protection and Replacement Plan for the

entirety of the subject site (both on and off site), prepared by an appropriate professional, which Plan shall include, among other things:

- A phasing strategy for on- and off-site tree protection, removal, and replacement, including tree removal occurring due to pre-loading and site preparation prior to Development Permit issuance;
- Tree protection and survival security requirements;
- Tree compensation, including voluntary developer contributions to the City's Tree Compensation Fund for replacement trees elsewhere within the City; and
- Legal agreement(s) required to facilitate the multi-phase implementation of the Plan.

h) Form of Development: The developer proposes to construct a high-rise, high density, mixed use development and City park on a large site near the future Capstan Canada Line Station and prominent No. 3 Road/Sea Island Way "gateway" to Richmond's City Centre. As per the CCAP, through the proposed rezoning, the subject site will be subdivided with new streets, parks, and trails to create smaller blocks that are more appropriately scaled and configured for pedestrian/transit-oriented urban development. Likewise, the developer's proposed form of development, which is a combination of articulated streetwall buildings and towers, generally conforms to the CCAP and its Development Permit (DP) Guidelines and is well-suited to the demands and opportunities of the site. In particular, the development has successfully demonstrated:

- A strong urban concept providing for a high-density, pedestrian-friendly environment;
- Variations in building height and massing contributing towards skyline interest, sun access to usable rooftops, and upper- and mid-level views across the site for residents and neighbours;
- A mid-rise building typology that aims to break the streetwall into a series of coordinated, yet distinct, buildings, providing for visually engaging streetscapes, a human scale, and opportunities for interesting community amenity and retail identities at grade; and
- Strong public open space and on-site landscape strategies, especially with respect to the neighbourhood park.

Development Permit (DP) approval to the satisfaction of the Director of Development for the first phase of the subject development (i.e. south of Hazelbridge Way), including the ARTS units and public parking facility, will be required prior to rezoning adoption. Additional DP applications will be considered on a phase-by-phase basis for the development's subsequent three phases (i.e. one per phase). In general, at DP stage, design development is encouraged regarding, but not limited to, the following items:

- **Conditions of Adjacency:**
 - Canada Line interfaces with commercial uses, residential uses (i.e. dwelling units, private outdoor amenity space, and shared indoor/outdoor amenity spaces), and public park and open space; and
 - As per legal agreements proposed to be registered on title prior to rezoning adoption, the developer must demonstrate, to the satisfaction of the City, that:

- i. On a phase-by-phase basis, the proposed building design and construction adequately address aircraft noise and potential on- and off-site development impacts (e.g., view blockage, traffic noise, overlook, shading);
 - ii. Development coordination between the “orphaned” lot at 3131 Sexsmith Road and the adjacent portion of the subject site is resolved (i.e. through property consolidation, rezoning of the “orphaned” lot by its owner, or legal agreements and development measures incorporated into Pinnacle’s development);
 - iii. The shared use of resident amenities between the subject development’s third and fourth phases is appropriately accommodated; and
 - iv. The shared use of resident amenities and parking between the subject development’s first phase and the Pinnacle’s previously approved project at 8677 Capstan Way (RZ 10-544729 / DP 12-604012) is appropriately accommodated;
- ***Urban Design and Site Planning:***
 - The mitigation of parking and loading impacts on the development’s streetscapes;
 - Sunlight penetration to the neighbourhood park, other public open spaces, and residential outdoor amenity space (e.g., podium courtyards);
 - Variations in tower heights, configurations, and orientations taking into account skyline interest and coordination with development elsewhere within Capstan Village;
 - Way-finding, particularly with respect to the:
 - i. Public Parking facility (phase 1);
 - ii. Early Childhood Development (ECD) Hub (phase 2);
 - iii. Future Capstan Canada Line Station; and
 - iv. Capstan Village’s emerging network of ARTS units, public art, public open space linkages, and related features (all phases); and
 - As per the attached Rezoning Considerations and legal agreements proposed to be registered on title prior to rezoning adoption, the developer must demonstrate, to the satisfaction of the City, that public art planning and implementation is appropriately coordinated with the design and construction of private development and public infrastructure;
 - ***Architectural Form and Character:***
 - “Gateway” character at the prominent No. 3 Road/Sea Island Way corner;
 - Streetwall form and articulation, with special attention to the:
 - i. “Crescent” facades defining the cul-de-sac (phases 2, 3, and 4);
 - ii. Establishment of a special character along the frontages of the ARTS units (phase 1) and the “private street” (phases 3 and 4); and
 - iii. Neighbourhood park interfaces with proposed commercial uses (phases 2 and 4);
 - Tower and rooftop forms and articulation;
 - Materials, finishes, and colours;
 - Commercial signage strategy;
 - As per the attached Rezoning Considerations and phasing covenants that are to be registered on title prior to rezoning adoption, the developer must demonstrate, to the satisfaction of the City, that the building design and related features satisfy detailed functional and streetscape objectives (e.g., universally accessible, welcoming, pedestrian-friendly, visually engaging, high quality) for the proposed:
 - i. ARTS units (phase 1); and

ii. Early Childhood Development (ECD) Hub (phase 2);

• ***Landscape and Open Space Design:***

- The establishment of a special character along the “private street”;
- Podium rooftop designs that maximize opportunities for green roofs and attractive, useable, accessible outdoor amenity spaces for residents (e.g., urban agriculture with appropriate service access and support features, children’s play space, active recreation uses); and
- As per the attached Rezoning Considerations and phasing covenants that are to be registered on title prior to rezoning adoption, the developer must demonstrate, to the satisfaction of the City, that the detailed designs of publicly-accessible greenways and trails provide for a high-amenity public open space environment and are appropriately coordinated with the design and construction of private development and public infrastructure, including the:
 - i. Mid-Block Trail (phase 1);
 - ii. Neighbourhood Park Trail (phase 2);
 - iii. Sea Island Way Greenway and No. 3 Road Greenway (phase 4);

• ***Affordable Housing:***

- As per covenants that are to be registered on title prior to rezoning adoption, the developer must demonstrate, to the satisfaction of the City, that, on a phase-by-phase basis and within each phase:
 - i. The amount of affordable housing is satisfactory;
 - ii. Affordable housing units are dispersed;
 - iii. A mix of units types is provided that is appropriate to anticipated household needs; and
 - iv. Affordable housing residents are provided with suitable access to indoor and outdoor resident amenities and other features (e.g., parking);

• ***Accessible Housing:***

- Barrier-free access is provided to all residential lobbies from fronting streets and throughout all on-site circulation and resident indoor and outdoor amenity spaces; and
- A portion of the development’s dwelling units shall be designed in compliance with Richmond’s Basic Universal Housing standards, the minimum number of which shall be as follows or as per the OCP at the time of DP issuance, whichever is greater:
 - i. 100% of affordable housing units (all phases);
 - ii. 1 ARTS unit (phase 1); and
 - iii. 15% market dwelling units (all phases); and

• ***Crime Prevention Through Environmental Design (CPTED):***

- Among other things, special attention should be paid to the design of the:
 - i. Public Parking facility (phase 1);
 - ii. Early Childhood Development (ECD) Hub (phase 2); and
 - iii. Public park, trails, and open spaces (all phases).

i) Site Specific Zone: Under the CCAP, the subject rezoning site is designated for a maximum density of 2.5 FAR south of Hazelbridge Way and 3.5 FAR north of Hazelbridge Way,

including a 0.5 FAR density bonus with respect to the Capstan Canada Line Station. Capstan Village sites such as this would typically be rezoned to a standard zone incorporating Capstan Station Bonus provisions (i.e. “Residential/Limited Commercial / RCL4” or “RCL5” zones). Instead, in the case of the subject development, a site specific zone, “Residential / Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)”, is proposed because it is better suited to the unique aspects of the proposed project, including site specific:

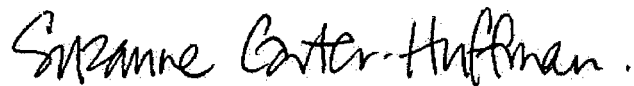
- Variations in land use and density across the development’s four phases, including:
 - Density bonusing for the developer’s provision of the:
 - i. Early Childhood Development (ECD) Hub;
 - ii. Artist residential tenancy studio (ARTS) units; and
 - iii. Public parking facility; and
 - Density provisions with respect to the developer’s dedication of CCAP-designated “minor streets” and the transfer of “non-DCC” fee-simple park to the City (i.e. areas not identified on the Development Cost Charge program that, under the CCAP, the developer may use for density calculation purposes and effectively increase the maximum permitted density on the buildable portion of the subject); and
 - Parking provisions necessary to satisfy existing Zoning Bylaw requirements for Capstan Village with respect to multi-phase developments (i.e. transitions from higher “Parking Zone 2” rates to lower “Parking Zone 1” rates), as determined to the satisfaction of the City through the developer’s transportation impact analysis and parking study.
- j) Development Phasing: Legal agreements will be registered on the development site and density bonusing is written into the subject site’s proposed site specific zone, “Residential / Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)”, to ensure that the phasing of public works and amenities (e.g., the construction of roads, park, affordable housing, Early Childhood Development Hub) are appropriately coordinated with the developer’s market housing and commercial uses, as set out in the proposed “Phasing Key Plan” and “Phasing Summary Table”. (Attachment 8 / Schedules F & G)
- k) Community Planning: As per CCAP policy, the developer proposes to voluntarily contribute \$323,873, based on \$0.25/ft² of maximum buildable floor area (as per ZMU25, the subject site’s proposed site specific zone), to the City’s community planning reserve fund.

Financial Impact or Economic Impact

As a result of the proposed development, the City will take ownership of developer contributed infrastructure assets such as road works, waterworks, storm sewers, sanitary sewers, street lights, street trees, and traffic signals. The anticipated operating budget impact for the ongoing maintenance of these new infrastructure assets is estimated to be \$21,500 annually and will be considered as part of the 2015 and subsequent operating budgets as the works are constructed and turned over to the City.

Conclusion

The subject development is consistent with Richmond's objectives for the subject property and Capstan Village, as set out in the CCAP, the funding strategy for the construction of Capstan Station, and related City policies and objectives. In addition, the proposed project's form and character, Early Childhood Development (EDC) Hub, subsidized and affordable housing, public art, and public park and open space will enhance the establishment of Capstan Village as a high-amenity, transit-oriented, urban community. On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9135 be introduced and given first reading.

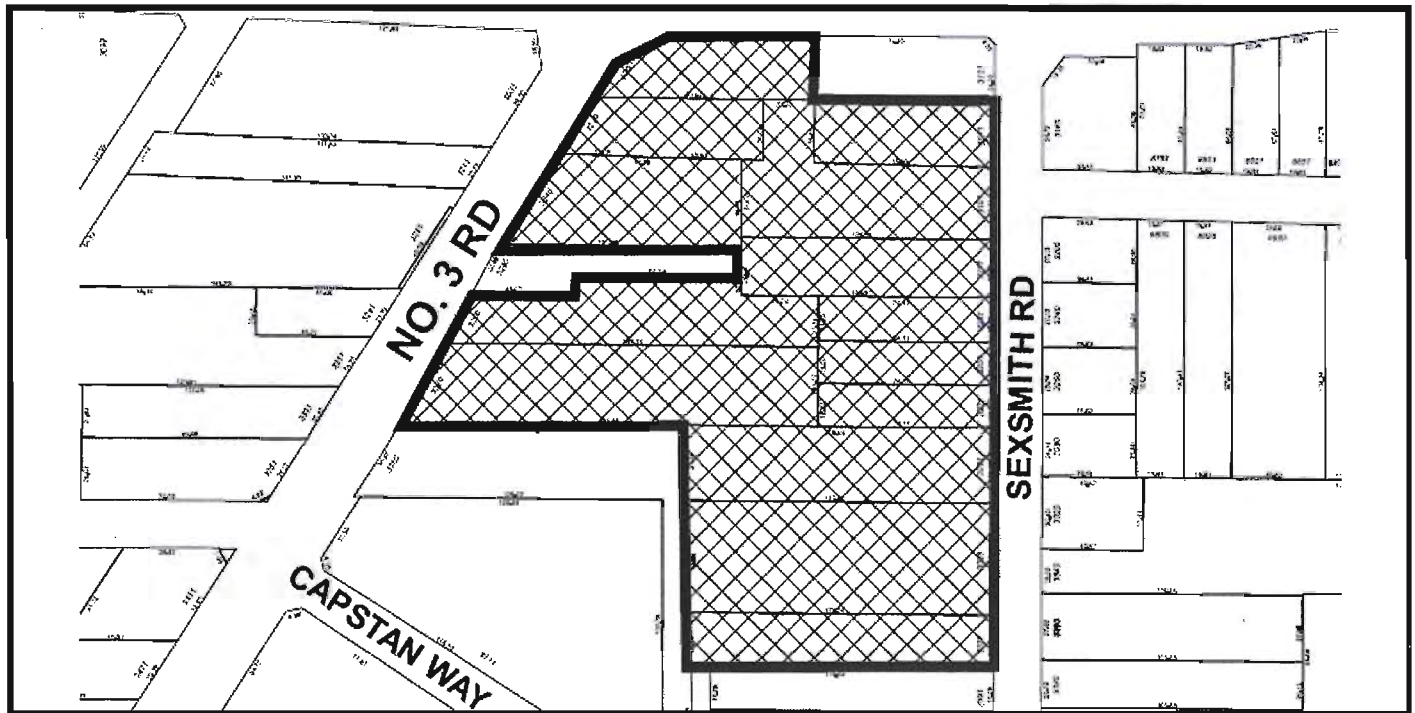
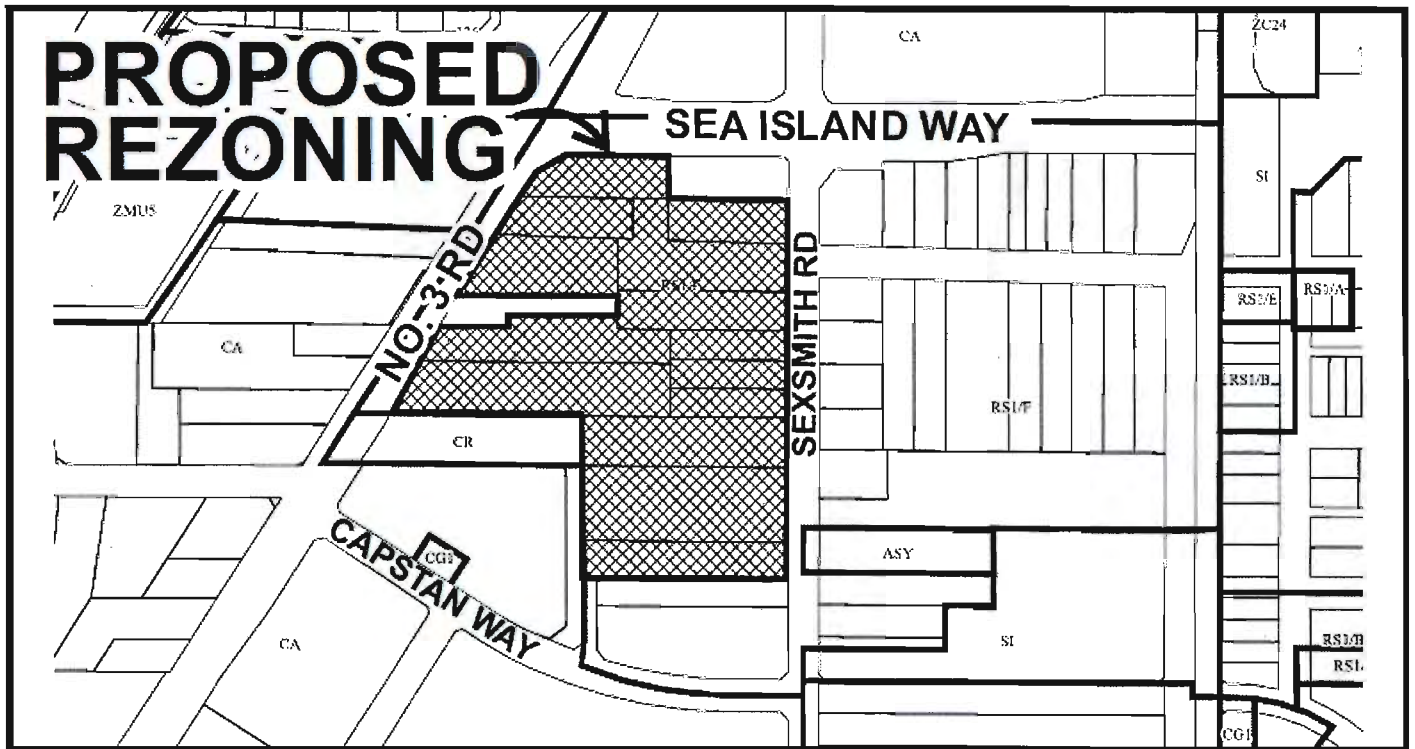


Suzanne Carter-Huffman
Senior Planner/Urban Design

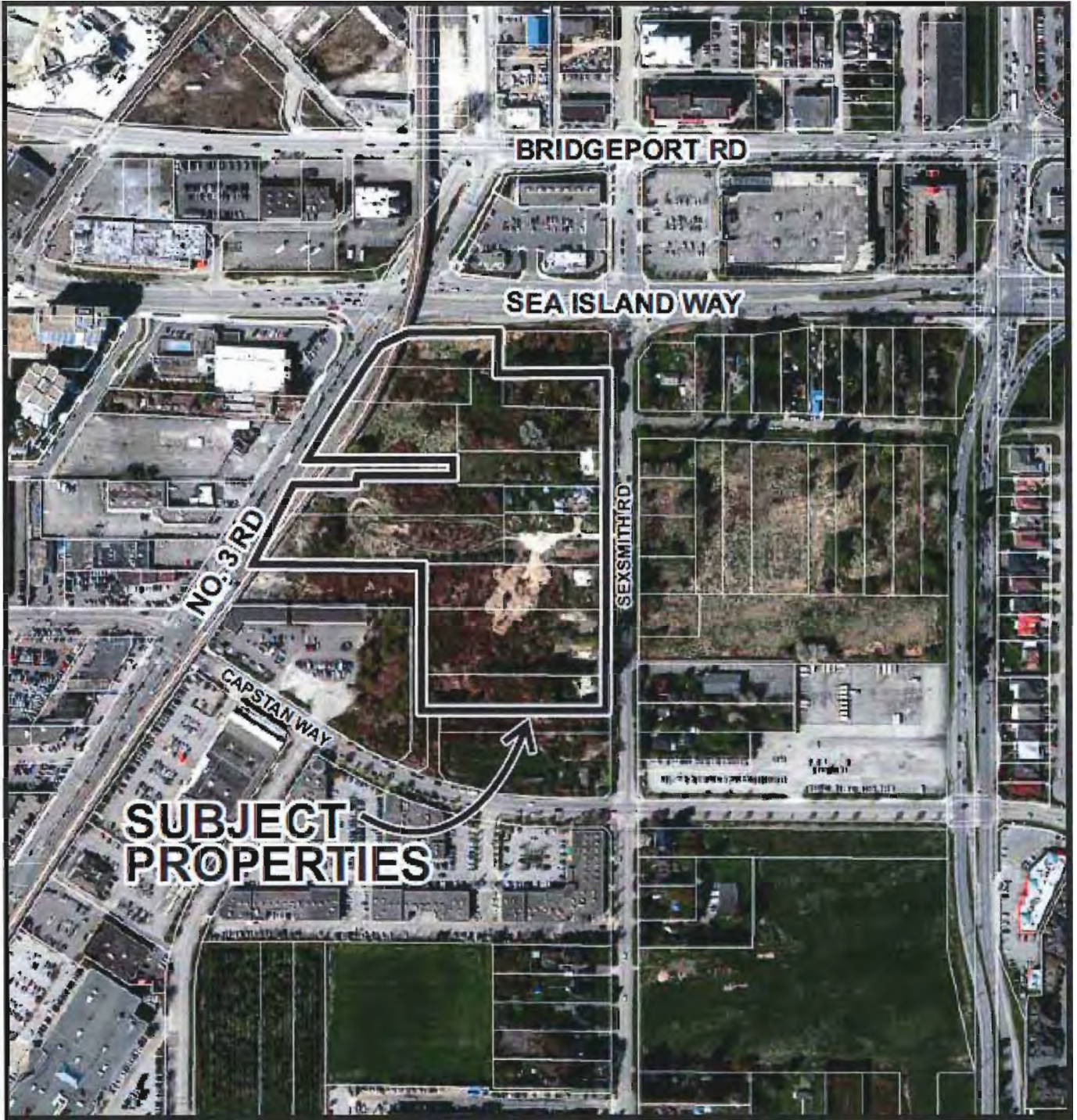
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Attachments:

1. Location Map
2. Aerial Photograph
3. City Centre Area Plan (CCAP) Specific Land Use Map: Capstan Village (2031)
4. Development Application Data Sheet
5. Conceptual Development Plans
6. Neighbouring Properties (Orphaned Lot)
7. Advisory Design Panel Minutes, February 19, 2014 (Excerpt) – Preliminary Review
8. Rezoning Considerations Concurrence, including the following schedules:
 - A. Preliminary Subdivision Plan
 - B. Preliminary Statutory Right-of-Way Plan
 - C. Capstan Station Bonus – Public Open Space (Fee Simple & SRW) Location Map
 - D. ARTS Units: Supplementary Development Permit Requirements
 - E. Early Childhood Development (ECD) Hub – Terms of Reference
 - F. Phasing Key Plan – Engineering, Roads & Parks (3 pages)
 - G. Phasing Summary Table
 - H. Preliminary Functional Roads Plan – Interim & Ultimate (2 pages)
 - I. Conceptual Parks Plan

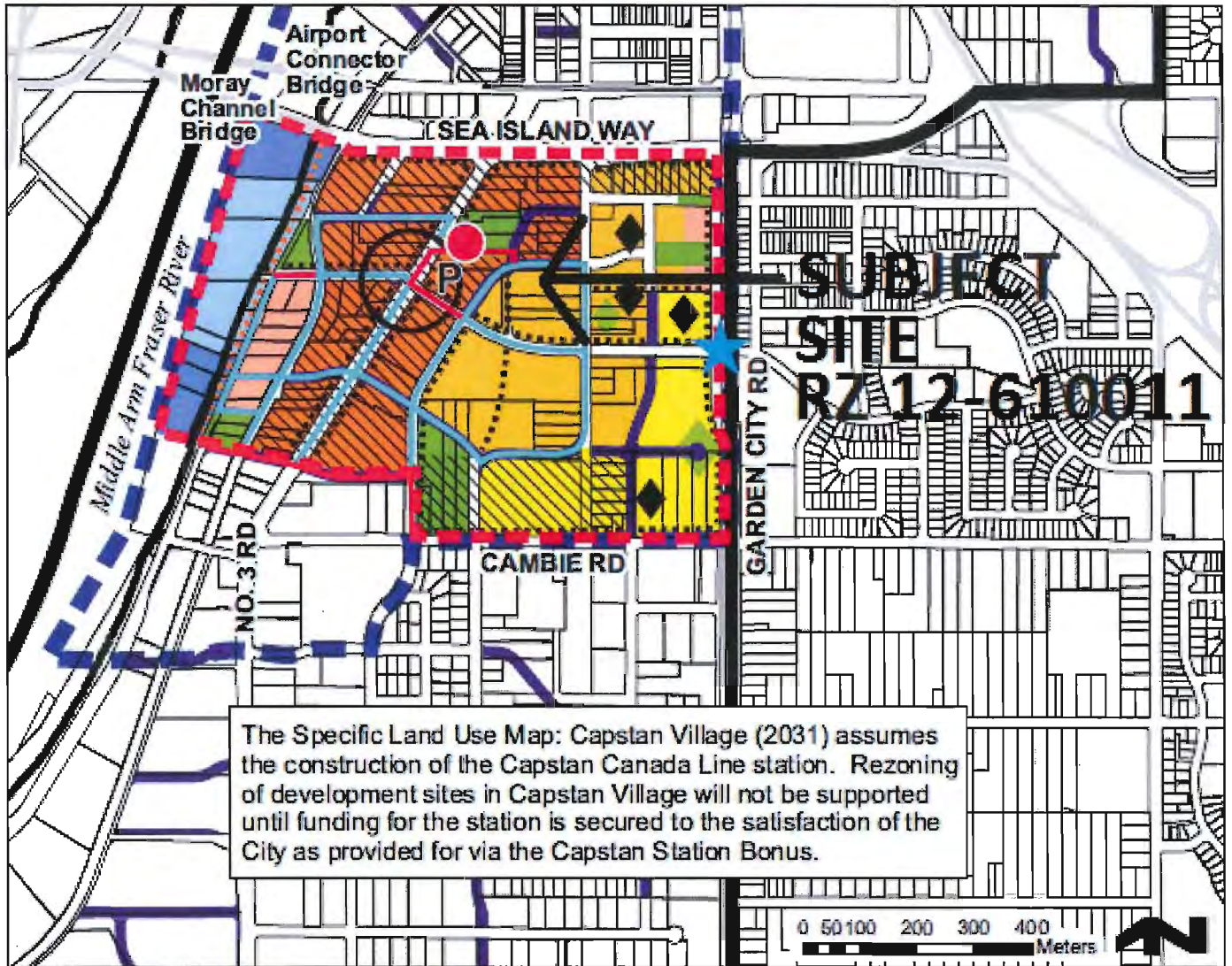


	RZ 12-610011	Original Date: 03/05/14 Revision Date: Note: Dimensions are in METRES
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	<p>RZ 12-610011</p>	<p>Original Date: 04/03/14 Revision Date: Note: Dimensions are in METRES</p>
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Specific Land Use Map: Capstan Village (2031) Bylaw 6841
2013/02/12





City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

**Development Application
 Data Sheet**

RZ 12-610011

Address: 3200, 3220, 3240, 3300 & 3320 No. 3 Road & 3171, 3191, 3211, 3251, 3271, 3291, 3331 & 3371 Sexsmith Road

Applicant: Pinnacle International (Richmond) Plaza Inc.

Planning Area: City Centre (Capstan Village)

Floor Area Gross: 131,275.4 m² (estimate) Floor Area Net: 126,575.4 m²

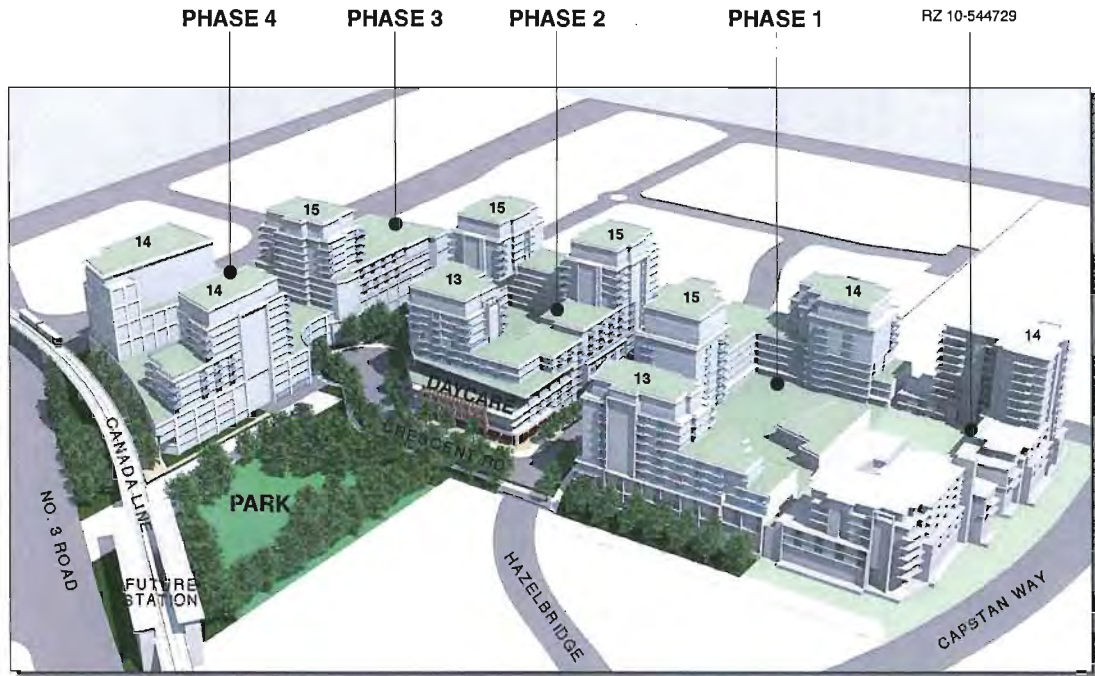
	Existing	Proposed
Owner	<ul style="list-style-type: none"> Pinnacle International (Richmond) Plaza 	<ul style="list-style-type: none"> No change
Site Size	<ul style="list-style-type: none"> Gross site: 42,591.8 m² (10.5 ac) 	<ul style="list-style-type: none"> "Net Development Site": 39,203.2 m² (9.7 ac)
Land Uses	<ul style="list-style-type: none"> Large single-family residential lots (vacant) 	<ul style="list-style-type: none"> High-rise apartment & commercial Artist Residential Tenancy Studio (ARTS) units Early Childhood Development (ECD) Hub Park Road
OCP Designation	<ul style="list-style-type: none"> Mixed Use Park 	<ul style="list-style-type: none"> No change
City Centre Area Plan (CCAP) Designation	<ul style="list-style-type: none"> Urban Centre T5 (35 m & 45 m) (2.0 FAR) Village Centre Bonus (1.0 FAR) Capstan Station Bonus (0.5 FAR) Park Pedestrian Linkages Proposed Streets 	<ul style="list-style-type: none"> No change. CCAP permits: <ul style="list-style-type: none"> 100% of net site area to be used for residential density (39,204.5 m²); & 73% of net site to be used for Village Centre Bonus density (28,568.5 m²)
Zoning	<ul style="list-style-type: none"> Single Detached (RS1/F) 	<ul style="list-style-type: none"> Residential / Limited Commercial & Artist Residential Tenancy Studio (ARTS) Units (ZMU25) – Capstan Village (City Centre)
Net Floor Area	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Non-Residential: 28,567.4 m² <ul style="list-style-type: none"> 95% Commercial: 27,139.0 m² 5% ECD Hub: 1,428.4 m² Residential: 98,008.0 m² <ul style="list-style-type: none"> 94% Market units: 91,783.8 m² 5% Affordable housing: 4,830.7 m² 1% ARTS units: 1,393.5 m² Total: 126,575.4 m²
Number of Units	<ul style="list-style-type: none"> Nil (vacant) 	<ul style="list-style-type: none"> Market units: +/-1,048 Affordable housing: +/-63 <ul style="list-style-type: none"> Approx. 20% 1-BR, 60% 2-BR & 20% 3-BR ARTS units: 17 <ul style="list-style-type: none"> Approx. 30% Bach, 40% 1-BR & 30% 2-BR Total: +/-1,128
Accessible Housing	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Basic Universal Housing (BUH): <ul style="list-style-type: none"> 100% affordable housing units 1 ARTS unit 15% market residential units Aging in Place Features: 100% units

Aircraft Noise Sensitive Development	<ul style="list-style-type: none"> • ANSD "Area 3": Moderate Aircraft Noise Area (All land uses may be considered) <ul style="list-style-type: none"> - Restrictive covenant(s), acoustic reports, noise mitigation, mechanical ventilation & air conditioning capability or equivalent are required
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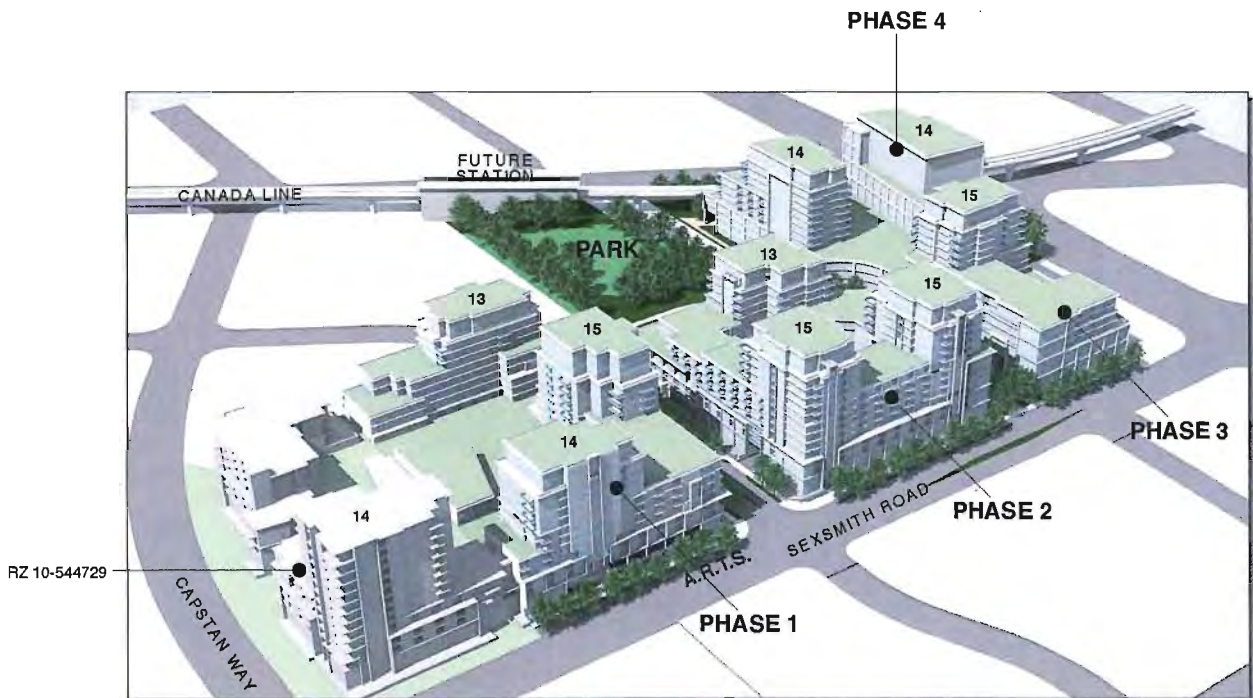
On Future Subdivided Lots	New Site Specific "ZMU25" Zone	Proposed Development	Variance
Net Floor Area Ratio (FAR)	<ul style="list-style-type: none"> • Residential: 2.5 • Village Centre Bonus: 1.0 	<ul style="list-style-type: none"> • Residential: 2.5 • Village Centre Bonus: 1.0 	<ul style="list-style-type: none"> • None permitted
Buildable Floor Area (Max.)	<ul style="list-style-type: none"> • Residential (R): 98,008.0 m², including Artist Residential Tenancy Studio (ARTS) units & affordable housing • Non-residential (NR): 28,567.4 m², including Early Childhood Development (ECD) Hub • Total: 126,575.4 m² 	<ul style="list-style-type: none"> • Lot 1: (R) 35,144.1 m² & (NR) Nil • Lot 2: (R) 39,194.5 m² & (NR) 1,688.5 m² • Lot 3: (R) 15,732.2 m² & (NR) Nil • Lot 4: (R) 7,937.2 m² & (NR) 26,878.9 m² 	<ul style="list-style-type: none"> • None permitted
Lot Coverage (Building)	<ul style="list-style-type: none"> • Max. 90%, excluding areas granted via a statutory right-of-way for road or park 	<ul style="list-style-type: none"> • 90% 	<ul style="list-style-type: none"> • None
Lot Size (Min.)	<ul style="list-style-type: none"> • Lot 1: 9,000 m² • Lot 2: 8,800 m² • Lot 3: 3,200 m² • Lot 4: 7,000 m² 	<ul style="list-style-type: none"> • Lot 1: 9,131 m² • Lot 2: 8,936 m² • Lot 3: 3,429 m² • Lot 4: 7,175 m² 	<ul style="list-style-type: none"> • None
Setback @ Canada Line	<ul style="list-style-type: none"> • For dwellings, amenity space & child care): 20.0 m, but may be 10.0 m based on an approved DP • Other uses: 6.0 m, but may be 3.0 m based on an approved DP 	<ul style="list-style-type: none"> • For dwellings, amenity space & child care): 10.0 m minimum • Other uses: 3.0 m minimum 	<ul style="list-style-type: none"> • None
Setback @ Road & Park	<ul style="list-style-type: none"> • 6.0 m, but may be 3.0 m based on an approved DP 	<ul style="list-style-type: none"> • 3.0 m minimum 	<ul style="list-style-type: none"> • None
Setback @ Interior Side Yard	<ul style="list-style-type: none"> • 6.0 m, but may be 0.0 m based on an approved DP 	<ul style="list-style-type: none"> • 0.0 m minimum 	<ul style="list-style-type: none"> • None
Setback for Parking Below Grade	<ul style="list-style-type: none"> • 0.0 m 	<ul style="list-style-type: none"> • 0.0 m 	<ul style="list-style-type: none"> • None
Height	<ul style="list-style-type: none"> • North of Hazelbridge Way: 47 m GSC • South of Hazelbridge Way: 35 m, but may be 47 m GSC based on an approved DP 	<ul style="list-style-type: none"> • Varies (47 m GSC maximum) 	<ul style="list-style-type: none"> • None
Off-Street Parking Spaces (Min.) • Residents (R) • Affordable & ARTS unit residents (A) • Visitors (V)	<p>"Zone 1" @ build-out:</p> <ul style="list-style-type: none"> • (R) 0.9 spaces/unit* • (A) 0.81 spaces/unit* • (V) 0.18 spaces/unit/** <p>* Includes approved transportation demand management (10%) reduction ** 50% Visitor may be shared with Commercial</p>	<ul style="list-style-type: none"> • (R) +/- 1,048 spaces • (A) +/- 66 spaces • (V) +/- 103 spaces • Sub-total: +/- 1,217 spaces* <p>* Includes 99 pre-approved spaces @ 8677 Capstan Way</p>	<ul style="list-style-type: none"> • None
Off-Street Parking Spaces (Min.) • Commercial (C) • Early Childhood Development Hub (ECD)	<p>"Zone 1" @ build-out:</p> <ul style="list-style-type: none"> • (C) varies with specific use* • (ECD) 32 spaces <p>* Transportation demand management (10%) reduction permitted</p>	<ul style="list-style-type: none"> • (C) +/- 586 spaces* • (ECD) 32 spaces • Sub-total: 618 spaces <p>* 250 spaces secured via a SRW on Lot 1, including 125 for general public use</p>	<ul style="list-style-type: none"> • None
Off-Street Parking – • Total Spaces	<ul style="list-style-type: none"> • To be confirmed on a DP-by-DP basis 	<ul style="list-style-type: none"> • +/- 1,835 spaces* <p>* Includes 99 pre-approved spaces @ 8677 Capstan Way</p>	<ul style="list-style-type: none"> • None
Tandem (Resident) Parking Spaces	<ul style="list-style-type: none"> • Permitted 	<ul style="list-style-type: none"> • To be determined 	<ul style="list-style-type: none"> • None

On Future Subdivided Lots	New Site Specific "ZMU25" Zone	Proposed Development	Variance
Amenity Space – Indoor	<ul style="list-style-type: none">• 2 m²/unit• Approx. 2,256 m², based on 1,128 units	<ul style="list-style-type: none">• As required	<ul style="list-style-type: none">• None
Amenity Space – Outdoor (OCP) & Landscaping (CCAP)	<ul style="list-style-type: none">• OCP: 6.0 m²/unit• CCAP: 10% net site	<ul style="list-style-type: none">• As required	<ul style="list-style-type: none">• None
Capstan Station Bonus – Park Requirement	<ul style="list-style-type: none">• 5.74 m² per unit or 6,810.4 m², whichever is greater	<ul style="list-style-type: none">• Fee simple: 5,000.4 m² (1.23 ac)• SRW: 1,810.0 m² (0.45 ac)• Total: 6,810.4 m² (1.68 ac)	<ul style="list-style-type: none">• None

Other: Tree replacement compensation required for the loss of any significant trees.



Aerial View from Southwest (Capstan & No 3)



Aerial View from Southeast (Capstan & Sexsmith)

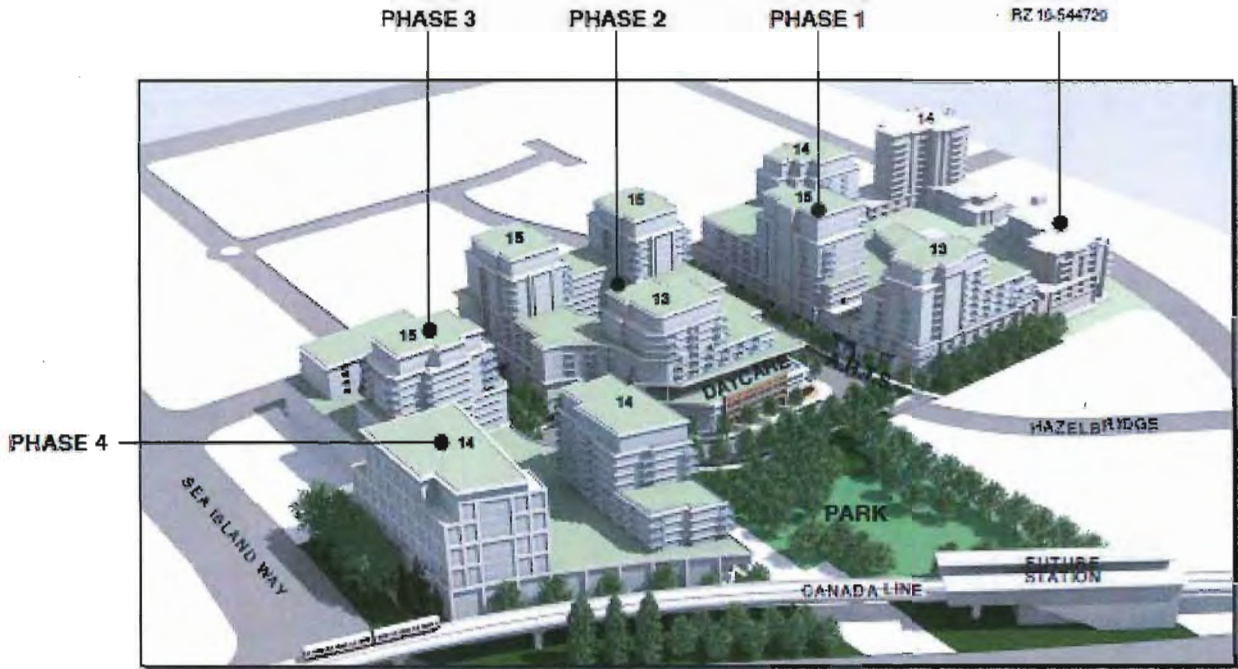
Massing Concept

Rezoning Application
 Capstan Village

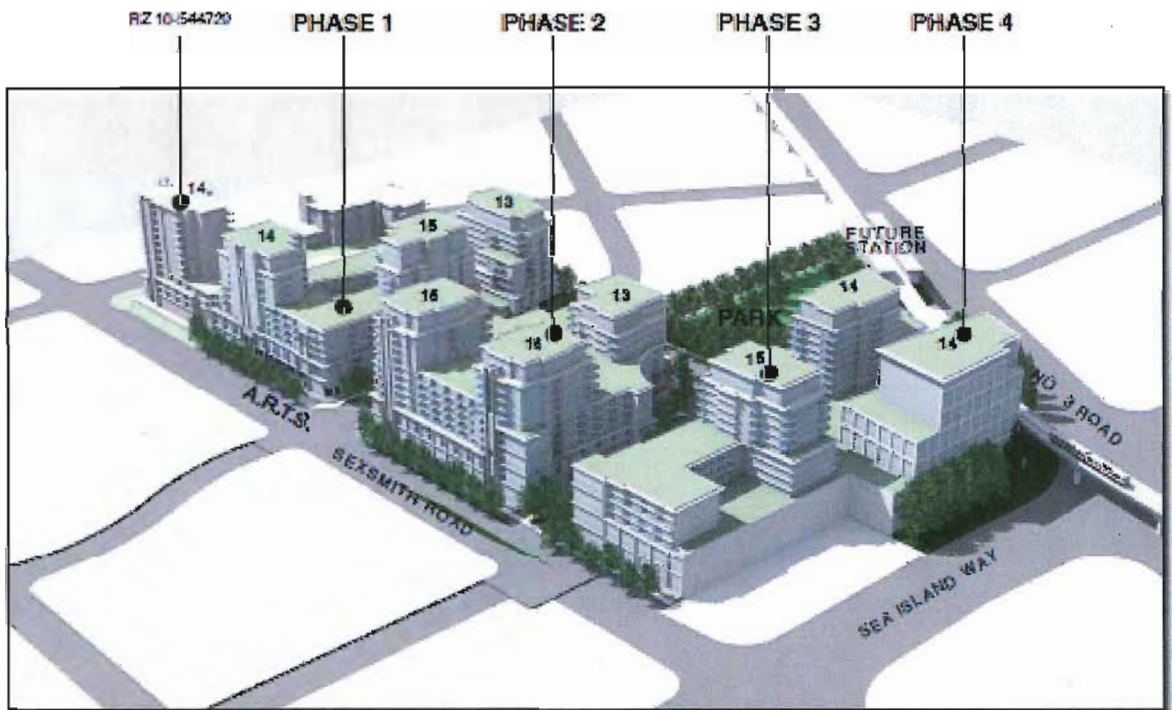
City of Richmond

PINNACLE INTERNATIONAL
 BINGHAM HILL ARCHITECTS

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Aerial View from Northwest (No 3 & Sea Island)

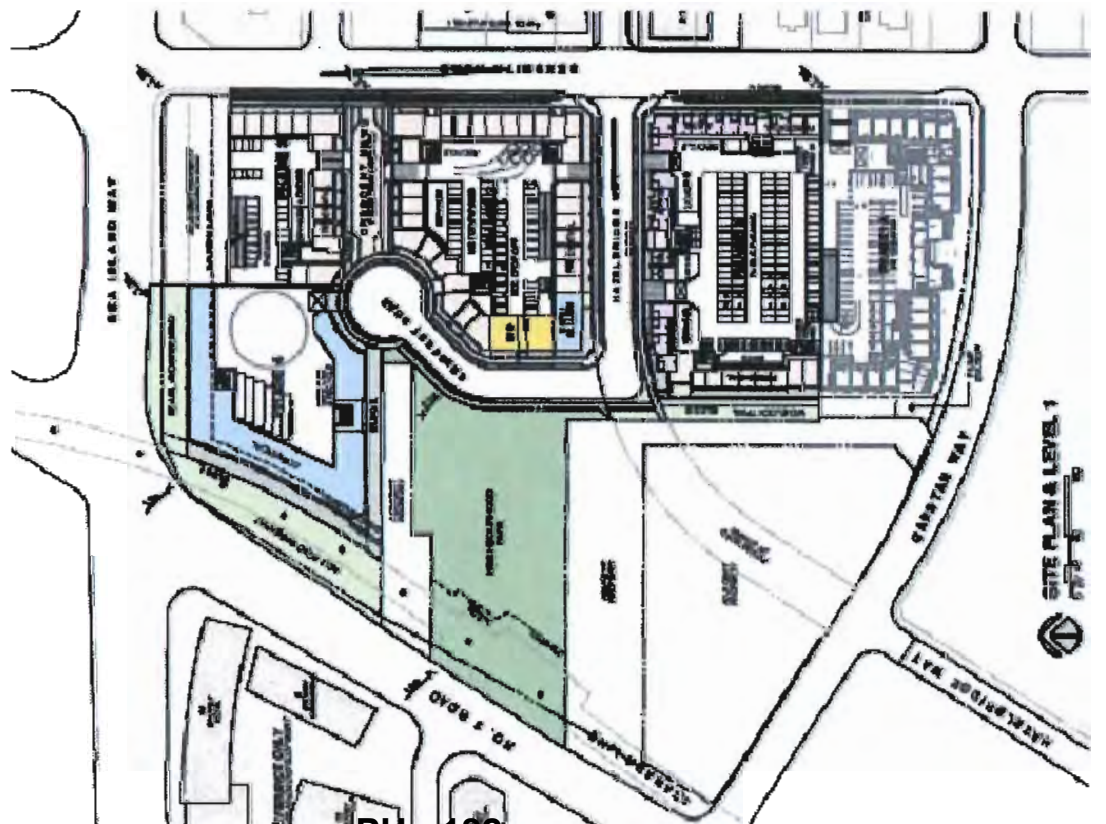
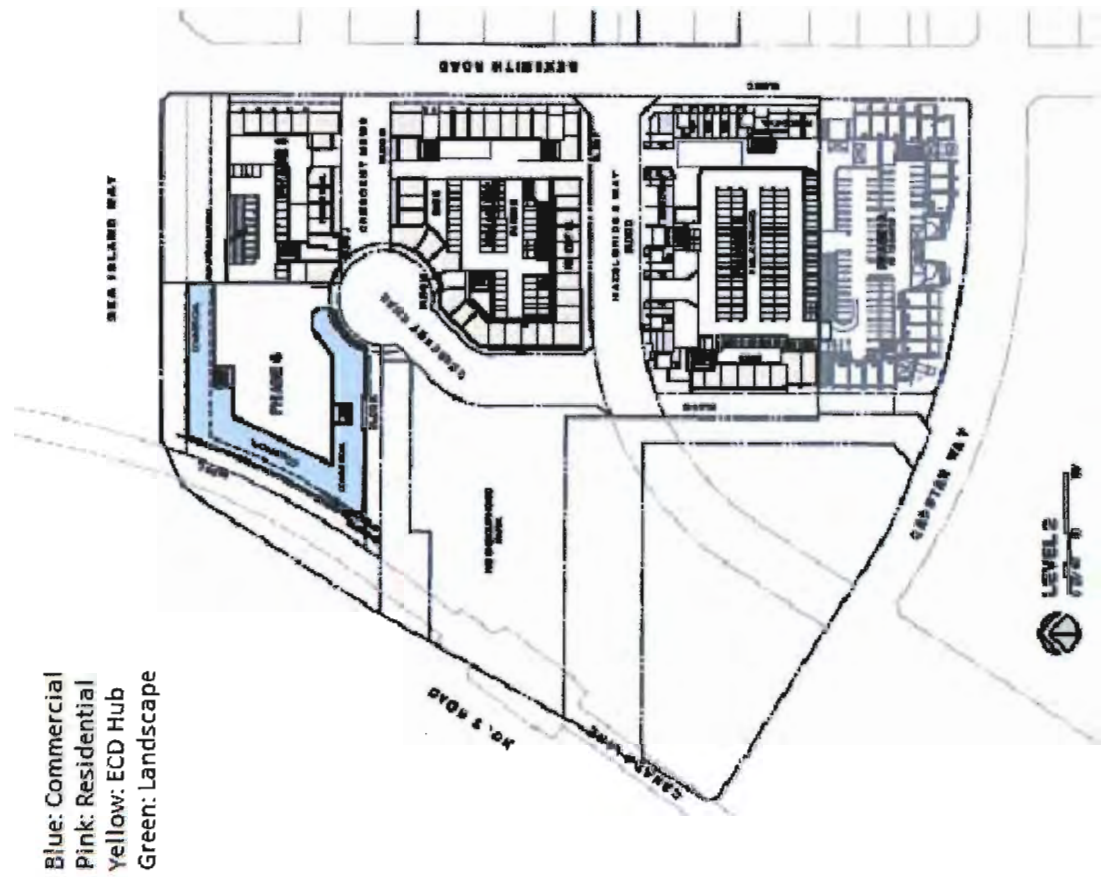


Aerial View from Northeast (Sexsmith & Sea Island)

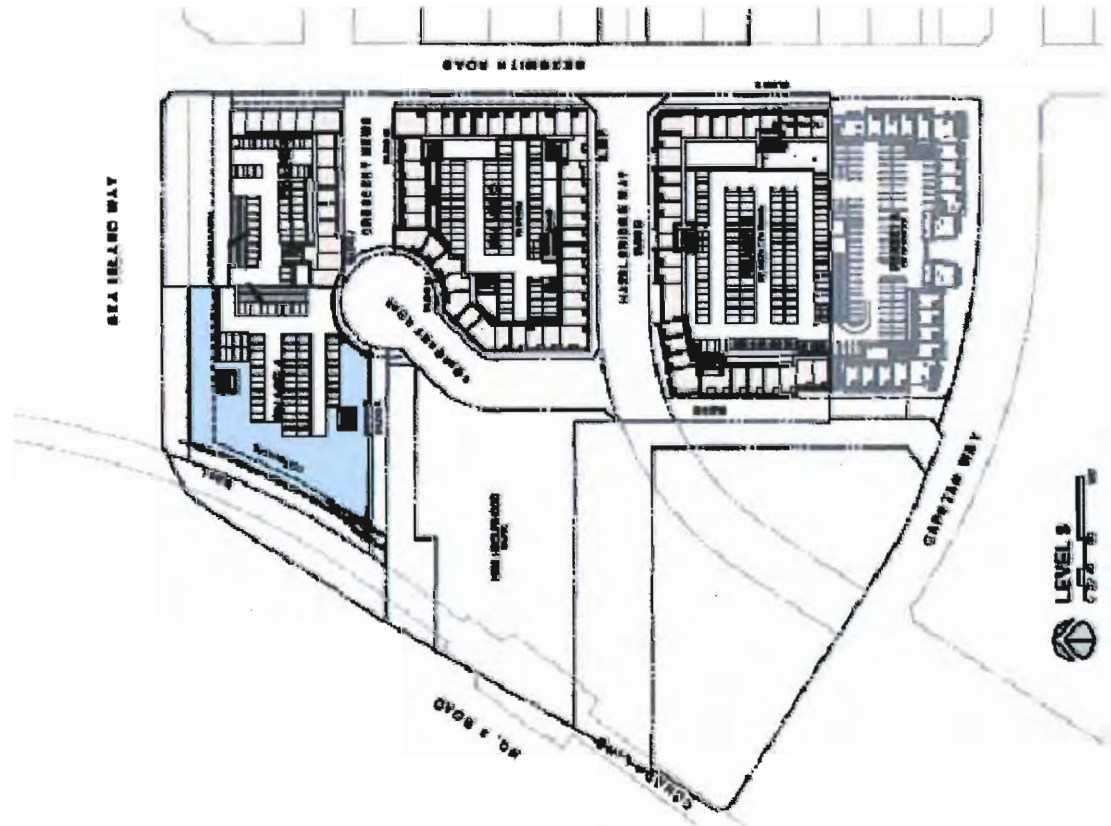
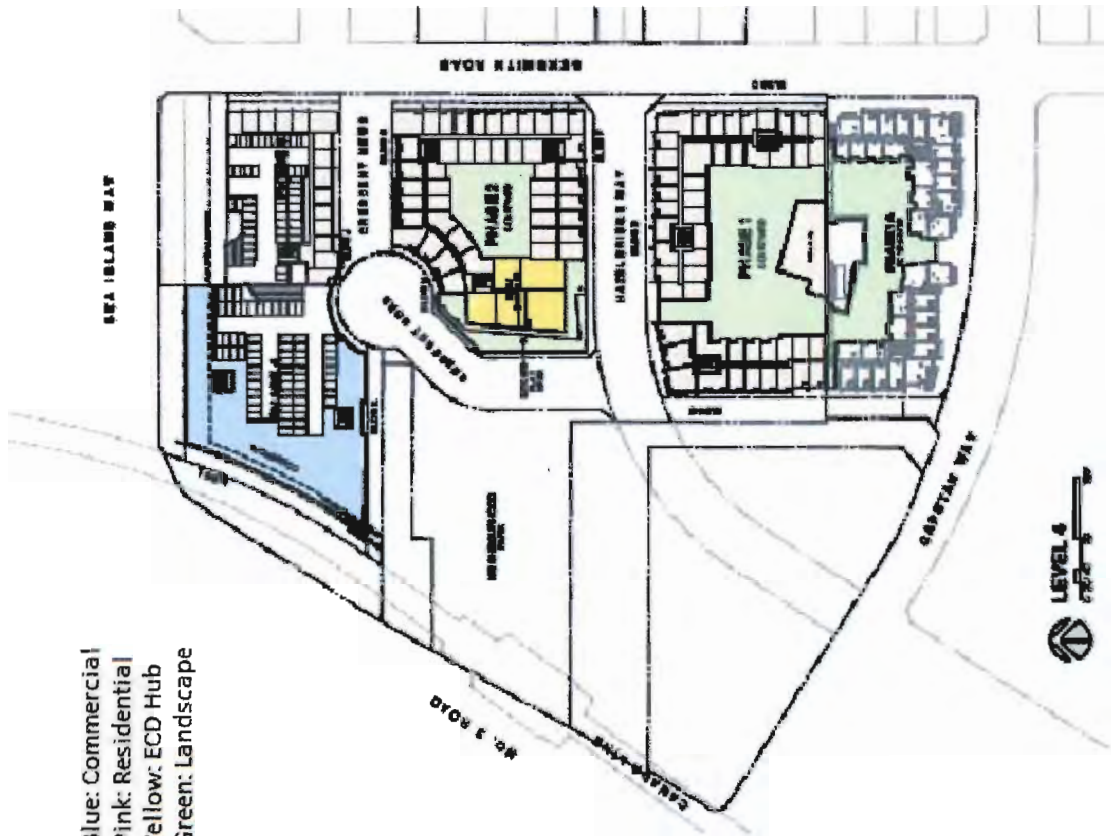
Massing Concept

Rezoning Application
 Capstan Village
 City of Richmond

PINNACLE INTERNATIONAL
 BINGHAM HILL ARCHITECTS

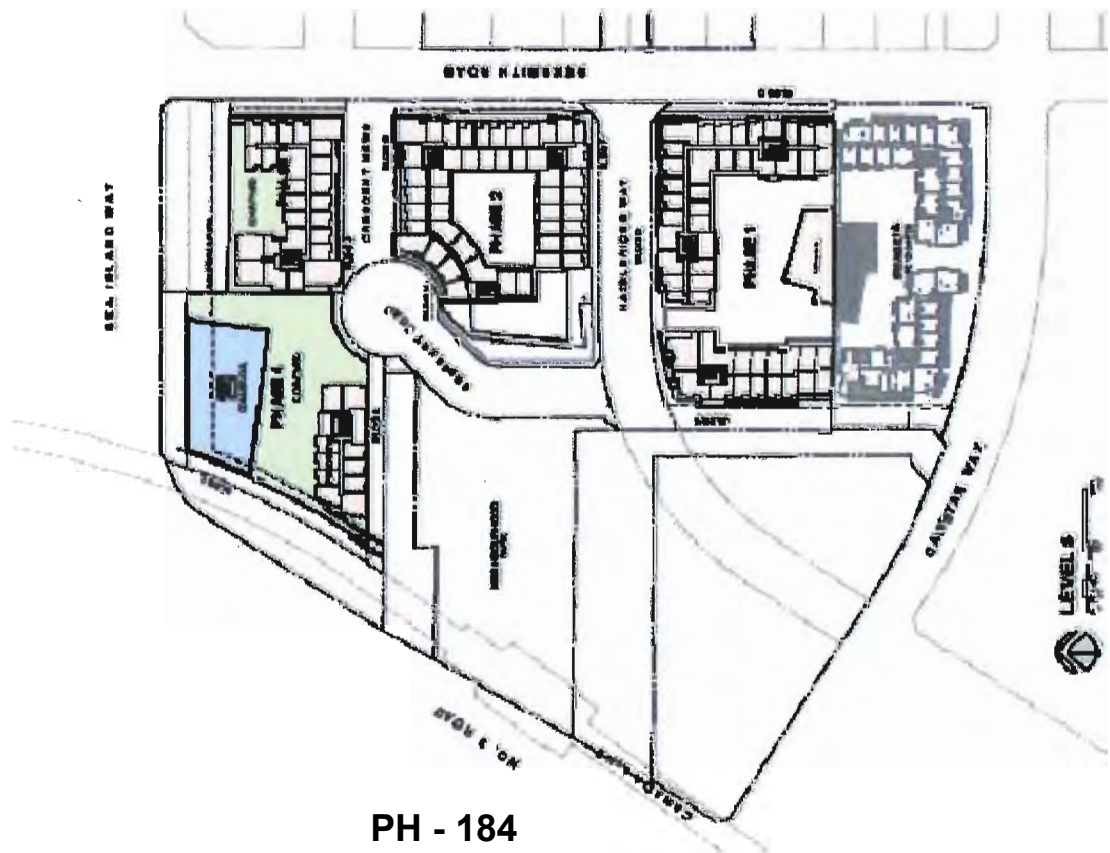
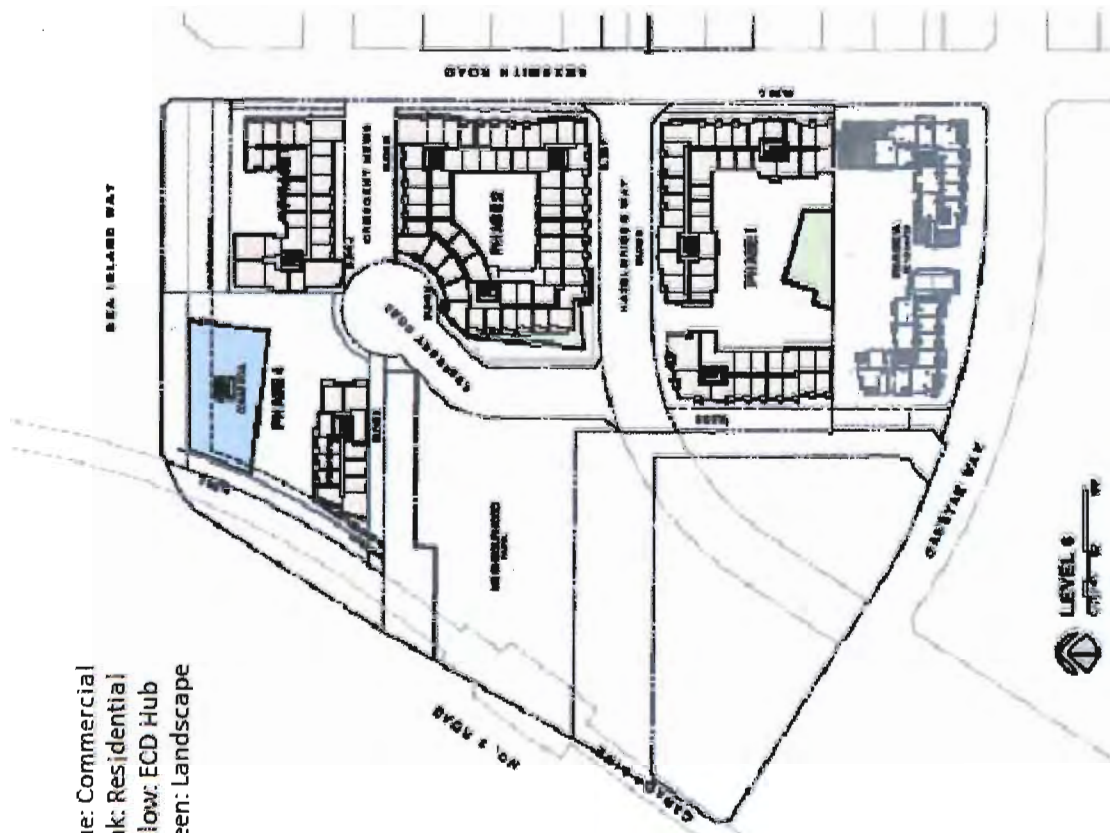


Blue: Commercial
 Pink: Residential
 Yellow: ECD Hub
 Green: Landscape

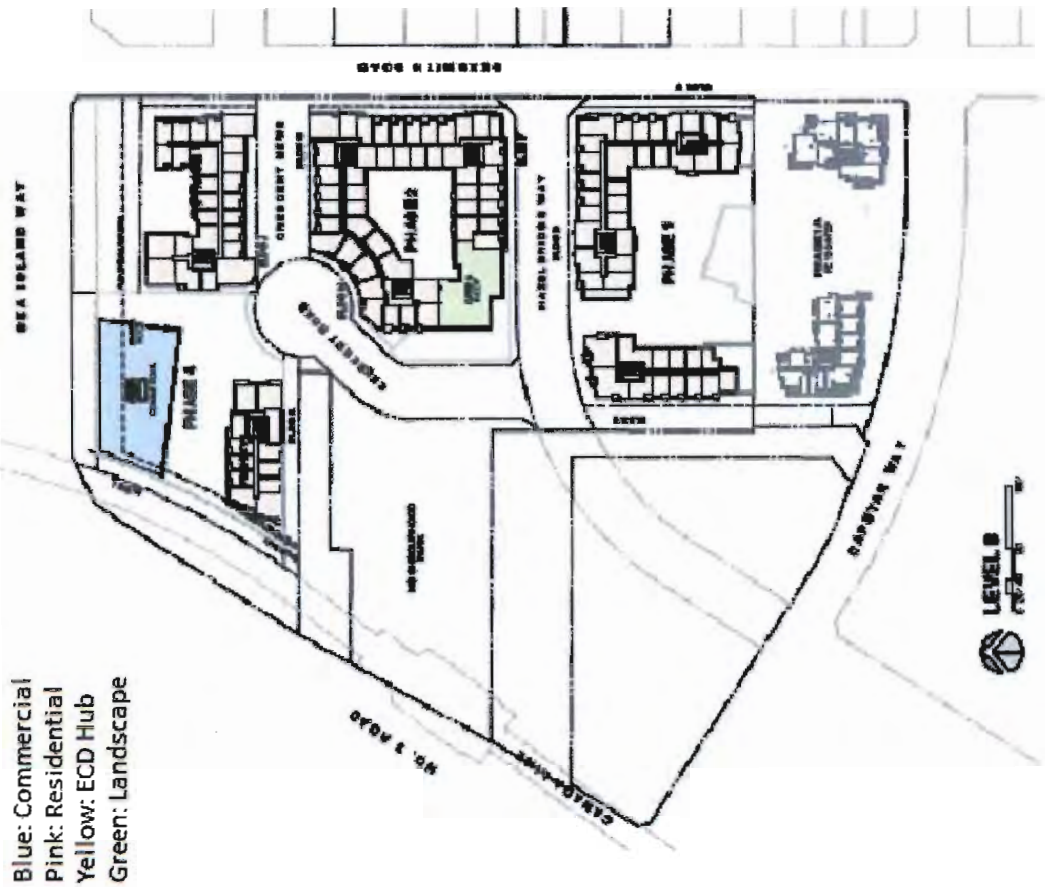


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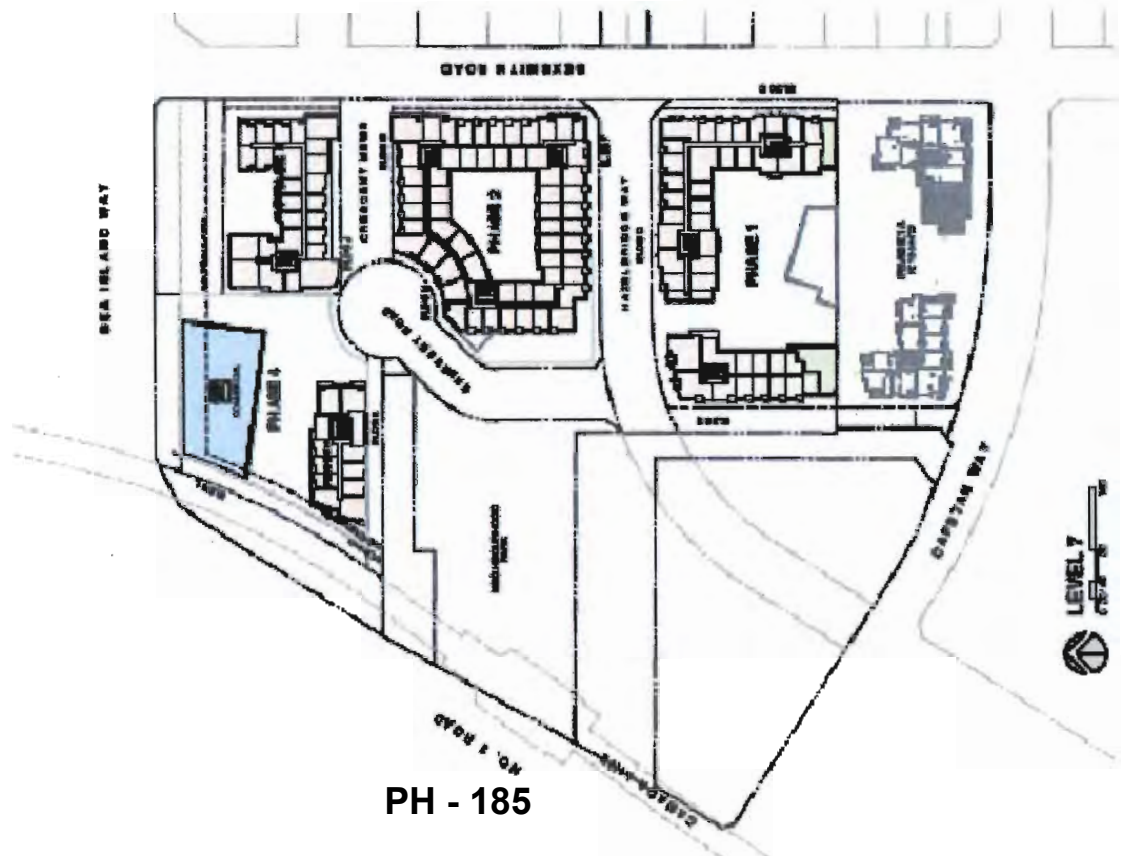
Blue: Commercial
 Pink: Residential
 Yellow: ECD Hub
 Green: Landscape



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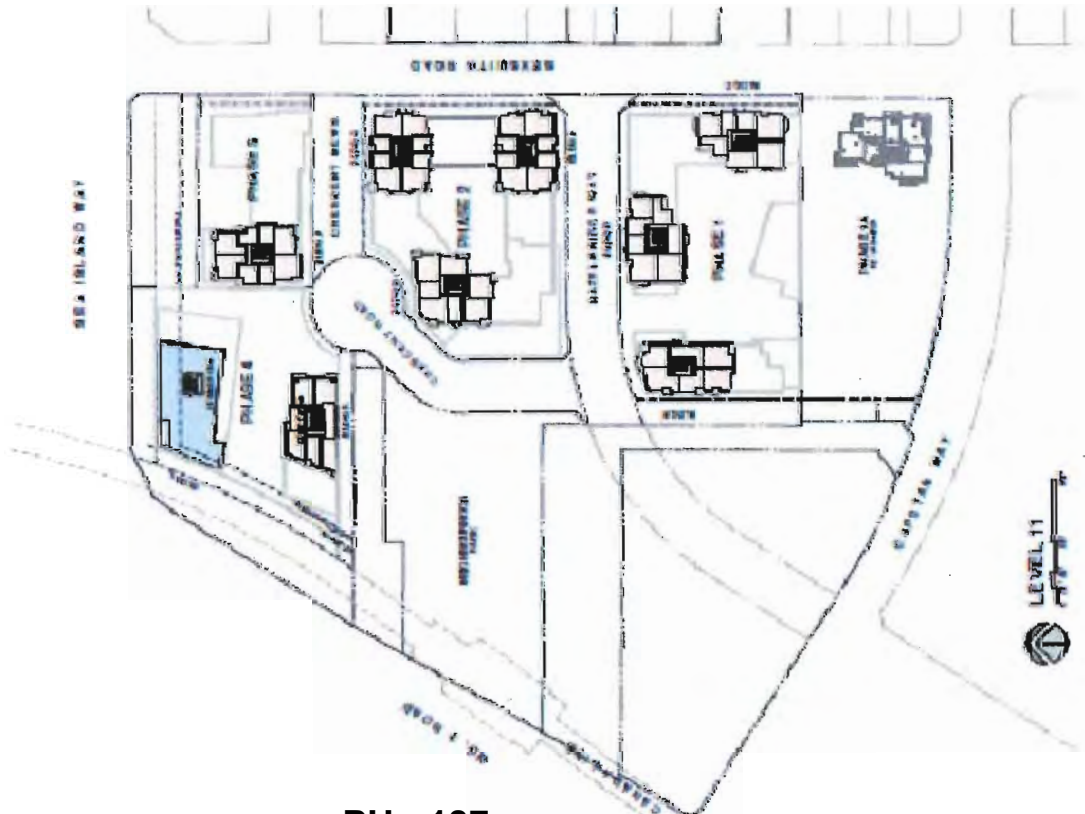
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 Pink: Residential
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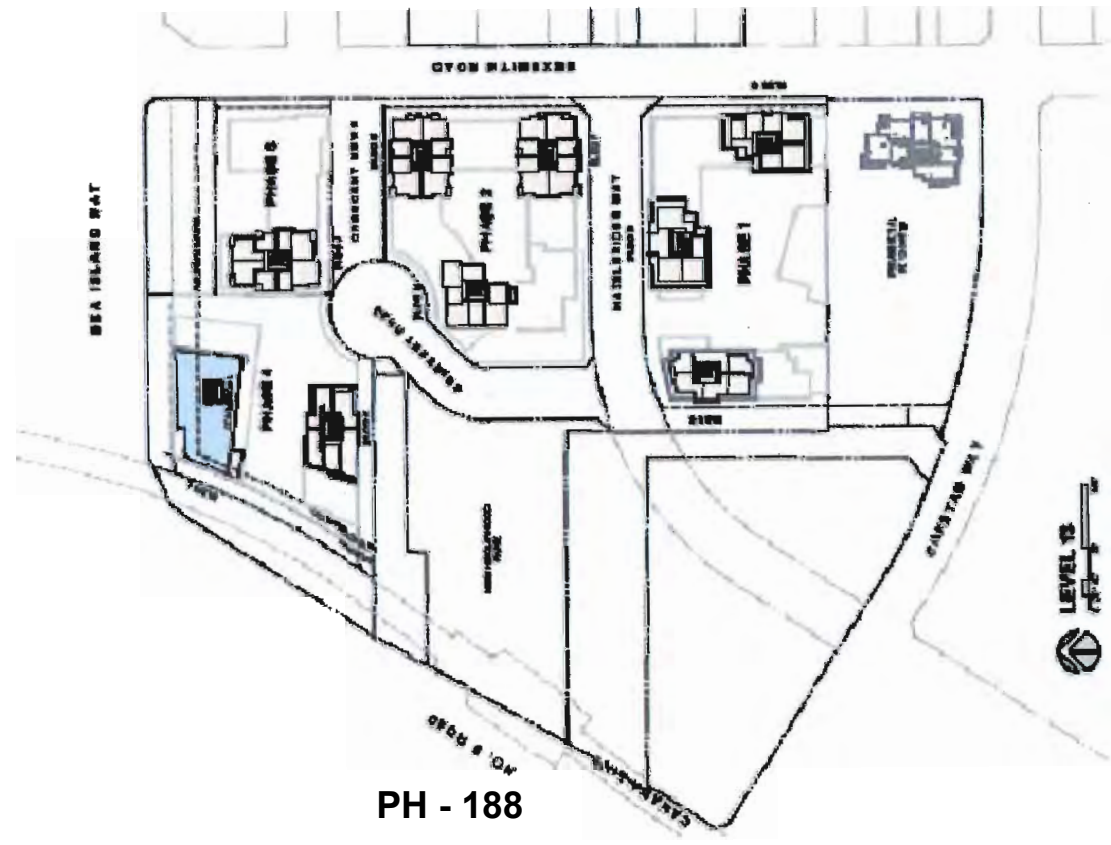
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Blue: Commercial
 Pink: Residential
 Yellow: ECD Hub
 Green: Landscape

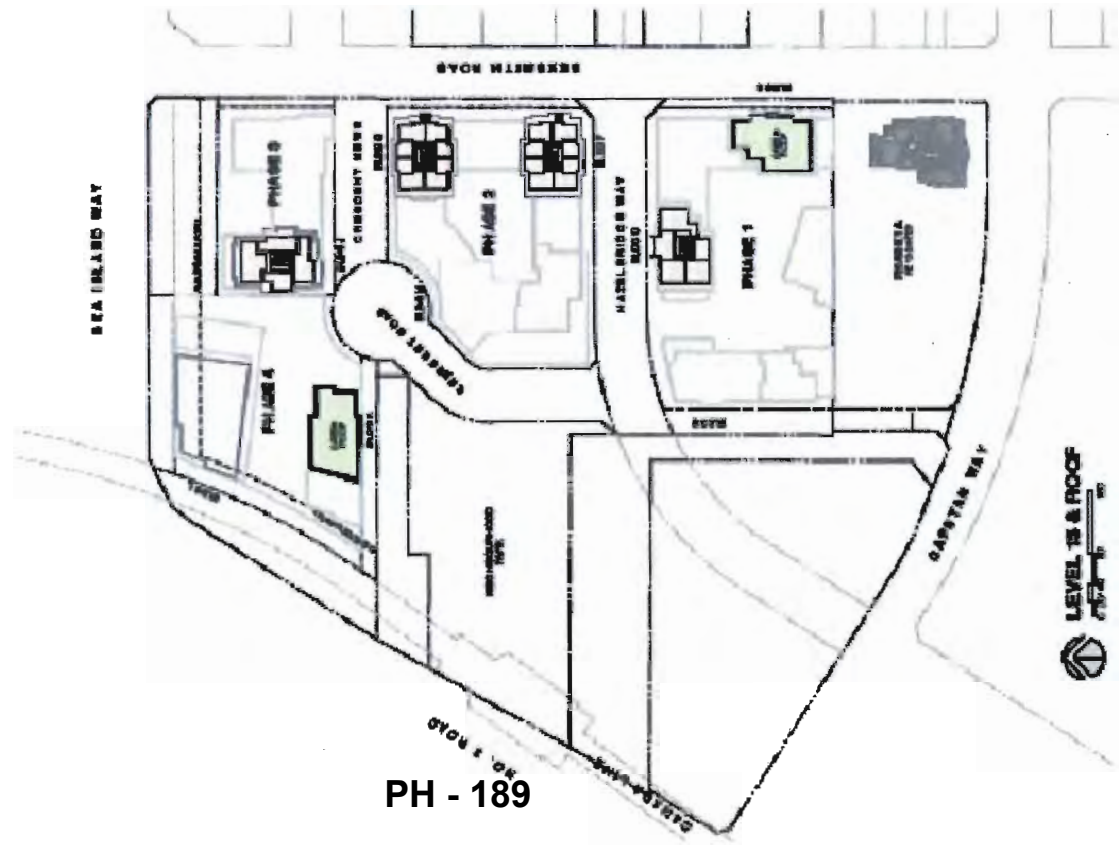


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Blue: Commercial
 Pink: Residential
 Yellow: ECD Hub
 Green: Landscape

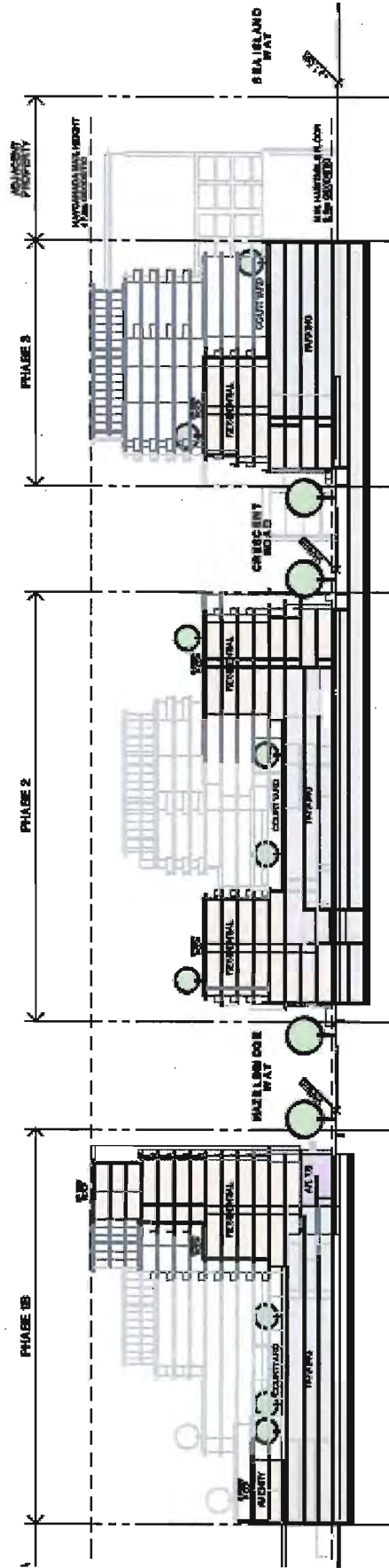
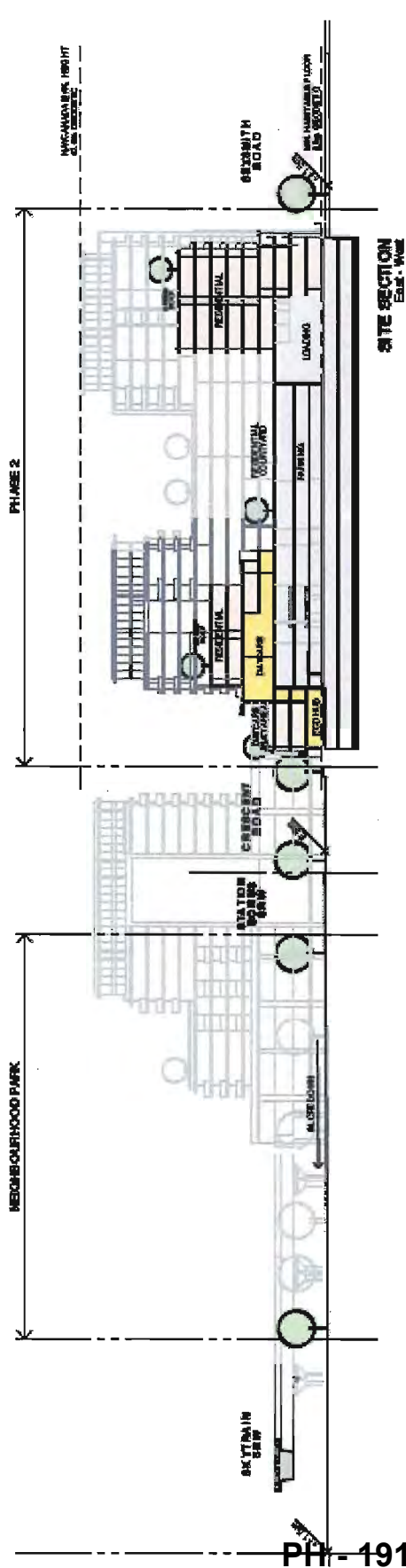


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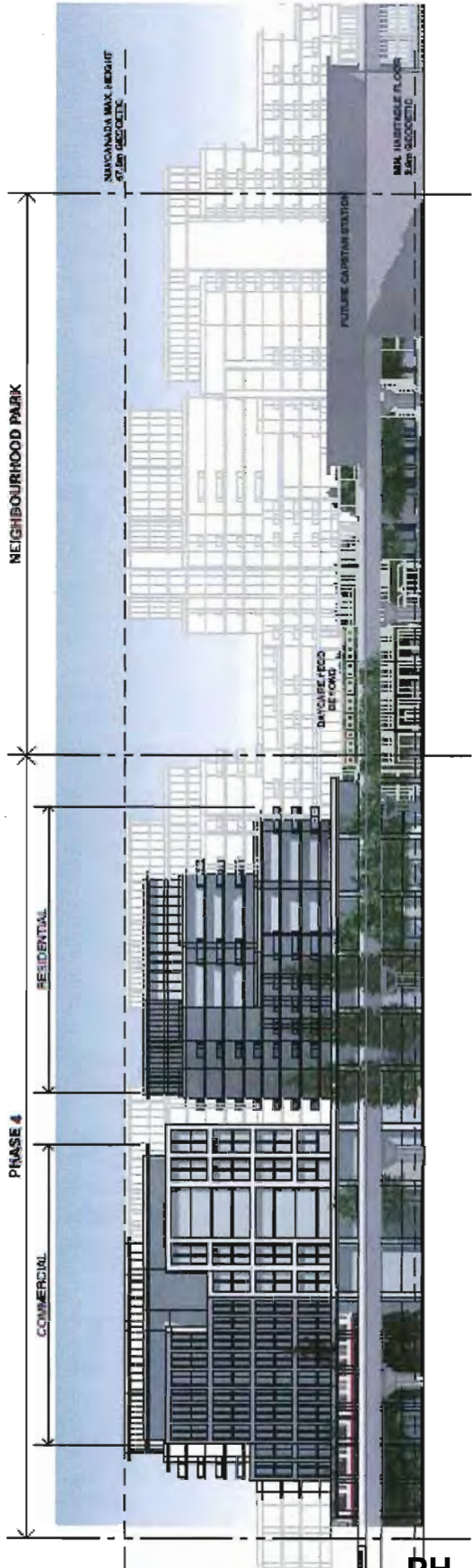
Attachment 5
Conceptual Development Plans



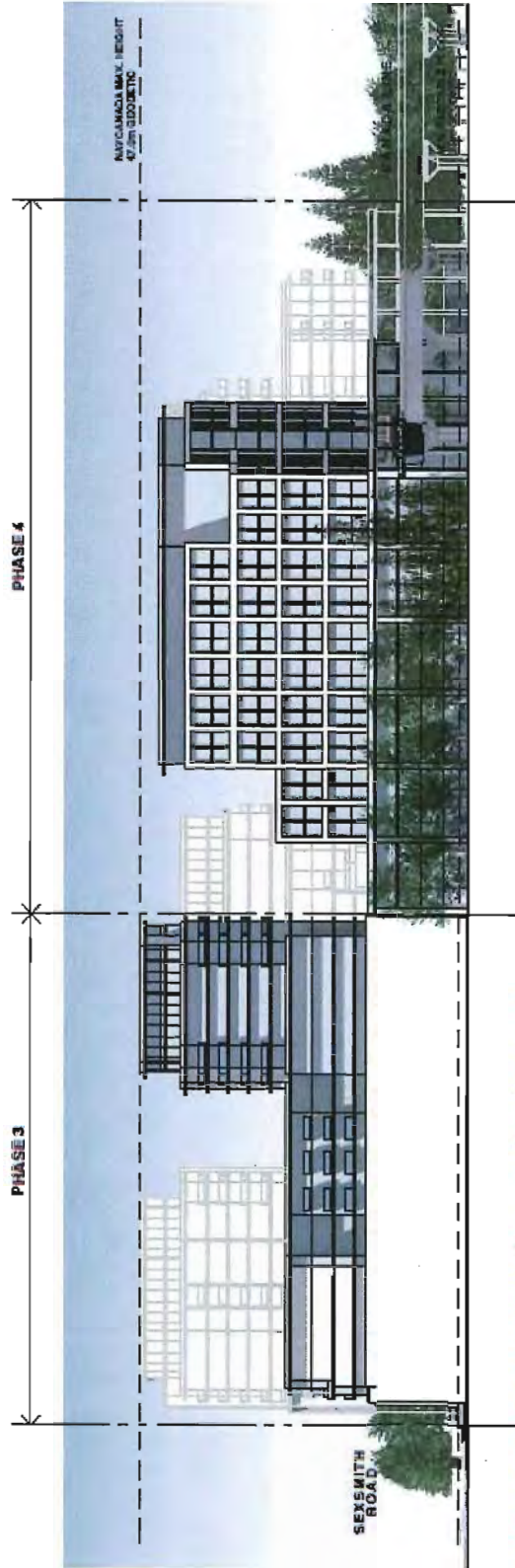
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Site Sections

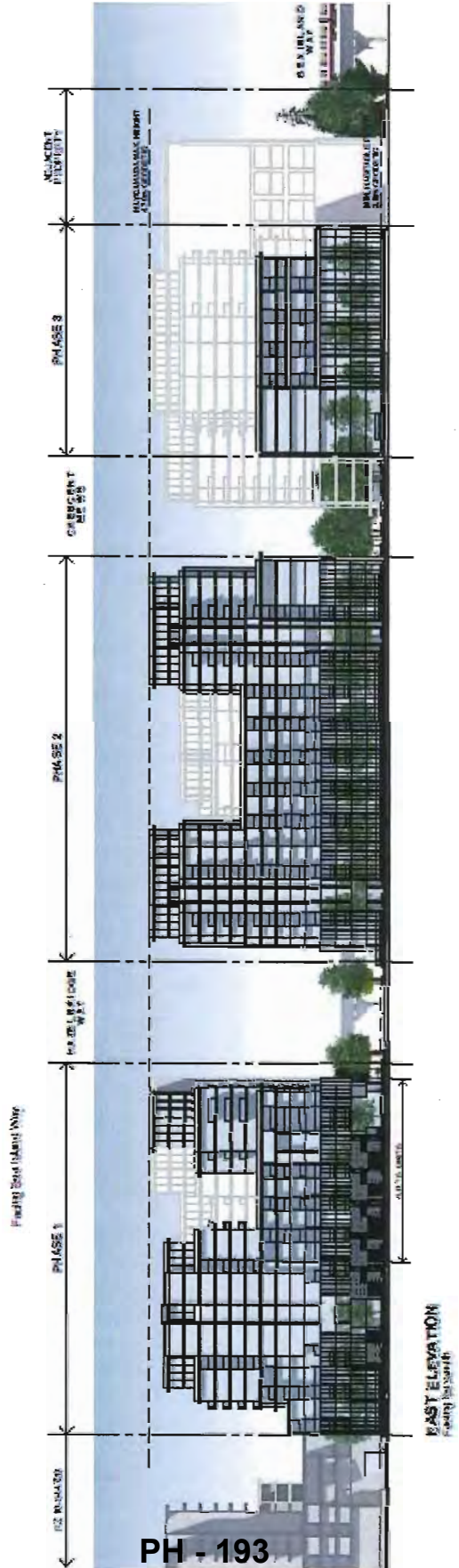


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WEST ELEVATION (No. 3 Road)



NORTH ELEVATION (Sea Island Way)

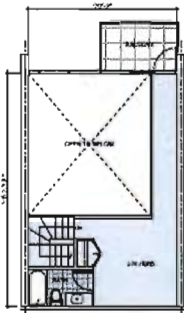
Attachment 5
Conceptual Development Plans



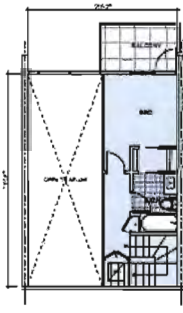
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EAST ELEVATION
Facing (to South)

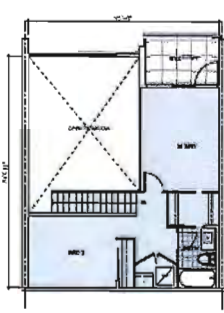
Attachment 5
Conceptual Development Plans



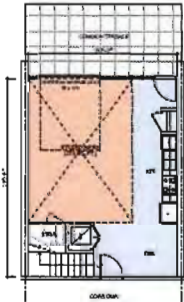
ARTS - BACHELOR
 LEVEL2



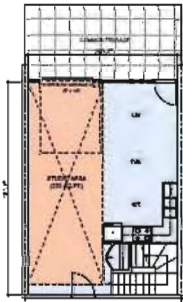
ARTS - 1 BEDROOM
 LEVEL2



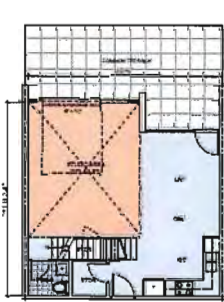
ARTS - 2 BEDROOM
 LEVEL2



ARTS - BACHELOR
 LEVEL1



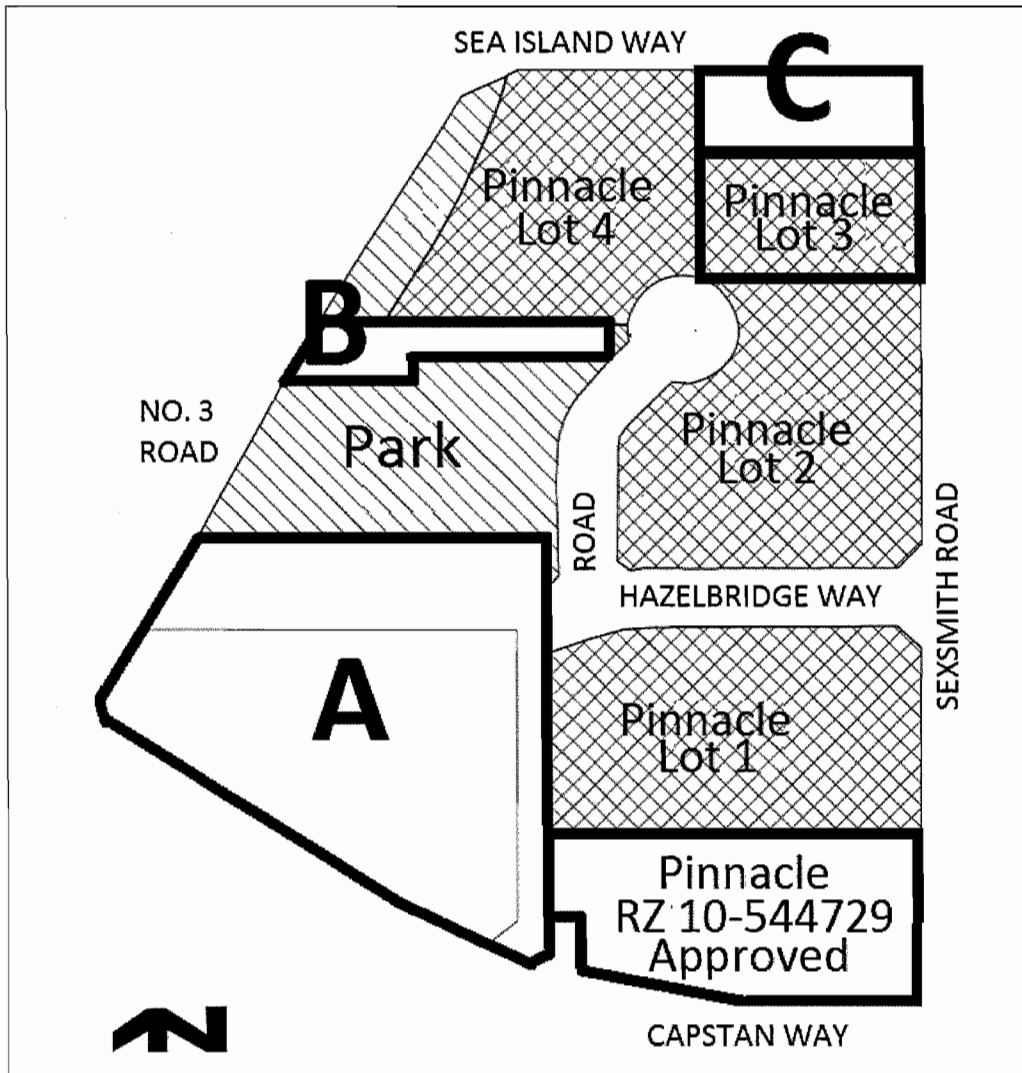
ARTS - 1 BEDROOM
 LEVEL1



ARTS - 2 BEDROOM
 LEVEL1



View To ARTS units facing Sexsmith Road
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- A** **3360 No. 3 Road & 8511 Capstan Way:** This 1.58 ha (3.91 ac), corner site is large enough to accommodate high density development in a manner consistent with the CCAP.
- B.** **3280 No. 3 Road:** This 0.16 ha (0.4 ac), mid-block lot belongs to the same owner as “A”, is designated under the CCAP for park, and is included on the City’s Development Cost Charge (DCC) park acquisition program. Its development and compensation can, thus, be managed through the City’s standard development and land acquisition processes (e.g., dedication and DCC credits).
- C.** **3131 Sexsmith Road:** This 0.20 ha (0.51 ac), corner lot belongs to the same owner as “A” and “B”. It is considered to be “orphaned” because it is designated for high density development, but is too small to achieve this in a form consistent with CCAP objectives. To address this, Pinnacle International has agreed that, prior to adoption of the subject rezoning, a “no development” covenant will be registered on “Pinnacle Lot 3” restricting Development Permit (DP) issuance for that lot until it is consolidated with “C”, the owner of “C” transfers the density elsewhere (i.e. through rezoning of “A”), or, if those options are not feasible, through the DP approval process for “Pinnacle Lot 3”, additional legal agreements are registered on “Pinnacle Lot 3” and related features are incorporated to facilitate the future development of “C” to the City’s satisfaction.

3. RZ 12-610011– 4-PHASE, HIGH DENSITY, HIGH RISE, MIXED USE DEVELOPMENT, INCLUDING A NEW PARK AND ROADS, NEAR THE FUTURE CAPSTAN CANADA LINE STATION

APPLICANT: Pinnacle International (Richmond) Plaza Inc.

PROPERTY LOCATION: 3200, 3220, 3240, 3300 & 3320 No 3 Road & 3171, 3191, 3211, 3231, 3251, 3271, 3291, 3331 & 3371 Sexsmith Road

Applicant's Presentation

John Bingham, Bingham Hill Architects, and Peter Kreuk, Durante Kreuk Ltd., presented the project and answered queries from the Panel on behalf of the applicant.

Panel Discussion

Comments from the Panel were as follows:

- a very significant project; glad to see the area being developed;
- would like to see utility ROW planning during the master planning stage as the City develops the District Energy System serving the area;
- LEED Equivalent Checklist shows that the proposed development is aiming for three energy points; would like to see a more detailed strategy to achieve the three energy points, e.g. whether through the mechanical system, building envelope or a combination of both, in the applicant's next presentation to the Panel;
- well-done and thought-out project;
- massing is fantastic; like the south-facing courtyards which allow good sunlight penetration;
- appreciate most the cross sections; they show that the project is complex and a lot has been put on the property;
- appreciate the minimal asphalt surface and a lot of greens on the proposed development;
- hope that the project's LEED Silver equivalency target will be achieved; hope higher LEED levels can be targeted for future phases;
- good massing and setbacks; reconsider colour palette; colours shown in the character sketch of the architecture (i.e., shades of yellow, red and blue) are not appropriate for the size of the buildings;
- the proposed project is huge, terrific and exciting;
- packages provided by the applicant are understandable; great presentation by the applicant;

- Phase 2 courtyard is too enclosed; sunlight penetration is adequate but can be further enhanced; density to the south of the courtyard could be better placed on top of the tower;
- pedestrian movement from the future Capstan Canada Line Station is heavily oriented towards Crescent Mews; pedestrian thrust is lacking towards Hazelbridge Way; heavy pedestrian movement is expected through Hazelbridge Way, the Concord Gardens project and the park beyond;
- landscape design is conventional; would like to see one palette design throughout the project;
- consider further treatment to the tower façade such as introducing breaks to enhance the tower expression;
- framed element on the daycare facility facing the park is a dominant feature; consider further design development;
- architectural drawings provided by the applicant to the Panel are easy to understand; great presentation by the applicant;
- applicant is advised not to underestimate the challenges on the ARTS edge treatment; grade connection needs more careful thought; grade change along Hazelbridge Way will help the permeability of the road surface and enhance the accessibility of the entries to the ARTS units;
- consider further design development to the Neighbourhood Park in view of the expected heavy pedestrian traffic through the Park;
- location of the daycare facility may be appropriate; however, it has a tall edge; edge conditions and guardrail requirements can be onerous and pose great challenges;
- understand the consolidation challenges between the subject development and the proposed development across Sexmith Road; look at the relationship of Crescent Road and Patterson Road; traffic planning needs to consider ways to control access from Crescent Mews to Patterson Road, e.g., adding a traffic signal on Sexmith Road;
- urban forest provides a good solution to animate the edge of the Park and helps the corner plaza; also provides a good buffer between the proposed development and vehicular traffic along Sea Island Way;
- consider CPTED issues in the type of lighting to be used in the proposed development;
- security of children in the daycare facility should be considered in the design of the Phase 2 courtyard;
- look at emergency vehicles' ingress to and egress from the proposed development;

- applicant should ensure that all entrance ways to the development are well illuminated to provide guidance and direction to pedestrians;
- applicant provided a good snapshot of what to expect from the proposed development;
- distribution of affordable housing units in the proposed development is mitigated by the provision of the daycare facility and the ARTS corridor;
- appreciate the assurance of City staff to look into the aging-in-place requirements and accessibility needs of disabled residents in the proposed development;
- consider needs of young parents using strollers in the design of the pedestrian walkways and pathways on the commercial areas and towards the future Capstan Canada Line Station; also, look at opportunities to enhance the accessibility from the podium and courtyards to the street level;
- ensure continuous universal access along the grade change between the floor of the artist studios and the street level; and
- clarify ramping of vehicular entries and exits on the proposed development; not clear in the drawings.



City of Richmond

Rezoning Considerations

Development Applications Division
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 3200, 3220, 3240, 3300 & 3320 No. 3 Road & 3171, 3191, 3211, 3231, 3251, 3271, 3291, 3331 & 3371 Sexsmith Road

File No.: RZ 12-610011

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9135, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Registration of a Subdivision Plan for the subject site, to the satisfaction of the City.

Prior to the registration of a Subdivision Plan, the following conditions shall be satisfied:

- 2.1. Road: Dedication of 5,529.0 m² (1.366 ac) for road purposes as per the Preliminary Subdivision Plan (**Schedule A**), including:
 - a) 20.4 m wide strip of land for the extension of Hazelbridge Way, together with 4.0 m x 4.0m corner cuts at all intersections; and
 - b) 20.4 m wide strip of land for a new North-South Street, together with a 19.0 m radius cul-de-sac bulb and 4.0 m x 4.0 m corner cuts at all intersections.

NOTE: These dedications are required in respect to designated CCAP “minor streets” and are ineligible for DCC (road acquisition) credits; however, they can be used for the purpose of calculating the maximum permitted floor area on the net buildable portion of the subject site (as specifically provided for via the subject development’s proposed site specific zone).

- 2.2. Park: Transfer of 8,389.0 m² (2.073 ac) to the City as fee simple for park and related purposes. The primary business terms of the required land transfers shall be to the satisfaction of the Manager, Real Estate Services, the City Solicitor, and the Director of Development. All costs associated with the land transfers shall be borne by the developer. The lands to be transferred, as indicated on the Preliminary Subdivision Plan (**Schedule A**), are comprised of:
 - a) 3,388.6 m² (0.837 ac) for the Neighbourhood Park; and

NOTE: This land transfer is required in respect to designated CCAP “park” and shall be eligible for DCC credits based on the lesser of the development’s DCCs payable for park acquisition, a City-approved appraisal, and the value identified on the DCC program.

- b) 5,000.4 m² (1.236 ac) for additional park, including:
 - 3,326.4 m² (0.822 ac) for additional Neighbourhood Park space contiguous with the Neighbourhood Park referenced in Section 2.2(a) (above); and
 - 1,674.0 m² (0.414 ac) for No. 3 Road Greenway located north of the Neighbourhood Park referenced in Section 2.2(a) (above).

NOTE: This land transfer is required in respect to CCAP and Zoning Bylaw requirements for the Capstan Station Bonus and is ineligible for DCC (park acquisition) credits; however, it can be used for the purpose of calculating the maximum permitted floor area on the net buildable portion of the subject site (as specifically provided for via the subject development’s proposed site specific zone).

- 2.3. Lot Consolidation and Subdivision: In addition to two (2) City-owned, fee simple lots for park purposes, as per the Preliminary Subdivision Plan (**Schedule A**), consolidation and subdivision to create four (4) lots for the purpose of the subject development, including:
- a) Lot 1 (south lot): 9,131.0 m² (2.256 ac);
 - b) Lot 2 (middle lot): 8,936.0 m² (2.208 ac);
 - c) Lot 3 (northeast lot): 3,429.0 m² (0.847 ac); and
 - d) Lot 4 (northwest lot): 7,175.0 m² (1.773 ac).
- 2.4. No Separate Sale: Registration of legal agreements on the four (4) lots created for the purpose of the subject development, as per the Preliminary Subdivision Plan (**Schedule A**), requiring that the lots may not be sold or otherwise transferred separately without prior approval of the City, to ensure that legal agreement and business terms related to financial, legal, development, and other obligations assigned to each of the lots as a result of the subject rezoning are transferred and secured to the satisfaction of the Director of Development and City Solicitor.
- 2.5. Public Rights of Passage: Registration of Statutory Right-of-Ways (SRW), as per the Preliminary Statutory Right-of-Way Plan (**Schedule B**), to facilitate public access and related landscaping and infrastructure, including:
- a) Sexsmith Sidewalk 3.7 m wide right-of-way along the subject site's entire Sexsmith Road frontage (i.e. Lots 1, 2, and 3) for sidewalk widening.
 - The right-of-way shall provide for:
 - 24 hour-a-day, universally accessible, public access in the form of sidewalk and related landscape features accommodating pedestrians and cyclists, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Public access to fronting residential, commercial, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - City utilities, traffic control (e.g., signals), and related equipment;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction, via a Servicing Agreement*, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City; and
 - Maintenance at the sole cost of the owner-developer, except for paved sidewalk areas and City streetlights, street trees, and furnishings.
 - The right-of-way shall not provide for:
 - Driveway crossings (except at the intersection with the Private Road right-of-way);
 - Vehicle access, except as described above; or
 - Building encroachments above or below the finished grade of the right-of-way.
- NOTE: This right-of-way is NOT eligible public open space with respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.
- b) Sea Island Greenway: 10.0 m wide right-of-way (670.0 m² / 0.166 ac) along the subject site's entire Sea Island Way frontage (Lot 4) for the establishment of a landscaped greenway accommodating pedestrian and bike activity.

- The right-of-way shall provide for:
 - 24 hour-a-day, universally accessible, public access in the form of paved walkway, off-street bike path, and related landscape features, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Public access to fronting commercial, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - City utilities, traffic control (e.g., signals), and related equipment;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction, via a Development Permit* or Servicing Agreement*, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City; and
 - Maintenance at the sole cost of the owner-developer, except for paved sidewalk areas and City utilities, streetlights, street trees, and furnishings.
- In addition, the right-of-way shall provide for:
 - Building encroachments located fully below the finished grade of the right-of-way, provided that such encroachments do not conflict with the design, construction, or intended operation of the right-of-way (e.g., tree planting, accessible grades, underground utilities), as specified in a Development Permit* or Servicing Agreement* approved by the City.
- The right-of-way shall not provide for:
 - Driveway crossings;
 - Vehicle access, except as described above; or
 - Building encroachments above the finished grade of the right-of-way.

NOTE: This right-of-way is required in respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

- c) Neighbourhood Park Trail: 6.0 m wide right-of-way (503.0 m² / 0.124 ac) along the south side of Lot 4 to provide for pedestrian and bicycle movements along the north edge of the ultimate Neighbourhood Park consolidation (as set out in the City Centre Area Plan), linking between No. 3 Road and the cul-de-sac bulb at the north end of the dedicated North-South Street.
- The right-of-way shall provide for:
 - 24 hour-a-day, universally accessible, public access in the form of combined walkway/off-street bike path and related landscape features, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Public access to fronting commercial, residential, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction, via a Development Permit*, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City; and
 - Maintenance at the sole cost of the owner-developer, except as otherwise determined via the Development Permit* approval process.

- In addition, the right-of-way shall provide for:
 - Building encroachments, provided that such encroachments do not conflict with the design, construction, or intended operation of the Neighbourhood Park Trail (e.g., tree planting, pedestrian access), as specified in a Development Permit* approved by the City, including building encroachments situated:
 - i. Fully below the finished grade of the right-of-way; and
 - ii. Above the finished grade of the right-of-way, limited to pedestrian weather protection, architectural appurtenances, and signage, provided that such encroachments do not project more than 3.0 m into the right-of-way or as otherwise determined to the satisfaction of the City as specified in an approved Development Permit* and there is a clear distance of at least 2.3 m between the finished grade of the right-of-way and the underside of the encroachment.
- The right-of-way shall not provide for:
 - Driveway crossings;
 - Vehicle access, except as described above; or
 - City utilities.

NOTE: This right-of-way is required in respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

- d) Mid-Block Trail: 10.0 m wide right-of-way (637.0 m² / 0.157 ac) along the west side of Lot 1, south of Hazelbridge Way, for the extension of the approved landscaped trail for pedestrians and bikes (provided by the developer, as per RZ 10-544729 and DP 12-604012)

- The right-of-way shall provide for:
 - 24 hour-a-day, universally accessible, public access in the form of combined walkway/off-street bike path and related landscape features, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Public access to fronting residential, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - City utilities, traffic control (e.g., signals), and related equipment;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction, via a Development Permit*, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City; and
 - Maintenance at the sole cost of the owner-developer, except as otherwise determined via the Development Permit* approval process.
- The right-of-way shall not provide for:
 - Driveway crossings;
 - Vehicle access, except as described above; or
 - Building encroachments above or below the finished grade of the right-of-way.

NOTE: This right-of-way is required in respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

- e) Private Road: 20.4 m wide right-of-way along the entire north side of Lot 2, including widening as required to provide for vehicle movements where the SRW intersects with public streets, connecting Sexsmith Road with the cul-de-sac bulb at the north end of the dedicated North-South Street.
- The right-of-way shall provide for:
 - 24 hour-a-day, public access for pedestrians (to universally accessible standards), bicycles, and general purpose vehicle traffic;
 - Public access to fronting residential, commercial, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - Special design treatments and landscape features including, but not limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Traffic control (e.g., signals) and related equipment;
 - The owner-developer's ability to close some or all of the right-of-way to public access in the event of an emergency (e.g., structural failure of the road) with the approval of the City;
 - The owner-developer's ability to close some or all of the right-of-way to vehicles for special events with pre-approval in writing from the City;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the Private Road or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction at the sole cost and responsibility of the developer, to the satisfaction of the City, via an approved Development Permit* (secured via the Landscape Letter of Credit) and Building Permit*; and
 - Maintenance at the sole cost of the owner-developer, to the satisfaction of the City.
 - In addition, the right-of-way shall provide for:
 - A maximum of two (2) driveway crossings, including one (1) on its south side and one (1) on its north side, the designs of which must be to the satisfaction of the Director of Transportation and Director of Development, as specified in a Development Permit* approved by the City; and
 - Building encroachments, provided that such encroachments do not conflict with the design, construction, or intended operation of the Private Road (e.g., tree planting, vehicle weight restrictions), as specified in a Development Permit* approved by the City, including building encroachments situated:
 - i. Fully below the finished grade of the right-of-way; and
 - ii. Above the finished grade of the right-of-way, limited to pedestrian weather protection, architectural appurtenances, and signage, provided that such encroachments do not project more than 2.0 m into the right-of-way or as otherwise determined to the satisfaction of the City as specified in an approved Development Permit* and there is a clear distance of at least 2.3 m between the finished grade of the right-of-way and the underside of the encroachment.
 - Furthermore, the right-of-way shall provide for:
 - Loading for large trucks (i.e. WB-17), smaller trucks, and other vehicles (i.e. passenger drop-off, garbage/recycling vehicle pick-up) in the form of a lay-by parallel to and north of the vehicle travel portion of the right-of-way. In addition to being available to Lot 2 (upon which lot the right-of-way shall be registered) and the general public, the loading lay-by is expressly provided to accommodate loading for Lot 3 and 3131 Sexsmith Road (the latter of which is situated north of Lot 3 and will be accessed via Lot 3's driveway along the north side of the subject right-of-way).

- The right-of-way shall not provide for:
 - City utilities.

NOTE: This right-of-way is NOT eligible public open space with respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

2.6. Additional Public Rights of Passage: Registration of a Statutory Right-of-Way (SRW) to facilitate public access and related landscaping and infrastructure, including:

- a) ARTS Terraces: A right-of-way of varying width along the entire Sexsmith Road and Hazelbridge Way frontages of the Artist Residential Tenancy Studio (ARTS) Units and related areas on Lot 1, the size and configuration of which shall be confirmed to the satisfaction of the City via the Development Permit* review and approval processes for Lot 1.
 - The right-of-way shall provide for:
 - 24 hour-a-day, public access for pedestrians (to universally accessible standards) in the form of stairs, ramps, walkways and related landscape features, which may include, but may not be limited to, lighting, furnishings, trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Public access to fronting ARTS Units, common residential lobbies, and other on-site uses;
 - Emergency and service access, City bylaw enforcement, and any related or similar City-authorized activities;
 - The owner-developer’s ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction, via a Development Permit*, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City; and
 - Maintenance at the sole cost of the owner-developer.
 - In addition, the right-of-way shall provide for:
 - A maximum of 2 driveway crossings along Hazelbridge Way;
 - Building encroachments, provided that any such encroachments are located fully below the finished grade of the right-of-way or a minimum of 2.5 m clear above the right-of-way and they do not conflict with the design, construction, or intended public amenity or operation of the right-of-way, as specified in a Development Permit* approved by the City; and
 - Movable furnishings and planting, displays of artworks, and related features, activities, and events (e.g., art openings) within the right-of-way on a temporary and/or permanent basis provided that public access is not impeded and the features enhance the intended public amenity and operation of the right-of-way as specified in a Development Permit* approved by the City.
 - The right-of-way shall not provide for:
 - Driveway crossings along Sexsmith Road; and
 - City utilities, traffic control (e.g., signals), or related equipment.

NOTE: This right-of-way is NOT eligible public open space with respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

2.7. Utility Right-of-Way: Registration of Statutory Right-of-Way (SRW) on Lot 4 for City utilities to facilitate the installation of an automatic watermain flushing system, including infrastructure, kiosks, and City operations and maintenance, to address potential water quality issues on a temporary basis until the developer’s construction of Lot 4 and its connection to the City’s water system. The details of the automatic flushing system and the required utility right-of-way shall be determined, prior to rezoning adoption, through the City’s standard Servicing Agreement processes. All works relating to the installation, operation, maintenance, and future removal of the automatic flushing system, including the reinstatement of City roads and related improvements and the discharge of this utility right-of-way, shall

be at the developer’s sole cost. (No Development Cost Charge credits shall apply.) No encroachments shall be permitted below or above the required utility right-of-way.

3. Driveway Crossings: Registration of a legal agreement(s) on title requiring that vehicle access to the subject site shall be limited to:
 - 3.1. Statutory Rights-of-Ways (SRW): Those driveway crossings contemplated and expressly permitted by statutory right-of-way granted by the owner to the City and registered on title, which locations shall be limited to:
 - a) Private Road SRW: Four driveway crossings, including:
 - One at Sexsmith Road;
 - One at the cul-de-sac bulb at the north end of the dedicated North-South Street;
 - One mid-block, south side, providing access to parking and related activities on Lot 2; and
 - One mid-block, north side, providing access to parking and related activities on Lot 3, together with access to the adjacent orphaned lot at 3131 Sexsmith Road (as per legal agreement(s) required to be registered on title) and to Lots 2 and 4 via internal parkade connections (as per cross access requirements registered on title).
 - b) ARTS Terraces SRW: Two driveway crossings along the south side of Hazelbridge Way providing access to residential, residential visitor, commercial, and public parking and related service activities (e.g., loading, garbage, recycling, service vehicles) on Lot 1, together with access to 8677 Capstan Way via internal parkade connections for residential and residential visitor parking and related service activities (as per legal agreements registered on title with respect to the subject development and RZ 10-544729).

NOTE: Some or all of the Public (250 space) Parking facility on Lot 1 may share access with other parking and/or service uses on Lot 1 and/or 8677 Capstan Way provided that parking security for residents, ease of public use of the Public Parking facility, ease of service vehicle operation for Lot 1 and 8677 Capstan Way, and related issues are fully resolved to the satisfaction of the City (which may include special design features, operational requirements, and/or legal agreement(s) on title) as determined via an approved Development Permit* for Lot 1.
 - 3.2. Elsewhere: Driveway crossings along each of the following road frontages:
 - a) One at Hazelbridge Way, north side, providing access to parking and related activities on Lot 2; and
 - b) One at the cul-de-sac bulb at the end of the dedicated North-South Street at Lot 4.
4. Cross Access – Vehicle Access: Registration of a cross access agreement(s), statutory right-of-way(s), and/or alternative legal agreement(s) on title over vehicular and pedestrian circulation and related areas on various lots, as per the Preliminary Subdivision Plan (**Schedule A**), as determined to the satisfaction of the City, including:
 - 4.1. On Lot 1: Agreements in favour of 8677 Capstan Way:
 - a) Allowing for access for parking, garbage, recycling, loading, and related purposes including, as determined to the satisfaction of the City, shared garbage, recycling, loading, and/or related facilities, effective upon final Building Permit* inspection granting occupancy for Lot 1, in whole or in part, or as otherwise secured via RZ 10-544729;
 - b) Facilitating the closure of the City-approved Sexsmith Road driveway at 8677 Capstan Way, as per legal agreement(s) registered on title by the developer of 8677 Capstan Way (then 3391 and 3411 Sexsmith Road) via RZ 10-544729; and
 - c) Securing the “no building” will be permitted on Lot 1, restricting Building Permit* issuance for a building, in whole or in part, until the developer demonstrates satisfactory operation of the shared access, as determined at the sole discretion of the City.

NOTE: A reciprocal agreement(s) is registered on the title of 8677 Capstan Way (via RZ 10-544729), which provides for, among other things, 99 parking spaces on 8677 Capstan Way for the exclusive use of Lot 1 and the closure of the interim Sexsmith Road driveway at 8677 Capstan Way upon the completion of alternate access via Lot 1 (which works shall be undertaken at the sole cost of the developer, secured with a Letter of Credit held by the City). Any development on Lot 1 shall fully utilize the 99 spaces secured on 8677 Capstan Way for this purpose.

NOTE: “No development” will be permitted on Lot 1, restricting Development Permit* issuance for a building on Lot 1, in whole or in part, until parking, access, and circulation requirements are satisfactorily designed and secured, as determined at the sole discretion of the City.

- 4.2. On Lots, 2, 3, and 4: Agreements facilitating shared vehicle and pedestrian use of the permitted driveway crossings and associated circulation by residents, commercial uses, visitors, and the general public, and garbage/recycling and service uses with respect to the Lots 2, 3, and 4, together with the adjacent orphaned lot at 3131 Sexsmith Road, as determined to the satisfaction of the City on a phase-by-phase basis via the City’s standard Development Permit* and Building Permit* approval processes.

NOTE: “No development” will be permitted, restricting Development Permit* issuance for a building (in whole or in part), on a phase-by-phase basis, until access and circulation requirements are satisfactorily designed and secured, as determined at the sole discretion of the City.

- 5. Cross Access – Shared Resident (Indoor and Outdoor) Amenity Space Access: Registration of a cross access agreement(s), statutory right-of-way(s), and/or alternative legal agreement(s) on title over resident (indoor and outdoor) amenity spaces provided as per OCP and City Centre Area Plan (CCAP) policy, together with related pedestrian circulation and associated areas/uses on various lots, as per the Preliminary Subdivision Plan (**Schedule A**), as determined to the satisfaction of the City, including:

- 5.1. On Lot 1: Agreements in favour of 8677 Capstan Way, allowing for the unrestricted use of indoor and outdoor (rooftop) resident amenity spaces at Lot 1 by the residents of 8677 Capstan Way, including unrestricted use by the occupants of the affordable housing units secured at 8677 Capstan Way through a Housing Agreement (which access shall comply with the City-approved business terms of that Housing Agreement), as determined to the satisfaction of the City through the Development Permit* approval processes for Lot 1.

NOTE: A reciprocal agreement(s) is registered on the title of 8677 Capstan Way (through RZ 10-544729 and DP 12-604012), which provides for, among other things, the unrestricted use of indoor and outdoor (rooftop) resident amenity spaces at 8677 Capstan Way by the residents of Lot 1 (including unrestricted use by the occupants of the affordable housing units secured at Lot 1 through a Housing Agreement).

- 5.2. On Lot 3: Agreements in favour of Lot 4, allowing for the unrestricted use of indoor and outdoor resident amenity spaces at Lot 3 by the residents of Lot 4, including unrestricted use by the occupants of the affordable housing units secured at Lot 4 through a Housing Agreement (which access shall comply with the City-approved business terms of the Housing Agreement), as determined to the satisfaction of the City through the Development Permit* approval processes for Lot 3.

- 5.3. On Lot 4: Agreements in favour of Lot 3, allowing for the unrestricted use of indoor and outdoor residential amenity spaces at Lot 4, including unrestricted use by the occupants of the affordable housing units secured at Lot 3 through a Housing Agreement (which access shall comply with the City-approved business terms of the Housing Agreement). For the purposes of this agreement, in addition to amenities provided for the exclusive resident use, resident amenities shall include any commercial amenities (e.g., hotel pool, fitness centre, landscaped decks) provided and secured on Lot 4 as shared commercial-resident amenities in lieu of the developer’s provision of some or all independent resident amenity spaces, as determined to the satisfaction of the City through the Development Permit* approval processes for Lot 4.

- 6. Flood Construction: Registration of a flood indemnity covenant(s) on title, as per Flood Plain Designation and Protection Bylaw, Area “A” (i.e. minimum flood construction level of 2.9 m geodetic).

7. Aircraft Noise: Registration of an aircraft noise sensitive use covenant(s) on title, as applicable to sites with aircraft noise sensitive uses. On a phase-by-phase basis, prior to each Development Permit* and Building Permit* issuance, the owner-developer shall submit a report(s) and/or letter(s) of assurance prepared by an appropriate registered professional, which demonstrate that the interior noise levels and thermal conditions comply with the City’s Official Community Plan and Noise Bylaw requirements. The standard required for air conditioning systems and their alternatives (e.g. ground source heat pumps, heat exchangers and acoustic ducting) is the ASHRAE 55-2004 “Thermal Environmental Conditions for Human Occupancy” standard and subsequent updates as they may occur. Maximum interior noise levels (decibels) within the dwelling units must achieve CMHC standards follows:

Portions of Dwelling Units	Noise Levels (decibels)
Bedrooms	35 decibels
Living, dining, recreation rooms	40 decibels
Kitchen, bathrooms, hallways, and utility rooms	45 decibels

8. View Blockage, Canada Line, Traffic Noise, and Other Development Impacts: Registration of a restrictive covenant(s) on title, to the satisfaction of the City:
- 8.1. Potential Impacts: Identifying that distant views from the subject site’s private dwellings, common residential spaces, commercial uses, and other spaces may be obstructed and other development impacts may occur, including without limitation, Canada Line impacts (e.g., noise, overlook), increased shading, increased overlook, reduced privacy, increased ambient noise, and increased ambient night-time light potentially caused by or experienced as a result of, in whole or in part, development on the lands and future development on or the use of surrounding properties;
 - 8.2. Mitigation: Requiring that the owner-developer agrees to design and construct all buildings and improvements on the lands in a manner that anticipates the potential impacts and seeks to mitigate them (e.g., the building envelope must be designed to prevent noise penetrating indoor residential spaces in excess of the City’s Noise Bylaw), as per a report prepared prior to rezoning adoption by an appropriate registered professional and confirmed on a phase-by-phase basis prior to Development Permit and Building Permit issuance, via subsequent reports and/or letters of assurance, to the satisfaction of the City; and
 - 8.3. Notification: Requiring that the owner-developer notifies all initial purchasers of the potential development impacts.

NOTE: Potential Canada Line development impacts may be addressed via a separate covenant, if so determined to the satisfaction of the City.

9. District Energy Utility (DEU): Registration of a restrictive covenant and/or alternative legal agreement(s), to the satisfaction of the City, securing the owner's commitment to connect to District Energy Utility (DEU), which covenant and/or legal agreement(s) will include, at minimum, the following terms and conditions:
- 9.1. No building permit will be issued for a building on the subject site (i.e. on a lot created through consolidation and subdivision as per Section 2.3, as per the Preliminary Subdivision Plan, **Schedule A**) unless the building is designed with the capability to connect to and be serviced by a DEU and the owner has provided an energy modelling report satisfactory to the Director of Engineering;
 - 9.2. If a DEU is available for connection, no final building inspection permitting occupancy of a building will be granted until the building is connected to the DEU and the owner enters into a Service Provider Agreement on terms and conditions satisfactory to the City and grants or acquires the Statutory Right-of-Way(s) and/or easements necessary for supplying the DEU services to the building;
 - 9.3. If a DEU is not available for connection, then the following is required prior to the earlier of subdivision (stratification) or final building inspection permitting occupancy of a building:
 - a) The City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU;
 - b) The owner enters into a covenant and/or other legal agreement to require that the building connect to a DEU when a DEU is in operation; **PH - 207**

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- c) The owner grants or acquires the Statutory Right-of-Way(s) and/or easements necessary for supplying DEU services to the building; and
- d) If required by the Director of Engineering, the owner provides to the City a letter of credit, in an amount satisfactory to the City, for costs associated with acquiring any further Statutory Right of Way(s) and/or easement(s) and preparing and registering legal agreements and other documents required to facilitate the building connecting to a DEU when it is in operation.

10. **Capstan Station Bonus:** Registration of a restrictive covenant(s) and/or alternative legal agreement(s), to the satisfaction of the City, securing that “no building” will be permitted on the subject site and restricting Building Permit* issuance for the subject site, in whole or in part, until the developer, on a phase-by-phase basis, contributes to the Capstan station reserve or as otherwise provided for via the Zoning Bylaw.

10.1. **Capstan Station Reserve:** Preliminary estimated developer contributions are as indicated in the following table; however, the actual value of developer contributions may vary (based on the actual number of dwelling units in each phase) and shall be determined, on a phase-by-phase basis, as per the Richmond Zoning Bylaw in effect at the date of Building Permit* approval.

Phase	Lot	No. of Dwelling Units <i>Estimate to be confirmed at Building Permit* stage</i>	Capstan Station Reserve Voluntary Contribution <i>** Preliminary estimate based on \$7,800/unit</i>
1	1	405	\$3,159,000
2	2	451	\$3,517,800
3	3	181	\$1,411,800
4	4	91	\$709,800
TOTAL		1,128	\$8,798,400

** September 2010 rate. Actual applicable rates shall be determined, on a phase-by-phase basis, as per the Zoning Bylaw in effect at the time of Building Permit* approval.

10.2. **Public Open Space:** As per CCAP policy with respect to the Capstan Station Bonus, bonus provisions contained within ZMU25 require that the developer grants to the City, via a statutory right-of-way, air space parcel, or fee simple, as determined at the sole discretion of the City, rights of public use over a suitably landscaped area of the site for park and related purposes at a rate of 5.74 m² per dwelling unit or 6,810.4 m², whichever is greater. (**Schedule C**) The developer proposes to provide the following public open space prior to rezoning adoption. If the combined total number of dwellings on Lots 1, 2, 3, and 4 exceeds the current estimate and the developer is, therefore, required to provide additional public open space to satisfy the provisions of the Bonus, that additional open space will be secured to the satisfaction of the City prior to Development Permit* issuance in respect to the development’s final phase or as otherwise determined to the satisfaction of the City.

Capstan Station Bonus (CSB) Public Open Space Features**		CSB Voluntary Public Open Space Contribution***	
		Fee Simple	SRW
A.	Neighbourhood Park (excluding DCC park)	3,326.4 m ²	nil
B.	No. 3 Road Greenway	1,674.0 m ²	nil
C.	Sea Island Greenway (Lot 4 SRW)	nil	670.0 m ²
D.	Neighbourhood Park Trail (Lot 4 SRW)	nil	503.0 m ²
E.	Mid-Block Trail (Lot 1 SRW)	nil	637.0 m ²
Sub-Total		5,000.4 m ²	1,810.0 m ²
TOTAL		6,810.4 m ² (1.683 ac)	

** CSB public open space features are NOT eligible for Development Cost Charge (DCC) credits for park acquisition or park development; however, as per the ZMU25 zone, the developer may use the area of CSB public open space features for density calculation purposes.

*** The developer must provide public open space in compliance with the provisions of the ZMU25 zone. If the combined total number of dwellings on Lots 1, 2, 3, and 4 exceeds 1,186, additional public open space shall be required. (No adjustment shall be made if the combined total number of dwellings is less than 1,186.)

11. Transitional Parking and Transportation Demand Management (TDM) Measures: City acceptance of the developer’s offer to voluntarily provide for improvements and cash-in lieu contribution(s) to facilitate specific transitional parking and TDM measures in Capstan Village. The voluntary developer contribution of the specified transitional parking and TDM measures shall be taken into consideration by the City on a Development Permit*-by-Development Permit* basis in respect to Zoning Bylaw provisions allowing for a relaxation of up to 10% with regard to the development’s minimum parking requirements (applicable to all uses except resident parking for market residential units and parking for the Early Childhood Development (ECD) Hub). Transitional parking and TDM measures shall include the following:

NOTE: The specified transitional parking and TDM measures shall be provided by the developer in addition to OCP and Zoning Bylaw requirements in effect at the time of Development Permit* issuance on a phase-by-phase basis.

11.1. Public Parking: Prior to Development Permit* issuance for Lot 1, the developer shall provide for 250 parking spaces for shared residential/commercial use on Lot 1, as per the subject site’s ZMU25 zone. More specifically, the Public Parking facility on Lot 1 shall provide for the following to the City’s satisfaction, as determined via the Development Permit* review and approval processes for Lot 1.

NOTE: The ZMU25 zone provides for a:

- 250 space reduction in the minimum number of required on-site non-residential parking spaces on Lot 4 on the basis that businesses on Lot 4 and their workers, guest, clients, and visitors will have use of the 250 Public Parking spaces on Lot 1; and
- 50% reduction in the minimum required number of on-site residential visitor parking spaces on Lots 1, 2, 3, and 4 on the basis that visitors will have unrestricted access to hourly/short-term parking (shared with Lot 4 non-residential parking, as permitted under the Zoning Bylaw) in a portion of the 250 Public Parking spaces on Lot 1.

NOTE: In addition to the features listed below, the parking facility shall accommodate car-share parking spaces and related requirements, as set out in the “Car-Share Parking” requirements below.

- a) 50% of the facility’s 250 parking spaces shall be secured via legal agreement on title for general public use (i.e. unassigned spaces). These unassigned parking spaces shall be made available to the general public on a short-term/hourly basis (i.e. no monthly or longer terms):
 - At a rate that does not exceed that of local City-operated on-street parking; and
 - For a daily duration equal to or greater than that of transit operations within 400 m (5 minute walk) of the lot or as otherwise determined to the satisfaction of the City.
- b) 50% of the facility’s 250 parking spaces may be designated for and/or used by specific businesses or other users as determined by the owner-operator (i.e. assigned spaces), to the satisfaction of the City. These assigned spaces shall:
 - On an interim basis, be made available to the residents of Lots 1, 2, and 3, on a first-come-first-served basis, for resident parking purposes (e.g., rented, leased). If, on a phase-by-phase basis, parking demand does not exhaust the supply of assigned spaces, the developer-operator may make the surplus spaces available to the general public on an hourly basis (based on the same terms as the unassigned spaces) and/or a monthly basis, provided that any such arrangements do not compromise the intended availability of the spaces for the interim use of residents of Lots 1, 2, and 3 or the ultimate use of the spaces with respect to Lot 4, as set out in the Zoning Bylaw and further described below.
 - Upon construction of Lot 4, in whole or in part, Lot 4 non-residential development shall exercise priority over the assignable parking spaces and may secure them for its exclusive use (i.e. by rent, lease, and/or and alternate arrangement). If following the completion of Lot 4, the supply of assigned parking spaces exceeds Lot 4’s demand, the developer-operator may make the surplus spaces available to the general public on an hourly basis (based on the same terms as the unassigned spaces) or longer term basis (e.g., monthly, annually).

- c) The 250 parking spaces must be:
 - Located on Lot 1 where they provide for convenient, attractive, and universally-accessible pedestrian access to the future Capstan Canada Line station, Early Childhood Development (ECD) Hub (Lot 2), and nearby existing and proposed commercial and residential uses; and
 - Consolidated in one location within Lot 1 or as otherwise determined at the sole discretion of the City and secured with legal agreement(s) on title via an approved Development Permit* for Lot 1.
 - d) Some or all of the Public (250 space) Parking facility on Lot 1 may share driveway access with other parking and/or service uses on Lot 1 and/or 8677 Capstan Way provided that parking security for residents, ease of public use of the Public Parking facility, ease of service vehicle operation for Lot 1 and 8677 Capstan Way, and related issues are fully resolved to the satisfaction of the City (which may include special design features, operational requirements, and/or legal agreement(s) on title) as determined via an approved Development Permit* for Lot 1.
 - e) The facility shall provide for parking space sizes/types/distribution, safe pedestrian/vehicle access, and related features (e.g., interior and exterior signage, electric vehicle (EV) charging stations) in compliance with Zoning Bylaw and OCP requirements.
 - f) Design, construction, maintenance, operation, and liability with respect to the 250 parking spaces and related facilities and areas (e.g., driveways, pedestrian access) shall be at the sole cost and responsibility of the developer, to the City's satisfaction.
 - g) "No development" shall be permitted on Lot 1, restricting Development Permit* issuance for a building on Lot 1, in whole or in part, until the developer,:
 - Designs the parking facility to the satisfaction of the City via the Development Permit* review and approval process for Lot 1; and
 - Secures the parking facility for its intended use via a statutory right-of-way(s) registered on title and/or other legal agreements, to the City's satisfaction. This may include, but will not be limited to, the registration of legal agreement(s) requiring that the parking spaces may not be sold or otherwise transferred separately without the prior approval of the City, to ensure that the intended use of the facility is not compromised.
 - h) "No occupancy" shall be permitted on Lot 1, restricting final Building Permit* inspection granting occupancy for a building on Lot 1, in whole or in part, until the required parking facility is completed to the satisfaction of the City and has received final Building Permit* inspection granting occupancy.
- 11.2. Car-Share Parking: Prior to Development Permit* issuance for Lot 1, the developer shall provide for parking for 6 car-share vehicles within the designated Public Parking facility on Lot 1 (as described above), together with electric vehicle (EV) charging stations, to the satisfaction of the City. More specifically, the "car-share parking" requirements for Lot 1's Public Parking facility shall include the following.
- a) The 6 car-share spaces shall be consolidated on the ground floor of Lot 1's Public Parking facility, adjacent to the facility's vehicle entrance, and provide for safe, convenient, universally-accessible pedestrian access.
 - b) The car-share spaces shall be equipped with 2 electric vehicle (EV) quick-charge (240 V) charging stations for the exclusive use of the car-share vehicles (or as otherwise determined by the City), which charging stations shall be situated to provide for convenient use by vehicles parked in any of the 6 car share spaces.
 - c) The car share spaces (like the Public Parking facility) shall be available to the general public on a daily basis, the duration of which shall be equal to or greater than that of transit operations within 400 m (5 minute walk) of the lot or as otherwise determined by the City.

- d) Users of the car-share spaces shall not be subject to parking fees, except as otherwise determined at the sole discretion of the City.
 - e) “No development” shall be permitted on Lot 1, restricting Development Permit* issuance for a building on Lot 1, in whole or in part, until the developer:
 - Designs the Public Parking facility to provide for the 6 car-share spaces and related requirements to the satisfaction of the City via the Development Permit* review and approval process for Lot 1; and
 - Secures the 6 car-share spaces and related features for the intended use via a statutory right-of-way(s) registered on title and/or other legal agreements, to the City’s satisfaction.
 - f) “No occupancy” shall be permitted on Lot 1, restricting final Building Permit* inspection granting occupancy for a building on Lot 1, in whole or in part, until the required 6 car-share spaces and related features are completed to the satisfaction of the City and have received final Building Permit* inspection granting occupancy.
- 11.3. Transit Shelters: Prior to rezoning adoption, the developer shall submit a cash-in-lieu contribution towards 2 City Centre-type transit shelters valued at \$60,000.
- 11.4. Pedestrian Mobility Enhancements: Prior to rezoning adoption, the developer shall submit a cash-in-lieu contribution for pedestrian- related infrastructure improvements (e.g., special pedestrian crossing) valued at \$220,000.
- 11.5. Electric Vehicle (EV) Charging Stations: Prior to rezoning adoption, the developer shall provide for 2 EV quick-charge (240 V) charging stations for the use of the general public along the dedicated North-South Street near the frontage of the City-owned Neighbourhood Park, which EV charging stations shall be owned and maintained by the City or its designate, as determined at the sole discretion of the City. More specifically, as determined to the satisfaction of the Director of Development, Director of Engineering, and Director of Transportation, the developer shall be responsible for:
- a) Design of the EV charging stations;
 - b) Construction of pre-ducting (via the City’s standard Servicing Agreement* process, secured via a Letter of Credit); and
 - c) Cash-in-lieu contribution for the completion of construction of the EV charging stations (by others).
- 11.6. Park Frontage Works: Prior to rezoning adoption, the developer shall provide for the design and construction of improvements along the No. 3 Road and Sea Island Way frontages of the proposed City-owned Neighbourhood Park and No. 3 Road Greenway, to the City’s satisfaction. More specifically, as determined to the satisfaction of the Director of Development, Director of Transportation, Director of Engineering, and Senior Manager, Parks, the developer shall be responsible for:
- a) For the Neighbourhood Park (existing 3300 and 3320 No. 3 Road):
 - Design and construction of temporary frontage improvements, at the developer’s sole cost via the City’s standard Servicing Agreement* process (secured via a Letter of Credit), the design of which shall provide for safe, convenient, and attractive circulation by pedestrians and cyclists in coordination with temporary park improvements (also the responsibility of the developer via a Servicing Agreement*) within the adjacent Neighbourhood Park. Required improvements may include, but may not be limited to, an asphalt walkway, ground cover, planting, and trees. (Development Cost Charge credits shall not apply.)
 - Cash-in-lieu contribution for the design and construction of ultimate frontage improvements, the value of which shall be determined, to the satisfaction of the City, based generally on the standard established along the west side of No. 3 Road, south of Capstan Way, in coordination with the recent construction of the Canada Line. (Development Cost Charge credits shall not apply.)

- b) For the No. 3 Road Greenway (existing 3200, 3220, and 3240 No. 3 Road):
 - Enter into legal agreement(s) restricting Development Permit* issuance for a building on Lot 4, in whole or in part, until the developer enters into the City’s standard Servicing Agreement* (secured via a Letter of Credit) for the design and construction of frontage works, the design of which shall be generally consistent with the standard established in coordination with the recent construction of the Canada Line south of Capstan Way, taking into account City objectives for the ultimate design of the Neighbourhood Park, transit plaza development to be undertaken in coordination with the future Capstan Canada Line station, and City objectives for “gateway” development, public art, and related features in the vicinity of the No. 3 Road and Sea Island Way intersection. (Development Cost Charge credits shall not apply.)

12. **Tandem Parking:** Registration of a legal agreement(s) on title on all lots, as per the Preliminary Subdivision Plan (**Schedule A**), ensuring that:

- 12.1. **Resident Parking:** Where two parking spaces are provided in a tandem arrangement for the use of resident parking, as per the Zoning Bylaw, both parking spaces must be assigned to the same dwelling unit; and
- 12.2. **Elsewhere:** Tandem parking shall be prohibited for all other purposes including, but not limited to, parking for residential visitors, commercial uses, child care, and community amenity uses.

13. **Affordable Housing:** The City’s acceptance of the developer’s offer to voluntarily contribute affordable housing, the terms of which voluntary contribution shall include registration of the City’s standard Housing Agreement(s) to secure affordable housing units, the combined habitable floor area of which shall comprise at least 5% of the subject development’s total residential building area, excluding the floor area of ARTS units. More specifically, “no development” will be permitted on Lots 1, 2, 3, or 4, restricting Development Permit* approval, until the developer, on a lot-by-lot basis, makes provisions for the construction of affordable housing on each of the 4 lots, at the sole cost of the developer, to the satisfaction of the City, secured via the City’s standard Housing Agreement(s) registered on title. The form of the Housing Agreement(s) is to be agreed to by the developer and the City prior to adoption of the subject rezoning; after which time, changes to the Housing Agreement(s) will only be permitted for the purpose of accurately reflecting the specifics of the Development Permit* for each lot and other non-material amendments resulting thereof and made necessary by Development Permit* approval requirements, to the satisfaction of the Director of Development and Manager, Community Social Development. The terms of the Housing Agreement(s) shall indicate that they apply in perpetuity and provide for, but are not limited to, the following:

- 13.1. The required minimum floor area of the affordable housing on each of the 4 lots shall be equal to a minimum of 4 affordable housing units, the combined habitable floor area of which affordable housing units shall comprise at least 5% of the total residential building area on the lots (exclusive of ARTS units) and shall be distributed on a lot-by-lot basis as follows:

Phase	Lot	Max. Permitted Residential Floor Area under ZMU25 (excluding ARTS units)	Minimum Affordable Housing Requirement	
			Habitable Floor Area Requirement**	Lot-by-Lot Distribution of Habitable Floor Area
1	1	33,750.6 m ²	1,687.5 m ² (5%)	843.8 m ² (2.5%) ***
2	2	39,194.5 m ²	1,959.7 m ² (5%)	979.9 m ² (2.5%) ****
3	3	15,732.2 m ²	786.6 m ² (5%)	1,980.4 m ² (12.6%)
4	4	7,937.2 m ²	396.9 m ² (5%)	1,026.6 m ² (12.9%)
Total		96,614.5 m ²	4,830.7 m ² (5%)	4,830.7 m ² (5%)

** 5% of lot-by-lot “Max. Permitted Residential Floor Area under ZMU25 (excluding ARTS units)”.

*** For Phase 1/Lot 1, the combined total floor area of affordable housing and ARTS units represents 6.4% of residential floor area.

**** At Phase 2/Lot 2, in addition to affordable housing, the developer shall provide for an Early Childhood Development (ECD) Hub, as per legal agreements registered in title. (See Section 14 for ECD Hub requirements.)

13.2. The number of affordable housing units, together with their types, sizes, unit mix, rental rates, and occupant income restrictions shall be in accordance with the City’s Affordable Housing Strategy and guidelines for Low End Market Rental housing (unless otherwise agreed to by the Director of Development and Manager, Community Social Development), as follows:

Unit Type	Minimum Unit Area	Maximum Monthly Unit Rent**	Total Maximum Household Income**
Bachelor	37 m ² (400 ft ²)	\$850	\$34,000 or less
1-Bedroom	50 m ² (535 ft ²)	\$950	\$38,000 or less
2- Bedroom	80 m ² (860 ft ²)	\$1,162	\$46,500 or less
3-Bedroom	91 m ² (980 ft ²)	\$1,437	\$57,500 or less

** May be adjusted periodically, as provided for under adopted City policy.

13.3. Occupants of the affordable housing units shall, to the satisfaction of the City (as determined prior to Development Permit* approval), enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces provided as per OCP and City Centre Area Plan (CCAP) policy. In addition, residents of the affordable housing units shall enjoy the following:

- a) Lot 1: Unrestricted use of indoor and outdoor (rooftop) residential amenity spaces at 8677 Capstan Way, which spaces are to be provided by the developer in respect to RZ 10-544729 and DP 12-604012 for future shared use with the residents of Lot 1, as per legal agreement(s) on title;
- b) Lot 3: Unrestricted use of indoor and outdoor residential amenity spaces at Lot 4, which spaces are to be provided by the developer for the shared use of the residents of Lots 3 and 4, secured via legal agreement(s) on title; and
- c) Lot 4: Unrestricted use of indoor and outdoor residential amenity spaces at Lot 3, which spaces are to be provided by the developer for the shared use of the residents of Lots 3 and 4, secured via legal agreement(s) on title.

13.4. Parking, “Class 1” bike storage, and related electric vehicle (EV) charging stations shall be provided for the use of affordable housing occupants as per the Richmond Official Community Plan and Zoning Bylaw at no additional charge to the affordable housing occupants (i.e. no monthly rents or other fees shall apply for the casual, shared, or assigned use of the parking spaces, bike storage, EV charging stations, or related facilities by affordable housing occupants), which features may be secured via legal agreement(s) on title, as determined to the satisfaction of the City.

13.5. The affordable housing units, all related uses (e.g., parking, garbage/recycling, hallways and circulation, amenities), and associated landscaped areas shall be completed to a turnkey level of finish, at the sole cost of the developer, to the satisfaction of the Director of Development and Manager, Community Social Development.

13.6. Final Building Permit* inspection granting occupancy for any building, in part or in whole, on any of Lots 1, 2, 3, or 4 shall not be granted until the required affordable housing units on the affected lot are completed to the satisfaction of the City and have received final Building Permit* inspection permitting occupancy.

14. **ARTS Units:** The City’s acceptance of the developer’s offer to voluntarily contribute “artist residential tenancy studio (ARTS) units”, the terms of which voluntary contribution shall include the registration of the City’s standard Housing Agreement to secure 17 affordable housing units in the form of ARTS units, as defined by the subject rezoning application’s proposed “Residential/Limited Commercial (ZMU25) – Capstan Village (City Centre)” zone, as follows:

- 14.1. The combined habitable floor area of the 17 ARTS units (i.e. net of common areas and uses occurring outside the units such as parking, garbage/recycling areas, hallways, and amenity spaces) shall comprise at least 1,393.5 m² (15,000 ft²) and shall, together with parking and related uses, be located on Lot 1.
- 14.2. The ARTS units will be managed under the guidelines as set out under the City’s Affordable Housing Strategy and guidelines for Low End Market Rental housing, including provisions for occupants of the

ARTS units subject to the Housing Agreement to not be subject to strata, maintenance, or parking fees, and to enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces (including unrestricted use of indoor and outdoor (rooftop) residential amenity spaces at 8677 Capstan Way, which spaces are to be provided by the developer in respect to RZ 10-544729 and DP 12-604012 for future shared use with the residents of Lot 1, as per legal agreement(s) on title), EXCEPT, in addition to income eligibility, at least one of the residents of each ARTS unit must satisfy the criteria of a “professional artist” as defined by the Canada Council for the Arts. While this definition may change from time to time:

- a) The Canada Council (2011) definition of a “professional artist” is an artist who:
 - Has specialized training in the field (not necessarily in academic institutions);
 - Is recognized as such by his or her peers; and
 - Is committed to devoting more time to artistic activity, if financially feasible; and
- b) To meet the Canada Council (2011) definition of a “professional visual artist”, one must also have:
 - Produced an independent body of work;
 - Had at least 3 public presentations of work in a professional context over a 3-year period; and
 - Maintained an independent professional practice for at least 3 years.

14.3. The terms of the Housing Agreement(s) shall indicate that they apply in perpetuity and provide for a specified number of ARTS units, together with their types and sizes, rents, and household incomes, as indicated below. Applicable rental rates and occupant income restrictions shall generally be in accordance with the City’s Affordable Housing Strategy and guidelines for Low End Market Rental housing (unless otherwise agreed to by the Director of Development and Director, Arts, Culture, and Heritage Services), EXCEPT that for the purposes of interpreting the City’s standard Housing Agreement, all ARTS units, regardless of type, size, configuration, or other features, shall be treated as “bachelor” units.

Unit Type	Number of Units	Minimum Unit Area	Maximum Monthly Unit Rent**	Total Maximum Household Income**
ARTS bachelor	5	74 m ² (797 ft ²)	\$850	\$34,000 or less
ARTS 1-bedroom	7	74 m ² (797 ft ²)	\$850	\$34,000 or less
ARTS 2-bedroom	5	91 m ² (980 ft ²)	\$850	\$34,000 or less

** May be adjusted periodically as provided for under adopted City policy.

- 14.4. The ARTS units shall be designed and constructed to be durable and flexible in order that they may accommodate a broad range of arts uses and related activities, as permitted under the ZMU25 zone. As determined to the satisfaction of the City, unit features should include, but may not be limited to:
- a) Street-oriented, town housing units (as generally defined by the Zoning Bylaw), each of which shall be situated at the first storey of the building (in part or in whole), front directly onto Sexsmith Road or Hazelbridge Way, and provide for direct public access (i.e. without the need for the public to pass through a shared indoor circulation area, such as a corridor, elevator, stair, or lobby);
 - b) A minimum habitable floor elevation of 2.9 m geodetic;
 - c) Good daylighting (especially of the double-height space) and sunlight controls/shading;
 - d) Natural and mechanical ventilation (including, but not limited to, compliance with OCP Aircraft Noise Sensitive Development policies for Area 3: Moderate Aircraft Noise Area);
 - e) Mechanical and electrical flexibility (including flexible lighting options in the double height space);
 - f) Measures incorporated into the individual ARTS units (including appropriate siting and orientation) to ensure that permitted arts-related activities carried out within the units will not materially impact neighbouring residents (on site or off) by way of noise, vibration, smoke, dust, odours, heat, glare, or electrical or radio disturbances detectable beyond the ARTS units;

- g) Highly durable, resilient materials used for all floors, walls, sinks, and countertops;
 - h) Direct access from interior double height spaces to outdoor space via double-height doors;
 - i) Provisions for the permanent or temporary display outdoors of a limited amount of artwork produced on the premises;
 - j) Interceptors in all sink drains;
 - k) Convenient access to loading for large and heavy items;
 - l) Units wired for communication/high speed data/cable; and
 - m) Additional requirements, as set out in the “ARTS Units: Supplementary Development Permit Requirements” (**Schedule D**).
- 14.5. Parking, “Class 1” bike storage, and related electric vehicle (EV) charging stations shall be provided for the use of ARTS units occupants as per the Richmond Official Community Plan and Zoning Bylaw at no additional charge to the ARTS units occupants (i.e. no monthly rents or other fees shall apply for the casual, shared, or assigned use of the parking spaces, bike storage, EV charging stations, or related facilities) and secured via legal agreement(s) on title.
- 14.6. The ARTS units, all related uses (e.g., parking, garbage/recycling, hallways and circulation, amenities), and associated landscaped areas shall be completed to a turnkey level of finish, at the sole cost of the developer, to the satisfaction of the Director of Development, Manager, Community Social Development, and Director, Arts, Culture, and Heritage Services.
- 14.7. Final Building inspection permitting occupancy for a building on Lot 1, in whole or in part, shall not be granted until the ARTS units and all related uses and areas (e.g., ARTS units’ parking, residential amenity spaces) are constructed to the satisfaction of the City and have received final Building Permit inspection permitting occupancy.
15. Early Childhood Development (ECD) Hub: The City’s acceptance of the developer’s offer to voluntarily contribute an Early Childhood Development (ECD) Hub, the terms of which voluntary contribution shall include the developer’s transfer of 1,428.4 m² of indoor floor area (together with related outdoor program space, parking, and related features) in the form of an air space parcel on Lot 2, constructed at the developer’s sole cost to a turnkey level of finish to the satisfaction of the City, for use as child care, community amenity space, and minor health service, as provided for under the subject rezoning application’s proposed “Residential/Limited Commercial (ZMU25) – Capstan Village (City Centre)” zone. More specifically, prior to rezoning adoption, as determined to the satisfaction of the City, the developer shall enter into legal agreements and/or provide other security in accordance with **Schedule E** (e.g., option to purchase) requiring that:
- 15.1. “No development” shall be permitted on Lot 2, restricting Development Permit* issuance for a building on Lot 2, in whole or in part, until the developer:
 - a) Submits a cash-in-lieu contribution towards the City’s project management costs for the ECD Hub for design development through to Provincial licensing approval, based on 5% of the total construction value of the facility and related spaces and uses as verified by an independent quantity surveyor to the satisfaction of the City. In addition, if the developer elects to have the City manage the design and construction of the ECD Hub’s tenant improvements and the City at its sole discretion agrees, then the developer will provide the City with an additional cash contribution, based on 10% of the total construction value of the facility, for consultant costs (e.g., space programming, architecture, landscape, electrical, mechanical).
 - b) Designs the ECD Hub to the satisfaction of the City, as generally described in the Early Childhood Development (ECD) Hub – Terms of Reference (**Schedule E**) and providing for, among other things:
 - A functional, licensable, fully-finished child care facility including at least 836 m² of indoor program space and at least 855 m² of contiguous outdoor program (play) area located at the

building’s podium roof level (which shall not be situated higher than the fourth floor above finished grade);

- A fully finished “storefront space” of at least 465 m² for early childhood, family support, and related programs, which space shall front onto and be directly accessible from the subject development’s dedicated North-South Street and on-site parking designated for the exclusive use of the ECD Hub;
- Secure, dedicated vertical circulation connecting the child care level with the “storefront space”, including a large elevator able to accommodate multi-passenger strollers; and
- Parking, bike storage, loading, garbage/recycling facilities, and related features secured for the exclusive use of the ECD Hub and its visitors, staff, guests, and related activities on a 24-hour/day basis, except as otherwise determined to the sole satisfaction of the City.

15.2. “No building” shall be permitted on Lot 2, restricting Building Permit* for a building on Lot 2, in whole or in part, until the required ECD Hub and related features are incorporated in the Building Permit* drawings and specifications, generally as determined via the rezoning (RZ 12-610011) and Development Permit* processes, to the satisfaction of the City.

15.3. “No occupancy” shall be permitted on Lot 2, restricting final Building Permit* inspection granting occupancy for a building on Lot 2, in whole or in part, until the required ECD Hub and related features (e.g., parking, loading, service facilities, landscaping) are completed to the satisfaction of the City and have received final Building Permit* inspection granting occupancy.

16. **Public Art:** City acceptance of the developer’s offer to voluntarily contribute towards Public Art, the terms of which voluntary developer contribution shall include:

16.1. Prior to Rezoning Adoption: The developer shall provide for the following:

- a) Submit a Public Art Plan for the entirety of the subject site, prepared by an appropriate professional and based on the Richmond Public Art Program, City Centre Public Art Plan, and any relevant supplementary public art and heritage planning undertaken by the City for Capstan Village, to the satisfaction of the Director of Development and Director, Arts, Culture, and Heritage Services (including review(s) by the Public Art Advisory Committee and presentation for endorsement by Council, as required by the Director, Arts, Culture, and Heritage Services). The value of the developer’s public art contribution (which shall form a key basis for the required Public Art Plan) shall be at least \$879,653, based on a rate of at least \$8.28/m² (\$0.77/ft²) for residential uses and \$4.41/m² (\$0.41/ft²) for non-residential uses and the maximum permitted buildable floor area under the subject site’s ZMU25 zone, excluding affordable housing, ARTS units, and the Early Childhood Development (ECD) Hub, as determined on a lot-by-lot basis, as follows:

Phase	Lot	Estimated Floor Area as per ZMU25 Zone***	Public Art Exemptions****	Applicable Developer Contribution Rates*	Min. Public Art Voluntary Developer Contributions**
1	1	(R) 35,144.1 m ²	(R) 2,237.3 m ²	\$8.28/m ² (100% residential) & \$4.41/m ² for non-residential (NR) or the current City rate at the time of Development Permit* approval, whichever is greater	\$272,468
2	2	(R) 39,194.5 m ² (NR) 1,688.5 m ²	(R) 979.9 m ² (NR) 1,428.4 m ²		\$317,564
3	3	(R) 15,732.2 m ²	(R) 1,980.4 m ²		\$113,865
4	4	(R) 7,937.2 m ² (NR) 26,878.9 m ²	(R) 1,026.6 m ²		\$175,756
TOTAL		(R) 98,008.0 m ² (NR) 28,567.4 m ²	(R) 6,224.2 m ² (NR) 1,428.4 m ²	Varies	\$879,653

* Rates do not apply to affordable housing units, ARTS units, or Early Childhood Development (ECD) Hub.
 ** Estimates based on maximum permitted floor area under the subject site’s ZMU25 zone. Actual contributions may be greater, as determined prior to Development Permit* issuance on a lot-by-lot basis.
 *** (R) means residential and (NR) means non-residential.
 **** Includes affordable housing, ARTS units, and Early Childhood Development (ECD) Hub.

- b) Enter into legal agreement(s) registered on title for the multi-phase implementation of the City-approved Public Art Plan.
- 16.2. “No Development”: The developer shall enter into legal agreements registered on title requiring that “no development” shall be permitted, restricting Development Permit* issuance on a lot-by-lot (phase-by-phase) basis, until the developer:
- a) Enters into any additional legal agreement(s) required to facilitate the multi-phase implementation of the City-approved Public Art Plan, which may require that, prior to entering into any such additional agreement, a Detailed Public Art Plan is submitted by the developer for the lot (phase) and/or an artist is engaged, to the satisfaction of the City (as generally set out in the legal agreement entered into and the Public Art Plan submitted prior to rezoning adoption); and
 - b) Submits a Letter of Credit or cash (as determined at the sole discretion of the City) with respect to the applicable lot (phase) of the Plan’s implementation, the value of which contribution shall be at least the value indicated for the applicable lot (phase) in the table above.

NOTE: If the Plan requires that a voluntary developer contribution with respect to a particular lot (phase) exceeds the value in the above table with the understanding that the developer is “pre-paying” with respect to a future phase or phases, the “pre-paid” portion will be credited towards future voluntary developer contribution(s) as set out in the Plan.

- 16.3. “No Occupancy”: The developer shall enter into legal agreements registered on title requiring that “no occupancy” shall be permitted, restricting final Building Permit* inspection granting occupancy of the building (exclusive of parking), in whole or in part, on a lot or phase for which the City-approved Public Art Plan requires the developer’s implementation of a public artwork until:
- a) The developer, at its expense, commissions an artist or artists to conceive, create, manufacture, design, and oversee or provide input about the manufacturing of the public artwork, and causes the public artwork to be installed on City property or, if expressly permitted by the City, within a statutory right-of-way on the developer’s lands secured for rights of public passage, public art, and related purposes, in accordance with the City-approved Public Art Plan;
 - b) The developer, at its expense and within thirty (30) days of the date on which the public art is installed, executes and delivers to the City a transfer of all of the developer’s rights, title, and interest in the public artwork to the City if on City property or to the subsequent Strata or property owner if on Private property (including transfer of joint world-wide copyright) or as otherwise determined to be satisfactory by the City Solicitor and Director, Arts, Culture, and Heritage Services;

Note: It is the understanding of the City that the artist’s rights, title, and interest in the public artwork will be transferred to the developer upon acceptance of the artwork based on an Agreement solely between the developer and the artist. These rights will in turn be transferred to the City, subject to approval by Council to accept the donation of the artwork.

- c) The developer, at its expense, submits a final report to the City promptly after completion of the installation of the public art in respect to the City-approved Public Art Plan, which report shall, to the satisfaction of the Director of Development and Director, Arts, Culture, and Heritage Services, include:
 - Information regarding the siting of the public art, a brief biography of the artist(s), a statement from the artist(s) on the public art, and other such details as the Director of Development and Director, Arts, Culture, and Heritage Services may require;
 - A statutory declaration, satisfactory to the City Solicitor, confirming that the developer’s financial obligation(s) to the artist(s) have been fully satisfied;
 - The maintenance plan for the public art prepared by the artist(s); and

- Digital records (e.g., photographic images) of the public art, to the satisfaction of the Director of Development and Director, Arts, Culture, and Heritage Services.

17. Tree Protection and Replacement:

17.1. Prior to Rezoning Adoption: The developer shall provide for the following:

- a) Submit a Comprehensive Tree Protection and Replacement Plan for the entirety of the subject site, prepared by an appropriate professional based on City tree protection policy with respect to existing significant trees, both on-site and off-site (i.e. City-owned trees within existing or proposed dedicated roads) to the satisfaction of the Director of Development, Senior Manager, Building Approvals, and Senior Manager, Parks. The Plan shall include, among other things:
 - An up-to-date tree inventory and arborist's report;
 - A phasing strategy for tree protection, removal, and replacement, including among other things:
 - Tree removal occurring due to pre-loading and site preparation prior to Development Permit* issuance for the affected lot (phase);
 - Tree protection fencing and related requirements; and
 - Tree Survival Security requirements; and
 - Tree compensation, including recommended voluntary developer contributions to the City's Tree Compensation Fund for the planting of replacement trees elsewhere within the City.
- b) Enter into legal agreement(s) registered on title for the multi-phase implementation of the City-approved Comprehensive Tree Protection and Replacement Plan.
- c) Submit a Contract entered into between the developer and a Certified Arborist for supervision of any on-site works conducted within the required tree protection zone of the trees to be retained, on a permanent and/or interim basis as set out under the City-approved Comprehensive Tree Protection and Replacement Plan. (The Contract should include the scope of work to be undertaken, including the proposed number of site monitoring inspections and provision for the Arborist to submit a post-construction assessment report to the City for review.)
- d) Install appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities occurring on-site (including building demolition) or as otherwise determined to the satisfaction of the City based on the City-approved Comprehensive Tree Protection and Replacement Plan.

17.2. "No Development": Development Permit* issuance will be restricted until the developer, on a lot-by-lot (phase-by-phase) basis, fulfills the provisions of the City-approved Comprehensive Tree Protection and Replacement Plan to the satisfaction of the City.

18. Phasing: Registration of a restrictive covenant(s) and/or alternative legal agreement(s), to the satisfaction of the City, securing that "no development" will be permitted on the subject site and restricting Development Permit* issuance (together with various Building Permit* and occupancy restrictions, as determined to the satisfaction of the City), until the developer satisfies the following:

18.1. General Requirements: Development must proceed on the following basis:

- a) The subject development shall include a maximum of four phases, the comprehensive design and development of each of which shall be addressed by one Development Permit* (i.e. four in total), unless otherwise determined to the satisfaction of the Director of Development;
- b) The construction of phases shall proceed in order from south to north as generally illustrated in the Phasing Key Plan (**Schedule F**);
- c) Development Permit* issuance, Building Permit* issuance, and construction of sequential phases (e.g., Phases 1 and 2) may proceed concurrently, but a later phase may not advance, in whole or in

- part, to final Building Permit* inspection granting occupancy ahead of an earlier phase, EXCEPT for Phase 4, which may advance ahead of Phase 3.
- d) “No development” will be permitted on Lot 3, restricting Development Permit* issuance for a building (in whole or in part), until, as determined at the sole discretion of the City, the developer:
- With respect to 3131 Sexsmith Road:
 - Provides for the comprehensive development of Lot 3 and the adjacent orphaned lot at 3131 Sexsmith Road (i.e. via property consolidation, rezoning*, and submission of a Development Permit* application), to the satisfaction of the City; or
 - Registers any and all necessary legal agreements on title to facilitate the independent development of 3131 Sexsmith Road (by others), as determined to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, and Senior Manager, Parks, which may include, but may not be limited to:
 - i. Statutory right-of-ways and/or alternate legal agreements in favour of 3131 Sexsmith Road to permit access for vehicles, bikes, and pedestrians, loading, waste removal, emergency services, and/or parking; and
 - ii. Covenant(s) restricting Development Permit* and/or Building Permit* issuance for a portion of Lot 3, as determined to the City’s satisfaction, to allow for its comprehensive development with 3131 Sexsmith Road (e.g., via subdivision and consolidation or some alternate means satisfactory to the City).
 - With respect to resident amenity space, provides for shared resident (indoor and outdoor) amenity space for the unrestricted use of the residents of Lot 4 (including the residents of affordable housing units secured with a Housing Agreement), to the satisfaction of the City, as per legal agreements registered on title as per Section 5 (above).
- e) “No development” will be permitted on Lot 4, restricting Development Permit* issuance for a building (in whole or in part), until, as determined at the sole discretion of the City, the developer provides for shared resident (indoor and outdoor) amenity space for the unrestricted use of the residents of Lot 3 (including the residents of affordable housing units secured with a Housing Agreement), to the satisfaction of the City, as per legal agreements registered on title (as per Section 5 (above)).
- f) “No building” will be permitted on a phase-by-phase basis, restricting Building Permit* issuance for a building, in whole or in part (exclusive of parking), until any and all necessary additional legal agreements have been registered on title as determined to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, and Senior Manager, Parks, which may include, but may not be limited to:
- Agreements relating to site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure; and
 - Right-of-ways, as determined via the subject development’s Servicing Agreement*, Development Permit*, or other approval processes, for corner cuts for traffic signal equipment and related rights of public passage.
- g) “No occupancy” shall be permitted on a phase-by-phase basis, in whole or in part (excluding parking), restricting Final Building Permit* inspection granting occupancy until the following have been satisfied:
- All indoor residential amenity space, affordable housing units, ARTS units, community amenity space (Early Childhood Development (ECD) Hub), Public Parking facility, and publicly-accessible on-site open space required in respect to the phase (as determined via an issued Development Permit*) must receive Final Building Permit* inspection granting occupancy; and

- All road, engineering, and park improvements for which the developer is required to enter into a Servicing Agreement* must be complete to the satisfaction of the City (i.e. Certificate of Completion issued), EXCEPT as specifically provided for in this phasing covenant.

18.2. Phase-by-Phase Requirements: The developer must provide for the phase-by-phase design and construction of specific features to the satisfaction of the City, as per the Phasing Key Plan for Engineering, Transportation, and Parks (**Schedule F**) and Phasing Summary Table (**Schedule G**).

19. Community Planning: City acceptance of the developer's voluntary contribution in the amount of \$323,873 (i.e. \$0.25/ft² of maximum permitted buildable floor area as per the proposed ZMU25 zone, excluding affordable housing and ARTS units) to future City community planning studies, as set out in the City Centre Area Plan.
20. Development Permit (DP)*: The submission and processing of a Development Permit* for Lot 1 (Phase 1) completed to a level deemed acceptable by the Director of Development.
21. Servicing Agreement (SA): Enter into a Servicing Agreement* for the design and construction, at the developer's sole cost, of full upgrades across the subject site's street frontages, together with various engineering, transportation, and parks works.

Except as expressly provided for and in compliance with the subject development's phasing covenant and related legal agreement(s) registered on title, to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, Senior Manager, Parks, and Manager, Environmental Sustainability:

- Prior to rezoning adoption, all works identified via the subject development's SA* must be secured via a Letter(s) of Credit;
- No phasing of off-site works shall be permitted and all works shall be completed prior to final Building Permit* inspection granting occupancy of the first building on the subject site (exclusive of parking), in whole or in part, EXCEPT as expressly provided for via phasing covenant(s) registered on title and/or alternate security as determined to the sole satisfaction of the City via the City's Servicing Agreement* standard design and approval processes; and
- Development Cost Charge (DCC) credits may apply.

Servicing Agreement* works will include, but may not be limited to, the following:

21.1. Engineering SA* Requirements:

- All water, storm, and sanitary upgrades determined via the Capacity Analysis processes are to be addressed via this SA* process.
- Any permitted phasing of off-site works will be confirmed during the SA* stage. The scope of phasing shall be to the satisfaction of the City and at its sole discretion. The first phase of off-site works shall be completed prior to final Building Permit* inspection granting occupancy for the first building on the subject site (exclusive of parking), in whole or in part.
- The City requires that the proposed design and related calculations are included on the SA* design drawing set.

As per the completed capacity analyses and related studies, the City accepts the developer's recommendations as follows:

a) **Sanitary Sewer Upgrades**:

- *Sanitary Gravity Sewer*: The development site has no sanitary service. The developer is responsible to construct the sanitary sewer listed below to service the development. The developer is solely responsible for this work; there will be no latecomer program available.
 - Sexsmith Road north of Patterson Road
 - Approximately 45m of 200mm diameter at 0.50% (45m is measured from the center line of Patterson Road to 5m north of the north property line of 3171 Sexsmith Road). An appropriately sized manhole is required at the northern end of the upgraded pipe.

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- Sexsmith Road - Patterson Road to Capstan Way
 - Approximately 117m of 375mm diameter at 0.50%
 - Approximately 156m of 450mm diameter at 0.50%
 - Capstan Way @ Sexsmith Road to tie-in to proposed Sanitary Pump Station
 - Approximately 71m of 450mm diameter at 0.50%
 - Approximately 39m of 450mm diameter at 0.50%
 - Approximately 30m of 525mm diameter at 0.50%
 - Approximately 14m of 600mm diameter at 0.50%
 - The developer is responsible for constructing sanitary sewers within the proposed roads dedications (North-South Street and Hazelbridge Way) as required to service the development, the Neighbourhood Park and future development(s). The sanitary sewers are to be sized to the greater of a) 200 mm and b) OCP size and connect to the system on Sexsmith Rd; sizing calculations are to be included in the Servicing Agreement design.
 - The exact length of the sanitary sewers and location of the manholes are to be finalized during the Servicing Agreement design. The developer is required to abandon the existing sanitary sewer system (remove pipes) that is being replaced by the proposed sanitary sewer system. The developer is solely responsible for all the upgrade requirements.
- *New Sanitary Pump Station:* The developer is responsible for the design and construction of the new Capstan sanitary pump station, if it has not already been built by others. The pump station shall be located approximately 125 m west of the Capstan Way and Sexsmith Road intersection. The new sanitary pump station is intended to service all the developments on the east side of No. 3 Road within the existing Skyline sanitary catchment. The new Capstan sanitary catchment boundaries are No. 3 Road, Cambie Road, Garden City Road, and Sea Island Way. The sanitary pump station services a significant area of development. While design and construction of the pump station will be a requirement of any development within the catchment area served by the proposed Capstan Way sanitary pump station, the City's objective is to have an equitable distribution of costs to the benefiting properties to the extent possible using available tools such as latecomer agreements or developer cost sharing agreements. If the new pump station is built by others, the developer may be responsible for contributing towards the new pump station.

b) Storm Sewer Upgrades:

- *Sexsmith Road Frontage:* The developer is responsible to construct the storm sewer listed below to service the development. The developer is solely responsible for this work; there will be no latecomer program available.
 - Sea Island Way to Patterson Rd - approximately 65m of 600mm diameter
 - Patterson Road to Hazelbridge Way - approximately 95m of 900mm diameter
 - Hazelbridge Way to Capstan Way - approximately 155m of 1050mm diameter
 - Capstan Way to south on intersection - approximately 25m 1200mm diameter
 - The developer is required to build a temporary storm sewer transition to connect the proposed storm sewer to the existing twin system south of Capstan Way. The developer is also required to build a temporary storm sewer transition from the proposed manhole at the Sexsmith Road and Capstan Way intersection to connect to the existing twin storm sewer system south of Capstan Way.
 - Abandon/remove the existing storm sewer system (remove pipes/infill ditches) that is being replaced by the proposed storm sewer system.
- The required frontage improvements along Sea Island Way will impact the existing drainage in the area. It is the developer's responsibility to determine the alterations and upgrade required to accommodate the road improvements and to coordinate with MOTI.
- *No. 3 Road Frontage:* The developer is responsible to upgrade the existing storm sewer from existing manhole STMH9443 (near property line of 3200/3220 No. 3 Rd) to the south property line of 3320 No. 3 Road with a length of approximately 165m to a min. 600 mm diameter. An

appropriately sized manhole is required at the south end of the upgraded pipe. The development is not permitted to connect to this system.

- *Proposed Road Dedications (North-South Street and Hazelbridge Way)*: The developer is responsible to construct storm sewers to the greater of a) 600 mm and b) OCP size and connect to the system on Sexsmith Rd; sizing calculations are to be included in the Servicing Agreement design.

c) **Water Upgrades:**

- Using the OCP Model, there is 80 L/s available at 20 psi residual along Sexsmith Road, just south of Sea Island Way, 112 L/s available at 20 psi residual fronting 3331 Sexsmith Road and 602 L/s available at 20 psi residual along No 3 Road. Based on the developer's proposed rezoning, the subject site requires a minimum fire flow of 220 L/s.
- The developer is responsible to upgrade the existing 150 mm diameter watermain to minimum 300mm diameter along Sexsmith Road from Sea Island Way to Capstan Way and connect to the existing system on Capstan Way. The upgrade may need to be extended due to the required offsite improvements.
- The developer is responsible to construct a 300mm diameter watermain along the proposed road dedications (North-South Street and Hazelbridge Way). To temporarily address water quality issues until Lot 4 is connected to the dead end main, the developer's consultant had proposed to install an automatic flushing system. The automatic flushing system complete with its kiosk shall be located in a utility right of way within Lot 4. The details of the automatic flushing system and its required utility right of way shall be determined through the servicing agreement. The following works relating to the automatic flushing system shall be at the developer's cost:
 - Supply and installation cost of the automatic flushing system (complete with a dechlorination system designed specifically for the automatic flushing device) and registration of the required utility right of way. No encroachment under the required utility right of way is allowed.
 - Supply and installation of a water meter to monitor water consumption of the automatic flushing system. The City shall charge the developer of the water consumed by the automatic flushing system.
 - Operations of the system (e.g., setting controls, etc.) shall be done by City crews (at developer's cost).
 - Maintenance of the proposed automatic flushing system shall be done by City crews (at developer's cost).
 - Future removal of the automatic flushing system and future discharge of the required utility right of way.
- A hydrant at the dead end watermain shall be required. Another hydrant at the southwest corner of the future intersection of Private Road and Sexsmith Road shall be required for by-pass supply to Lot 4 in case of a breakdown at the dead-end watermain. Details of the by-pass design shall be finalized through the Servicing Agreement* design.
- The location of the site service for Lot 3 will be verified thru the SA* process to minimize water quality issues.
- Once the developer has confirmed the building design at the Building Permit* stage, the developer must submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey to confirm that there is adequate available flow.

d) **Private Utilities:**

- The developer shall provide private utility companies with right-of-ways to accommodate their equipment (i.e. above ground private utility kiosks, vista, transformers, etc.) and such equipment

shall be located and designed to minimize potential impacts on the public realm. It is the responsibility of the developer to contact the private utility companies to learn of their requirements.

e) **Encroachments:**

- Registration of right-of-way agreements for private utilities, street trees, sidewalk encroachments, and/or other requirements, as determined via the SA* review and approval processes to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, and Senior Manager, Parks.

21.2. Transportation SA* Requirements:

- A final Traffic Impact Analysis (TIA), including a comprehensive, detailed road and traffic management design for all phases of the subject development, subject to final functional design approval by the Director of Transportation, must be completed prior to SA* approval for any transportation-related SA* works. (For the Preliminary Functional Roads Plan, see **Schedule H.**) The works described within such a comprehensive TIA and plan will include, but may not be limited to, the following:
 - a) **Frontage Works:** The design and construction of the following improvements, together with any additional improvements that may be necessary subject to the outcome of the TIA, as determined at the sole discretion of the City.
 - *Hazelbridge Way:* The developer is responsible for the design and construction of the following cross-section between Sexsmith Road and the west boundary of the subject site, to the satisfaction of the City:
 - Min. 2.0 m wide concrete sidewalk;
 - 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system;
 - 0.15 m wide curb;
 - 12.2 m wide vehicular driving/parking surface;
 - 0.15 m wide curb;
 - 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system; and
 - Min. 2.0 m wide concrete sidewalk.

NOTE: The construction of Hazelbridge Way is included in the City's Development Cost Charge (DCC) program.

- *North-South Street:* The developer is responsible for the design and construction of the following cross-section between Hazelbridge Way and the cul-de-sac at the north end of the subject road, to the satisfaction of the City:
 - Min. 2.0 m wide concrete sidewalk;
 - 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system;

- 0.15 m wide curb;
 - 12.2 m wide vehicular driving/parking surface;
 - 0.15 m wide curb;
 - 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system; and
 - Min. 2.0 m wide concrete sidewalk.
- *Cul-de-Sac @ North-South Street:* The developer is responsible for the design and construction of the following cross-section at the cul-de-sac at the north end of the North-South Street, to the satisfaction of the City:
- Min. 2.0 m wide concrete sidewalk;
 - 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system;
 - 0.15 m wide curb; and
 - 15.0 m radius vehicular driving surface.
- *Sexsmith Road:* The developer is responsible for the design and construction of the following Interim Cross-Section, to the satisfaction of the City, taking into consideration the following Ultimate Cross-Section in the design and construction of those road works. The developer is required to design and construct improvements from the south limit of the development site to the north limit of the development site, together with a transition between those improvements and the existing condition to the south and the north of the development site (at a minimum 20:1 taper rate), to the satisfaction of the City.

Interim Cross-Section: From west to east -

- 2.0 m wide concrete sidewalk;
- 0.6 m wide buffer strip, incorporating permeable paving (i.e. granite sets), pedestrian lighting, decorative planting, and furnishings;
- 2.0 m wide bike path (i.e. asphalt with a 0.15 m wide concrete band along both sides);
- 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system;
- 0.15 m wide curb;
- 2.5 m wide southbound parking lane;
- 3.3 m wide southbound vehicle travel lane;
- 3.3 m wide left-turn lane and landscaped median;
- 3.3 m wide northbound vehicle travel lane; and
- Minimum 1.0 m wide shoulder (temporary).

Ultimate Cross-Section: From west to east, beyond the 3.3 m wide northbound vehicle travel lane (i.e. beginning with the replacement of the temporary minimum 1.0 m wide shoulder) -

- 2.5 m wide northbound parking lane;
- 0.15 m wide curb;

- 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings, pedestrian crossings and decorative paving, and a minimum 1.5 m wide continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system;
- 2.0 m wide bike path (i.e. asphalt with a 0.15 m wide concrete band along both sides);
- 0.6 m wide buffer strip, incorporating permeable paving (i.e. granite sets), pedestrian lighting, decorative planting, and furnishings; and
- 2.0 m wide concrete sidewalk.

No. 3 Road: The developer is responsible for designing and constructing works behind the existing east curb to coordinate with and generally match the standard of existing frontage works south of Capstan Way, EXCEPT as required to appropriately coordinate with the design and construction of fronting City park, as determined to the satisfaction of the City.

- *Sea Island Way:* The developer is responsible for accommodating MOTI requirements and designing/constructing frontage works within the road right-of-way with greenway improvements within a Statutory Right-of-Way registered on title for park purposes. Behind the curb (from north to south), improvements shall include –
 - 3.0 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, streetlights, and a continuous trench for tree planting and to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system;
 - 2.0 m wide bike path (i.e. asphalt with a 0.15 m wide concrete band along both sides);
 - 0.6 m wide buffer strip, incorporating permeable paving (i.e. granite sets), pedestrian lighting, decorative planting, and furnishings;
 - 2.0 m wide concrete sidewalk; and
 - Some combination of groundcover, decorative planting, trees, and landscape features, to the satisfaction of the City, as determined via an approved Development Permit*.
- b) **Traffic Signals:** The design and construction of the following improvements, together with any additional improvements that may be necessary subject to the outcome of the TIA, as determined at the sole discretion of the City.
- *Signal Upgrade @ Hazelbridge/Sexsmith Intersection:* Installation of a new traffic signal to facilitate the intersection's conversion from three legs to four including, but not limited to, the following:
 - Signal poles, controller, bases, and hardware;
 - Pole bases, street light luminaires, and fittings (to match City Centre/Capstan Village standards);
 - Detection conduits (i.e. electrical and communication) and signal indications, and communications cable, electrical wiring, and service conductors; and
 - Accessible Pedestrian Signals (APS) and illuminated street name sign(s).
- c) **Streetlights:** The design and construction of the following improvements, together with any additional improvements that may be necessary subject to the outcome of the TIA, as determined at the sole discretion of the City.
- *Hazelbridge Way:* Both sides of the street –
 - Pole colour: Grey
 - Roadway lighting @ back of curb: Type 7 (LED), including 1 street luminaire and duplex receptacles, BUT excluding pedestrian luminaires, banner arms, flower basket holders, and irrigation.
 - Pedestrian lighting: N/A

- *North-South Street*: Both side of the street –
 - Pole colour: Grey
 - Roadway lighting @ back of curb: Type 7 (LED), including 1 street luminaire and duplex receptacles, BUT excluding pedestrian luminaires, banner arms, flower basket holders, and irrigation.
 - Pedestrian lighting: N/A
- *Sexsmith Road*: West side of the street –
 - Pole colour: Grey
 - Roadway lighting @ back of curb: Type 7 (LED), including 1 street luminaire and duplex receptacles, BUT excluding pedestrian luminaires, banner arms, flower basket holders, or irrigation.
 - Pedestrian lighting (to be installed between the sidewalk and bike path): Type 8 (LED), including 2 pedestrian luminaires (set perpendicular to the direction of travel) and duplex receptacles, BUT excluding banner arms, flower basket holders, and irrigation.
- *No. 3 Road*: East side of the street –
 - Pole colour: Grey
 - Roadway lighting @ back of curb: N/A.
 - Pedestrian lighting: Type 8 (LED), including 2 pedestrian luminaires, duplex receptacles, banner arms, flower basket holders, and irrigation.
- *Sea Island Way*: South side of the street –
 - Pole colour: Grey
 - Roadway lighting @ back of curb: As determined to the satisfaction of MOTI.
 - Pedestrian lighting (to be installed between the sidewalk and bike path): Type 8 (LED), including 2 pedestrian luminaires (set perpendicular to the direction of travel), BUT excluding duplex receptacles, banner arms, flower basket holders, and irrigation.

21.3. Parks SA* Requirements:

- a) The subject, multi-phase, mixed use development provides for a network of public parks and open spaces as generally illustrated in the Conceptual Parks Plan (**Schedule I**), including:
 - City-owned park (i.e. Neighbourhood Park and No. 3 Road Greenway), which will be:
 - Designed and constructed at the developer's sole cost via the City's standard SA* processes (secured via SA* Letter(s) of Credit); and
 - Phased as provided for via a covenant registered on title prior to rezoning adoption; and
 - Publicly-accessible open space secured for public use via statutory right-of-ways on private property (i.e. Neighbourhood Park Trail, Mid-Block Trail, and Sea Island Greenway), which will be:
 - Designed and constructed at the developer's sole cost via the City's standard Development Permit processes (secured via DP* Landscape Letter(s) of Credit); and
 - Phased to coincide with the design and construction of the private lots upon which the various public open space right-of-ways are registered.
- b) Prior to rezoning adoption, the developer is required to enter into a Servicing Agreement for the design and construction of the first phase of the 6,715 m² City-owned Neighbourhood Park located between No. 3 Road and the dedicated North-South Street, including a City-approved phasing and budget strategy, to the satisfaction of the Senior Manager, Parks, Director of Development, Director of Transportation, Director of Engineering, and Manager, Environmental Sustainability. The Neighbourhood Park, including this initial phase of park improvements, is generally illustrated in the Conceptual Parks Plan (**Schedule I**). In brief, the initial Neighbourhood Park improvements shall include, to the satisfaction of the City:
 - East portion (approximately 50%) - Permanent improvements across 3,326.4 m² of the park, including site preparation, raising the finished grade of the park to meet that of the dedicated North-

South Street, pedestrian paths and plaza areas, lighting, site furniture, play features, lawn, planting, trees, rain garden and/or alternate eco-amenity features, and related infrastructure and features.

NOTE: No DCC credits shall apply because the improvements shall be made to lands transferred to the City with respect to the Capstan Station Bonus and, thus, must be “suitably landscaped” at the sole cost of the developer as per the ZMU25 zone.

- West portion (approximately 50%) - Temporary improvements including grading and site preparation, a lawn for informal play, pathways, and related features and furnishings.

NOTE: No DCC credits shall apply because the required works are temporary and, thus, are not included in the City’s current DCC program.

- c) Street frontages are outside the scope of the park improvements and, therefore, are described under this document’s Transportation SA* Requirements.

NOTE: The street frontages must be designed and constructed in coordination with the park and, as determined to the satisfaction of the City, elements identified along those frontages under the Transportation SA* Requirements may be varied via the SA* detailed design processes to better achieve the inter-related objectives of the City’s parks, transportation, engineering, and related interests.

For Phase 1 (Lot 1), prior to a Development Permit* being forwarded to the Development Permit Panel for consideration, the developer is required to:

1. Legal Agreements on Title: Satisfy the terms of all legal agreements registered on title prior to rezoning adoption (RZ 12-610011) with respect to the Development Permit*, which shall include, but may not be limited to, the following:
 - 1.1. Affordable Housing: Submission of unit numbers, designs, unit mix and distribution, and related features, together with any required modifications or additions to legal agreements registered on title prior to rezoning adoption, to the satisfaction of the City.
 - 1.2. ARTS Units: Submission of unit numbers, designs, unit mix and distribution, and related features, together with any required modifications or additions to legal agreements registered on title prior to rezoning adoption, to the satisfaction of the City.
 - 1.3. Aircraft Noise Sensitive Uses: Submission of a report prepared by an appropriate registered professional, which demonstrates that the interior noise levels and thermal conditions comply with the City’s Official Community Plan (OCP) requirements for Aircraft Noise Sensitive Development.
 - 1.4. View Blockage, Canada Line, and Other Potential Development Impacts: Submission of a report prepared by an appropriate registered professional, which demonstrates that the interior noise levels and thermal conditions comply with the City’s Official Community Plan (OCP) requirements for Aircraft Noise Sensitive Development.
 - 1.5. Transitional Parking and TDM Measures: Submission of a design for the 250-space Public Parking facility on Lot 1, including required “car-share parking” facilities, together with any required modifications or additions to legal agreements registered on title prior to rezoning adoption, to the satisfaction of the City. Enter into a Servicing Agreement* (secured via a Letter of Credit) for temporary improvements along the No. 3 Road frontage of the Neighbourhood Park.
 - 1.6. Public Art: Submission of a detailed Public Art Plan, together with the registration of legal agreement(s), Letter(s) of Credits, and other measures facilitating its phased implementation, to the satisfaction of the City.
2. Additional Requirements: Discharge and registration of additional right-of-way(s) and/or legal agreement(s), as determined to the satisfaction of the Director of Development, Director of Transportation, Director of Engineering, and Senior Manager, Parks.

For Phase 1 (Lot 1), prior to Building Permit* issuance, the developer is required to complete various requirements, which include, but may not be limited to, the following:

1. Legal Agreements on Title: Satisfy the terms of all legal agreements registered on title prior to rezoning adoption (RZ 12-610011) and Development Permit* issuance with respect to the Building Permit*, which shall include, but may not be limited to, the following:
 - 1.1. Affordable Housing: Incorporation of the required amenity features in the Building Permit* drawings and specifications as determined via the rezoning (RZ 12-610011) and Development Permit* processes to the satisfaction of the City.
 - 1.2. ARTS Units: Incorporation of the required amenity features in the Building Permit* drawings and specifications as determined via the rezoning (RZ 12-610011) and Development Permit* processes to the satisfaction of the City.
 - 1.3. Aircraft Noise Sensitive Uses: Submission of a letter of assurance prepared by an appropriate registered professional, which confirms that noise mitigation and related measures identified via the Development Permit* approval processes have been incorporated satisfactorily in the Building Permit* drawings and specifications.
 - 1.4. View Blockage, Canada Line, and Other Potential Development Impacts: Submission of a letter of assurance prepared by an appropriate registered professional, which confirms that development impact mitigation and related measures identified via the Development Permit* approval processes have been incorporated satisfactorily in the Building Permit* drawings and specifications.
 - 1.5. Capstan Station Bonus: Submission of the voluntary developer contribution to the Capstan Station Reserve or as otherwise provided for in the Zoning Bylaw, as per the restrictive covenant(s) and/or legal agreement(s) registered on title and the Richmond Zoning Bylaw in effect at the date of Building Permit* issuance.
 - 1.6. District Energy Utility (DEU): Submission of an energy modelling report, demonstration that the building is designed with the capability to connect to and be serviced by a DEU, and registration of legal agreement(s) on title to facilitate DEU service.
2. Accessible Housing: Incorporation of accessibility measures in the Building Permit* drawings and specifications as determined via the rezoning (RZ 12-610011) and Development Permit* processes (e.g., Basic Universal Housing units, Aging in Place features).
3. Construction Traffic Management Plan: Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
4. Construction Hoarding: Obtain a Building Permit* for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit*. For additional information, contact the Building Approvals Division at 604-276-4285.

NOTE:

- * Items marked with an asterisk require a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

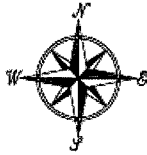
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

SIGNED COPY ON FILE

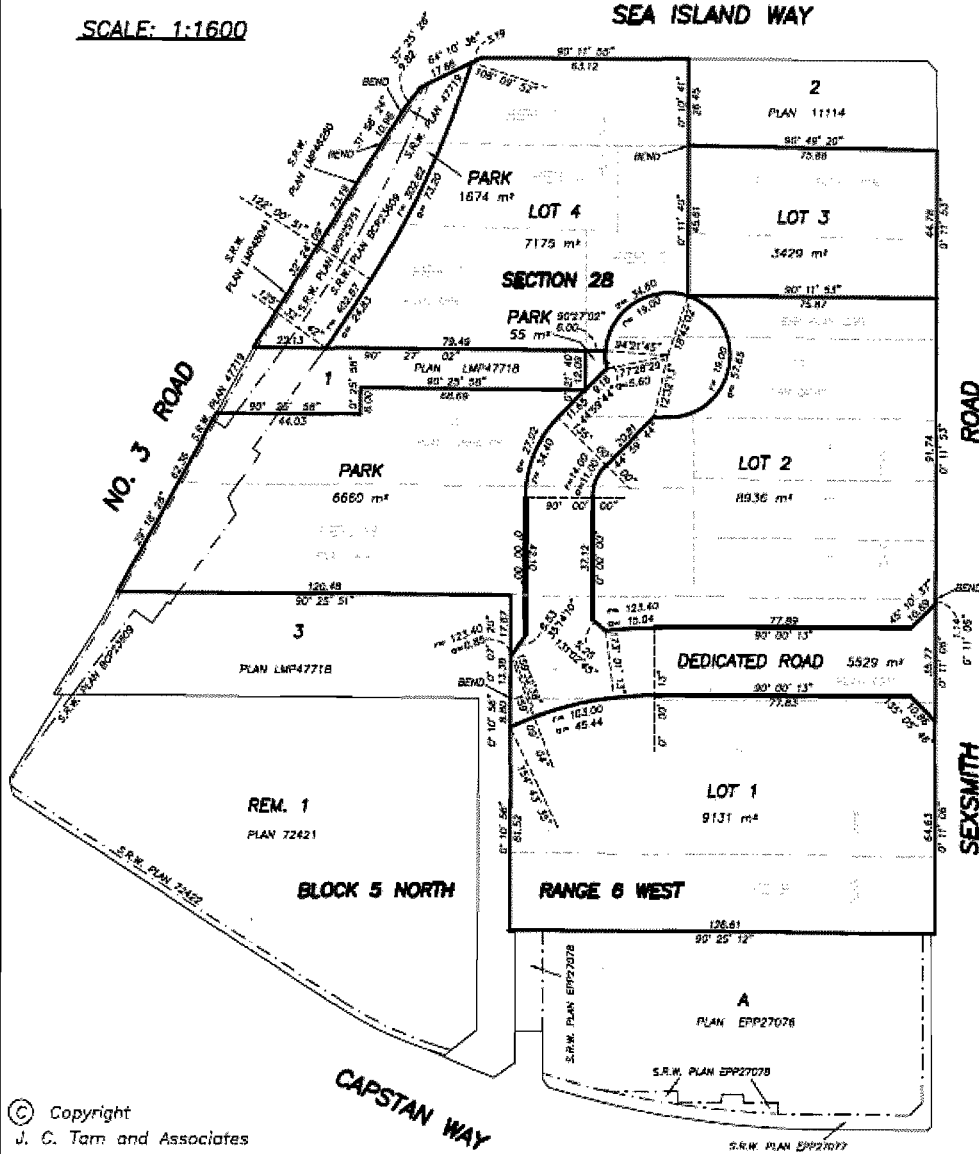
Signed

Date

**SKETCH PLAN OF PROPOSED SUDDIVISION OF PART OF
SECTION 28 BLOCK 5 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT**



SCALE: 1:1600



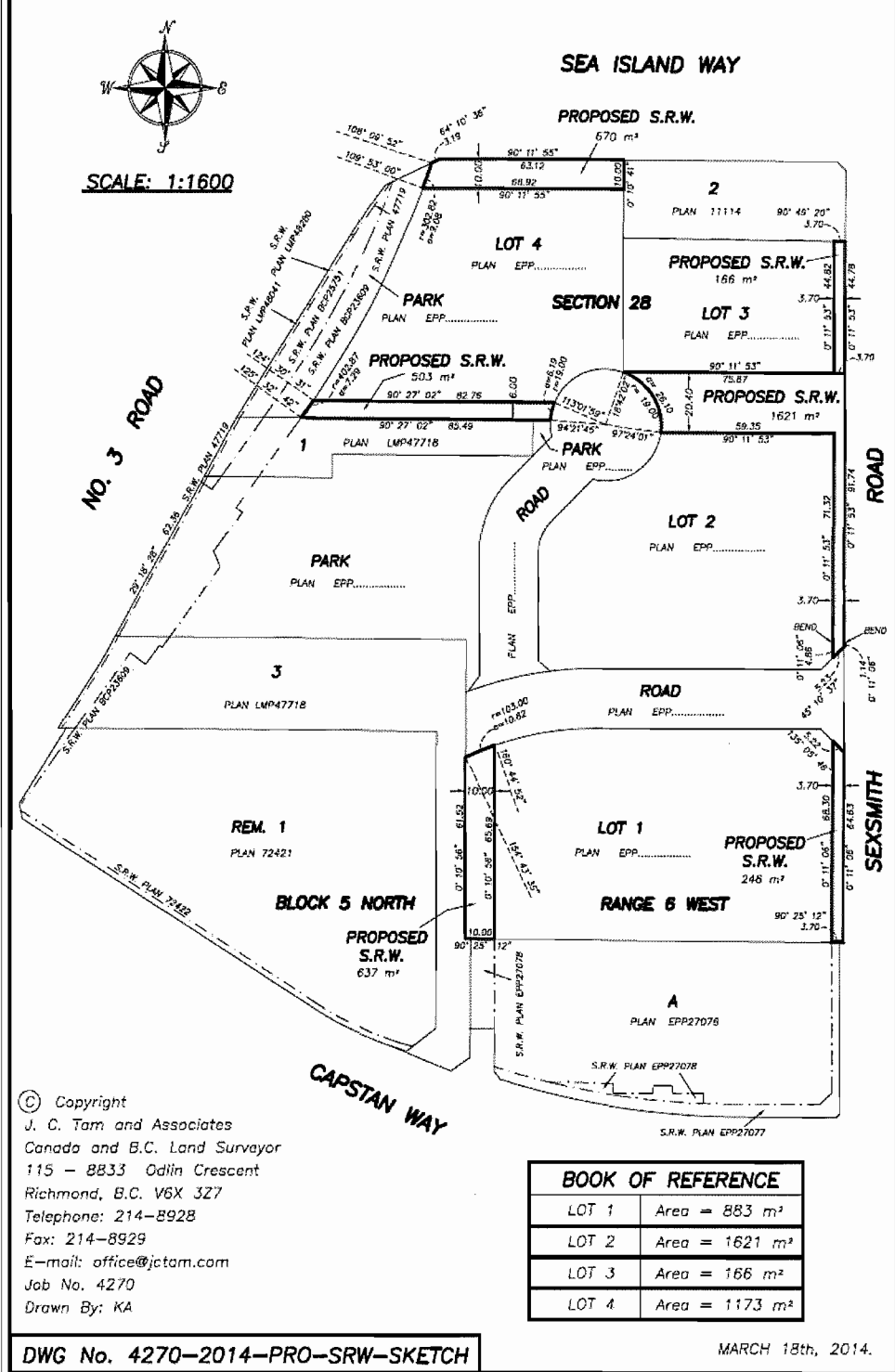
TOTAL PARK AREA= 8389 m²
TOTAL ROAD DEDICATION= 5529 m²

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Canada and B.C. Land Surveyor
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Job No. 4270
Drawn By: KA

DWG No. 4270-2014-PRO-SUB-SKETCH

MARCH 18th, 2014.

**SKETCH PLAN OF PROPOSED STATUTORY RIGHT OF WAY
OVER PARTS OF LOTS 1, 2, 3 AND 4 ALL OF
SECTION 28 BLOCK 5 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN EPP**



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Job No. 4270
Drawn By: KA

BOOK OF REFERENCE	
LOT 1	Area = 883 m ²
LOT 2	Area = 1621 m ²
LOT 3	Area = 166 m ²
LOT 4	Area = 1173 m ²

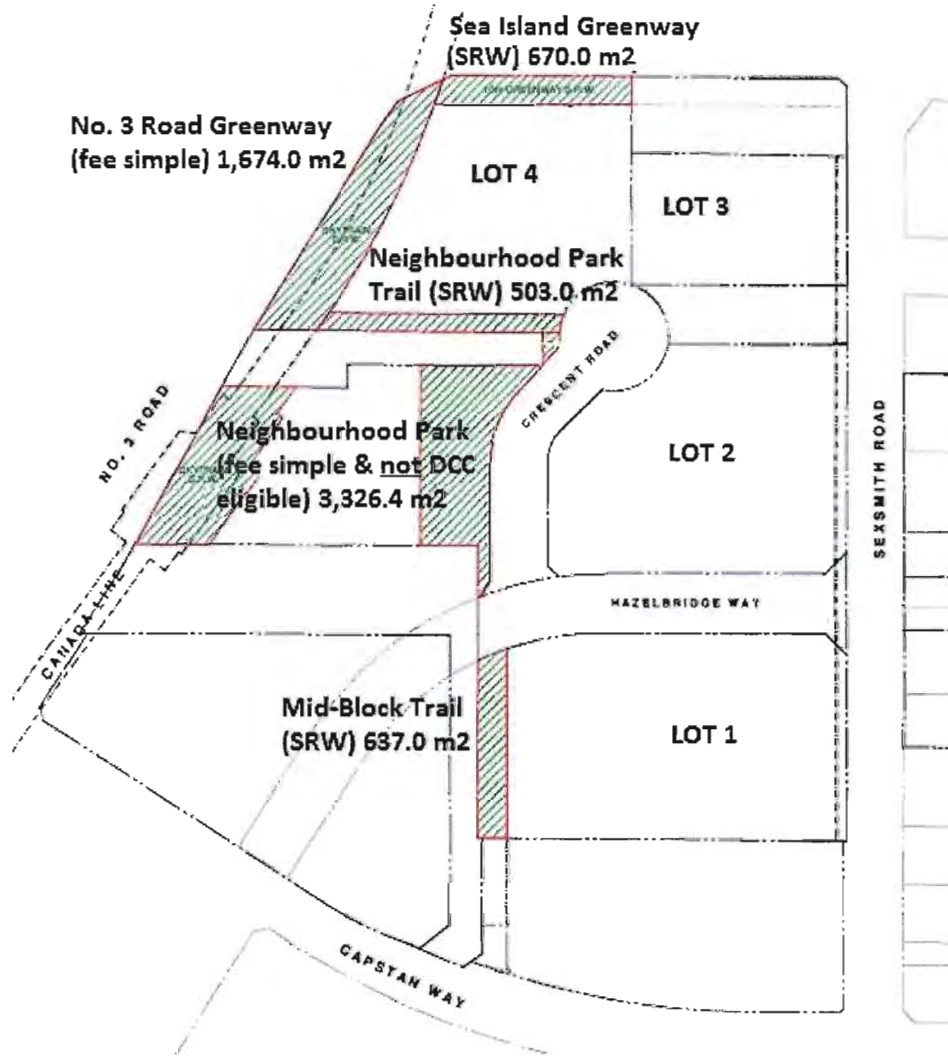
DWG No. 4270-2014-PRO-SRW-SKETCH

MARCH 18th, 2014.

NOTE: The size and configuration of the **ARTS Terraces** right-of-way shall be determined to the satisfaction of the City via the Development Permit* review and approval processes for Lot 1.

SCHEDULE C

Capstan Station Bonus – Public Open Space (Fee Simple & SRW) Location Map



Capstan Station Bonus (CSB) Public Open Space Features**		CSB Voluntary Public Open Space Contribution***	
		Fee Simple	SRW
A.	Neighbourhood Park (excluding DCC park)	3,326.4 m ²	nil
B.	No. 3 Road Greenway	1,674.0 m ²	nil
C.	Sea Island Greenway (Lot 4 SRW)	nil	670.0 m ²
D.	Neighbourhood Park Trail (Lot 4 SRW)	nil	503.0 m ²
E.	Mid-Block Trail (Lot 1 SRW)	nil	637.0 m ²
Sub-Total		5,000.4 m ²	1,810.0 m ²
TOTAL		6,810.4 m ² (1.683 ac)	

** CSB public open space features are NOT eligible for Development Cost Charge (DCC) credits for park acquisition or park development; however, as per the ZMU25 zone, the developer may use the area of CSB public open space features for density calculation purposes.

*** The developer must provide public open space in compliance with the provisions of the ZMU25 zone. If the combined total number of dwellings on Lots 1, 2, 3, and 4 exceeds 1,186, additional public open space shall be required. (No adjustment shall be made if the combined total number of dwellings is less than 1,186.)



**City of
Richmond**

**Supplementary Development
Permit Requirements**

Community Services Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

Prepared by City of Richmond January 16, 2013

RZ 12-610011

Pinnacle International (Richmond) Plaza Inc.

ARTS Units: Outline Specifications and Design Guidelines

Division 6 Woods and Plastics

Architectural Woodwork

- Cabinets – robust durable materials, heavy duty hardware
- Countertop – stain resistant, highly durable, resilient (consider Low VOC Materials LEED Credit 4.4)
- Door Frames – durable materials, resilient to impact of large, heavy materials and equipment
- Screens, Blinds and Shutter - solar control - provide light coloured sunlight rollers/shading with percentage of transparency dependent on orientation.

Division 7 Thermal and Moisture Protection

Building envelope

- The building envelope to meet the requirements of ASHRAE 90.1 2007 prescriptive requirements and in addition all glazing values must meet the minimum requirements, below, or approved equivalent.

Division 8 Doors and Windows

Entrances and Storefronts

- Commercial grade
- Direct access from interior double height spaces to outdoor space via over-height and double-width doors.

Windows

- Consistent with LEED Credits 8.1 and 8.2

Hardware

- Commercial grade locks and door sets

Glazing

- Tempered or laminated glass in Work Areas, as required by code
- Overall glazing u-value including frame to be less than: 0.4 Btu/hr-sq.ft-F
- Solar heat gain factor SHGF of 0.40
- Visible Light Transmittance of not less than 75.0

Division 9 Finishes

General

- General Material criteria: high impact resistance, traffic resistance, stain resistance and exceptional longevity.

- Maintenance Criteria: requires only simple cleaning processes (e.g. soap & water), surface finish easily made good (e.g. Hi-Traffic Acrylic Floor Finish mopped on); hi volume use with minimal impact.
- Repair Criteria: requires only basic interventions (e.g. one person with mortar patching/grinding equipment) to repair cracking, gouging, or other forms of more severe/accidental wear. Repairs contribute to the character of the material/finish; do not necessitate wholesale replacement or refinishing; and are cost effective to do.
- Replacement Criteria: easily stripped, prepped and re-installed with minimum of structural, substrate intervention and expeditious timeline to facilitate re-lease and minimal loss of income. Any replacement must be low-tech and cost effective.

Ceilings

- Smooth white paint finish on drywall or concrete

Flooring

- Sealed polished concrete in Work Studio Space and Living/Dining/Kitchen. (Concrete flooring with smooth trowel finishing, Class A finish per CSA A23.1 with spray concrete penetrating sealer).
- Low pile carpet in Bedroom (e.g. Berber)
- Resilient Flooring in Bathroom
- Low VOC Flooring (LEED Credit 4.3)

Wall Finishes

- Walls within work studio space to have plywood or sheet metal backing to a height of 10'-0" for attachment of equipment and shelving. Living/Dining/Kitchen walls to have plywood or sheet metal backing as required for fixtures and fittings.
- Provide column free space for the Work & Exhibition space. Columns in the Work & Exhibition space may be located along the perimeter of the rooms with consultation and agreement of the City of Richmond.
- Low VOC adhesives and sealants (LEED Credit 4.1)

Paints and Coatings

- Low VOC paints and coatings (LEED Credit 4.2)
- Museum white paint colour on walls throughout

Division 10 Specialties

Identification Devices

Directories – special directory for identification of artists in ARTS Units

Exterior signage – information about program and sponsorship of ARTS Units

Exterior display

- Provisions for the permanent or temporary display outdoors of a limited amount of artwork produced on the premises.

Division 12 Furnishings

Art – Public art to be integrated with unit exterior under Public Art Program agreements

Division 15 Mechanical

Plumbing Fixtures and Equipment

- Kitchen sink and the powder room sink to be commercial grade and equipped with grease interceptors (all sinks to be 16 gauge or lower)
- Provide one (1) tamper proof, non-freezing type of hose bib on the exterior of each pair of ARTS unit (9 in total).

- Plumbing should include rough-in only for easy installation of slop sinks in Work Area if needed.

Air Distribution

- Natural and mechanical ventilation (including, but not limited to, compliance with the City's Official Community Plan Aircraft Noise Sensitive Development policies for Area 3: Moderate Aircraft Noise Area).
- The base building is to provide fresh air and exhaust air systems, likely with multiple louvers around the perimeter walls (or provide other similar acceptable type of system).
- Provide operable windows (motorized if not accessible) for exterior facing spaces to provide additional ventilation.
- All spaces need to provide venting via the outside wall while providing a self-contained ventilation system in the ART unit.

Heating, Ventilating and Air Conditioning Equipment

- Provide central heating and cooling units that utilize good design practice to ensure appropriate acoustic performance. The areas are to have individually controlled HVAC systems for each room or group of similar rooms with the capability of being controlled, consistent with LEED Credits 6.2, and 7.1.
- Each Arts Unit shall be metered separately for electricity.
- There will be one gas meter for the 17 ARTS Units.

Division 16 Electrical

- Electrical flexibility (including flexible lighting options in the double height space) consistent with LEED Credit 6.1.
- Units wired for communication/high speed data/cable.
- Provide adequate electrical service for the intended uses. CDP distribution panel to be located within the Electrical Room. The location of the panel to be coordinated with the layout of the City space, specifically within the City's electrical room. This distribution panel is intended to accommodate all of the requirements of the ARTS Unit.
- The Base Building shall provide emergency power service as required by code.

Early Childhood Development Hub Terms of Reference

RZ 12-610011

For Pinnacle International (Richmond) Plaza Inc - Prepared by City of Richmond, March 14, 2014

1. Intent

The Early Childhood Development Hub facility must:

- a) Have a total indoor floor area equivalent to 5% of the proposed Village Centre Bonus (VCB) floor area or as otherwise determined to the satisfaction of the City;
- b) Provide both space for licensed child care programs, and early childhood and family support programs ;
- c) Provide a space for children between the ages of birth and 12 years old (Note that the age range may be adjusted as determined through consultation with the City and operator);
- d) Provide space for families and children utilizing the early childhood and family support programs;
- e) Satisfy the minimum recommended sizes of the Vancouver Coastal Health Design Resource for Child Care Facilities for the child care component of the facility (or the applicable City policy in effect at the time the facility is to be developed);
- f) Be capable of being licensed by Community Care Facilities and/or other relevant licensing policies and/or bodies at the time of the facility's construction and in accordance with applicable Provincial Child Care Regulations;
- g) On an ongoing basis, be both functioning and fully operational, to the satisfaction of the City (see "Performance" under Development Processes/Considerations);
- h) Provide functional space to meet the City Centre Area Plan Village Centre objectives for non-residential uses such as a community hub for early childhood development where a continuum of services can be provided; and
- i) Be designed, developed and operated within the spirit of the City's Child Care Development Policy (#4017) which states that:
 - The City of Richmond acknowledges that quality and affordable child care is an essential service in the community for residents, employers, and employees.
 - To address child care needs, the City will plan, partner and, as resources and budgets become available, support a range of quality, affordable child care facilities, spaces, programming, equipment, and support resources.
 - To develop City child care policies and guidelines, and use Council's powers and negotiations in the development approval process, to achieve child care targets and objectives.

2. Development Processes/Considerations

- a) Operator involvement –
 - The indoor floor plan and the outside play area for the child care facility and for the associated early childhood development and family support area should be developed in collaboration with the operator or its representative, as determined by the City.
 - An operator should be secured prior to the design process beginning.
 - To ensure the facility is satisfactory for a child care space and other ECD Hub programming and related purposes and will be a viable operation, the operator should have input into:
 - Space needs and design;
 - Operation and functioning of the facility;
 - Maintenance;
 - Fittings and finishes;
 - Equipment; and
 - Related considerations.
- b) Child Care Licensing Officer involvement – The application of the Provincial Child Care Regulations can vary based on the local Child Care Licensing Officer's interpretation of programs needs; it is therefore essential that the Licensing Officer be involved with the design and development of the facility from the outset.
- c) Performance – As a condition of Development Permit, to ensure the facility will, on an ongoing basis, be both functioning and operational to the satisfaction of the City, the developer will be required, in consultation with the City, operator, and other affected parties, to define a standard of performance and the measures necessary to safeguard that those standards will be achievable (e.g., responsibility for maintenance).

3. Facility Description

- a) General Considerations - As noted above (see Intent), the facility must satisfy all City of Richmond, licensing, and other applicable policies, guidelines, and bylaws as they apply at the time of development.

For reference purposes - *The minimum space recommended for a child care facility allowing for up to 81 children of various ages (infants to 12 years of age), exclusive of space peripheral to the primary function of the facility, such as parking, elevators and stairs, etc.:*

- Indoor activity space – 836 m² (9,000 ft²)
- Outdoor activity space – 855 m² (9,200 ft²)

Early Childhood Development and Family Support Programming requires:

- Indoor activity space – 465 m² (5,000 ft²)

It is important to note that the above sizes are subject to change based on a number of factors, including policy developments, changes in licensing requirements or the design guidelines, community needs, advice of the operator, and/or other considerations.

- b) Access - Safe, secure, and convenient access for children, staff, and parents is key to the viability of an ECD Hub. As the child care component will be located above the ground floor, special attention will be required to how the facility is accessed (e.g., by foot, by car, in an emergency), the distance travelled, convenience, and related considerations. Where determined necessary, the City may require that the facility is equipped with special features designed to address the challenges of locating a child care facility in a high-density, mixed-use development including, but not limited to:
- A dedicated, over-sized elevator capable of accommodating triple child strollers, large groups of people, and landscape materials (to be transported to the roof deck play area);
 - Parking and loading features required with respect to the ECD Hub entirely on-site and shall include, but may not be limited to, the following:
 - i. 16 parking spaces for the exclusive use of the ECD Hub for short-term parking purposes (e.g., drop-off/pick-up, program vehicle, activity/event parking) consolidated in one location on the building's ground floor with direct (indoor), universally-accessible access for pedestrians between the parkade and the "storefront space" (i.e. 1 standard space, 1 handicapped space, 7 pairs of "shared" handicapped spaces);
 - ii. 16 secured parking spaces consolidated in one location (including at least 1 handicapped space) for the exclusive use of the ECD Hub for long-term parking purposes (e.g., staff);
 - iii. "Class 2" bike storage for 12 bikes (including 6 bikes with attached bike trailers) co-located with the ECD Hub's short-term (ground floor) parking;
 - iv. "Class 1" bike storage in the form of a secure bike room for 10 bikes (equipped with a 120V duplex outlet for electric vehicle (EV) charging) co-located with the ECD Hub's long-term parking; and
 - v. 1 SU-9 loading space for the exclusive use of the ECD Hub, which space may be shared with other uses on-site if:
 - 1 additional parking space is co-located with the ECD Hub's short-term (ground floor) parking for the exclusive use of the ECD Hub for loading purposes for vans and smaller vehicles; and
 - Legal agreements are registered on title to secure adequate access in favour of the ECD Hub for shared use of on-site SU-9 loading spaces, to the satisfaction of the City, as determined via the Development Permit* design, review, and approval processes;
 - A dedicated garbage room in close proximity to the garbage collection area equipped with a mop sink, hose bib and floor drain; and
 - Private/secured entry from the fronting public street and private/secured entry from the parkade.
- c) Outdoor Space - The outdoor play space for the child care space must be:
- Provided with covered and open play areas;

- Fully equipped with play structures and other apparatus that meet the requirements of Licensing authorities and are to the satisfaction of the operator and City of Richmond;
 - Landscaped with a combination of hard and soft play surfaces, together with appropriate fencing and access (taking into account the challenges of locating a facility on a rooftop) to provide for a wide variety of activities including, but not limited to, the use of wheeled toys, ball play, and gardening;
 - Situated with good access to sunlight for at least three hours per day at winter solstice, two hours of which should occur during typical playtimes 9:30 a.m. to 11:30 a.m. or 1:30 p.m. to 4:00 p.m.
 - Located where it is protected from noise pollution (e.g., from traffic, transit, construction) and ensures good air quality (e.g., protect from vehicle exhaust, restaurant and other ventilation exhausts, noxious fumes);
 - Situated where it is immediately adjacent to and directly accessible (visually and physically) to the indoor child care space;
 - Safe and secure from interference by strangers and others;
 - Situated to avoid conflict with nearby uses (e.g., residential); and
 - If multiple age groups of children are to be accommodated within the space, demised with fencing and be tailored to meet the various developmental needs of the ages of children being served.
- d) Noise Mitigation – Special measures should be incorporated to minimize ambient noise levels both indoors and outdoors (e.g., incorporating a roof over part of the outdoor play space to help create an area of reduced aircraft noise, etc.).
- e) Height Above Grade – The facility is not to be located above the fourth floor of the project, except where this is determined to be to the satisfaction of the City.
- f) Natural light & ventilation – The facility’s indoor spaces (with the exception of washrooms, storage, and service areas) must have operable, exterior windows offering attractive views (near or far) and reasonable privacy/overlook, as determined through Richmond’s standard development review process.
- g) The associated early childhood development and family support space planned at grade should have an active presence on the street, e.g., support spaces should be placed away from the front windows and spaces such as a multi-purpose room, lounge and reception should be visible.

4. Level of Finish

The ECD Hub must be turnkey and ready for immediate occupancy upon completion (with the exception of loose furnishings, toys, and related items). This includes, but is not limited to, the following requirements:

- Finished floors installed (vinyl and/or carpet);
- Walls and ceiling painted;
- Window coverings installed (curtains or blinds);
- A commercial kitchen with fire suppression and servery kitchens fully fitted out, including major appliances (e.g., stove/ovens, refrigerators, microwaves) and cabinets;
- Washrooms fully fitted out, including sinks, toilets, and cabinets;
- Wired for cablevision, internet, phone, and security;
- Non-movable indoor cabinets, including cubbies;
- All outdoor landscaping, including all permanently mounted play equipment and furnishings;
- Operable, exterior windows; and
- Noise attenuation to the satisfaction of the City.

5. Tenure

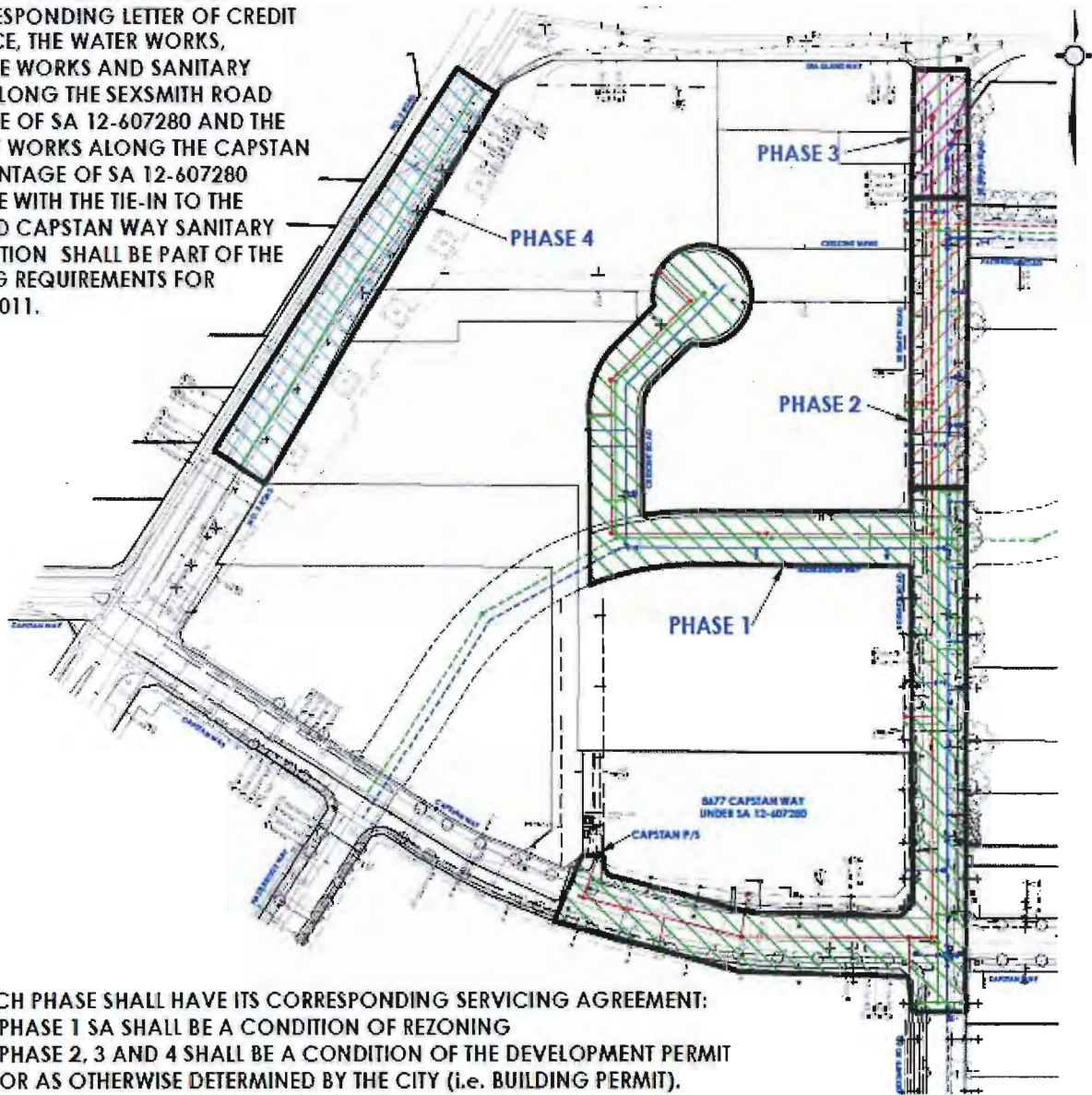
Parcel: Air space parcel
Ownership: Developer transfers ownership to the City

6. Legal

As a condition of completing the pending rezoning, legal documents will be required to secure the ECD Hub facility contribution, including a “no-development” covenant, an option to purchase, a Letter of Credit, and/or other measures as determined to the satisfaction of the City.

THE REQUIRED FRONTAGE IMPROVEMENTS ALONG SEA ISLAND WAY WILL IMPACT THE EXISTING DRAINAGE IN THE AREA. IT IS THE DEVELOPER'S RESPONSIBILITY TO DETERMINE THE ALTERATIONS AND UPGRADES REQUIRED TO ACCOMMODATE THE ROAD IMPROVEMENTS AND TO COORDINATE WITH MOTI.

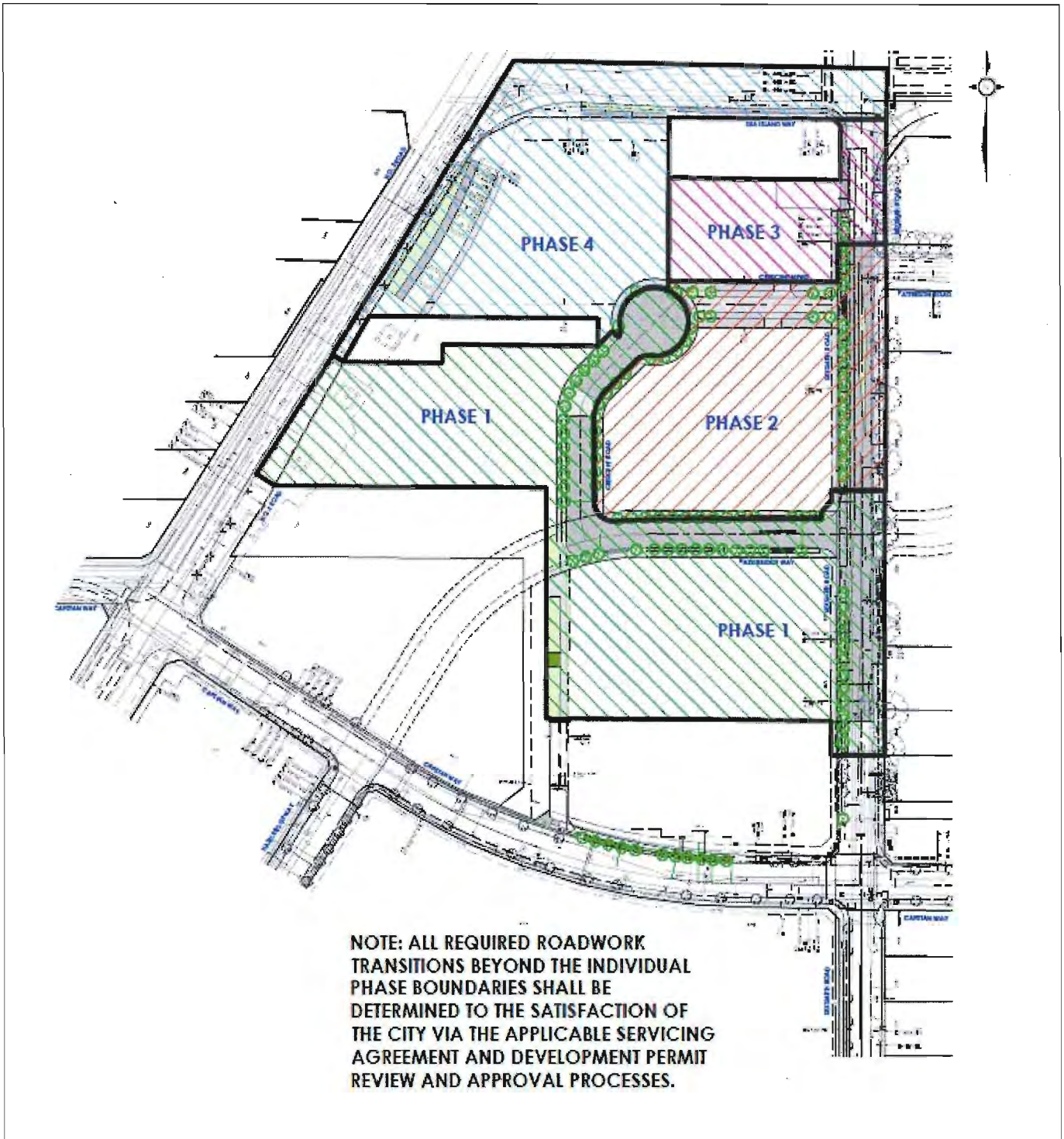
UNTIL SA 12-607280 IS FINALIZED AND ITS CORRESPONDING LETTER OF CREDIT IS IN PLACE, THE WATER WORKS, DRAINAGE WORKS AND SANITARY WORKS ALONG THE SEXSMITH ROAD FRONTAGE OF SA 12-607280 AND THE SANITARY WORKS ALONG THE CAPSTAN WAY FRONTAGE OF SA 12-607280 COMPLETE WITH THE TIE-IN TO THE PROPOSED CAPSTAN WAY SANITARY PUMP STATION SHALL BE PART OF THE REZONING REQUIREMENTS FOR RZ 12-610011.



1. EACH PHASE SHALL HAVE ITS CORRESPONDING SERVICING AGREEMENT:
 - a. PHASE 1 SA SHALL BE A CONDITION OF REZONING
 - b. PHASE 2, 3 AND 4 SHALL BE A CONDITION OF THE DEVELOPMENT PERMIT OR AS OTHERWISE DETERMINED BY THE CITY (i.e. BUILDING PERMIT).
2. ALL WATERWORKS SHALL BE CONSTRUCTED AS PART OF PHASE 1 SA

City of Richmond

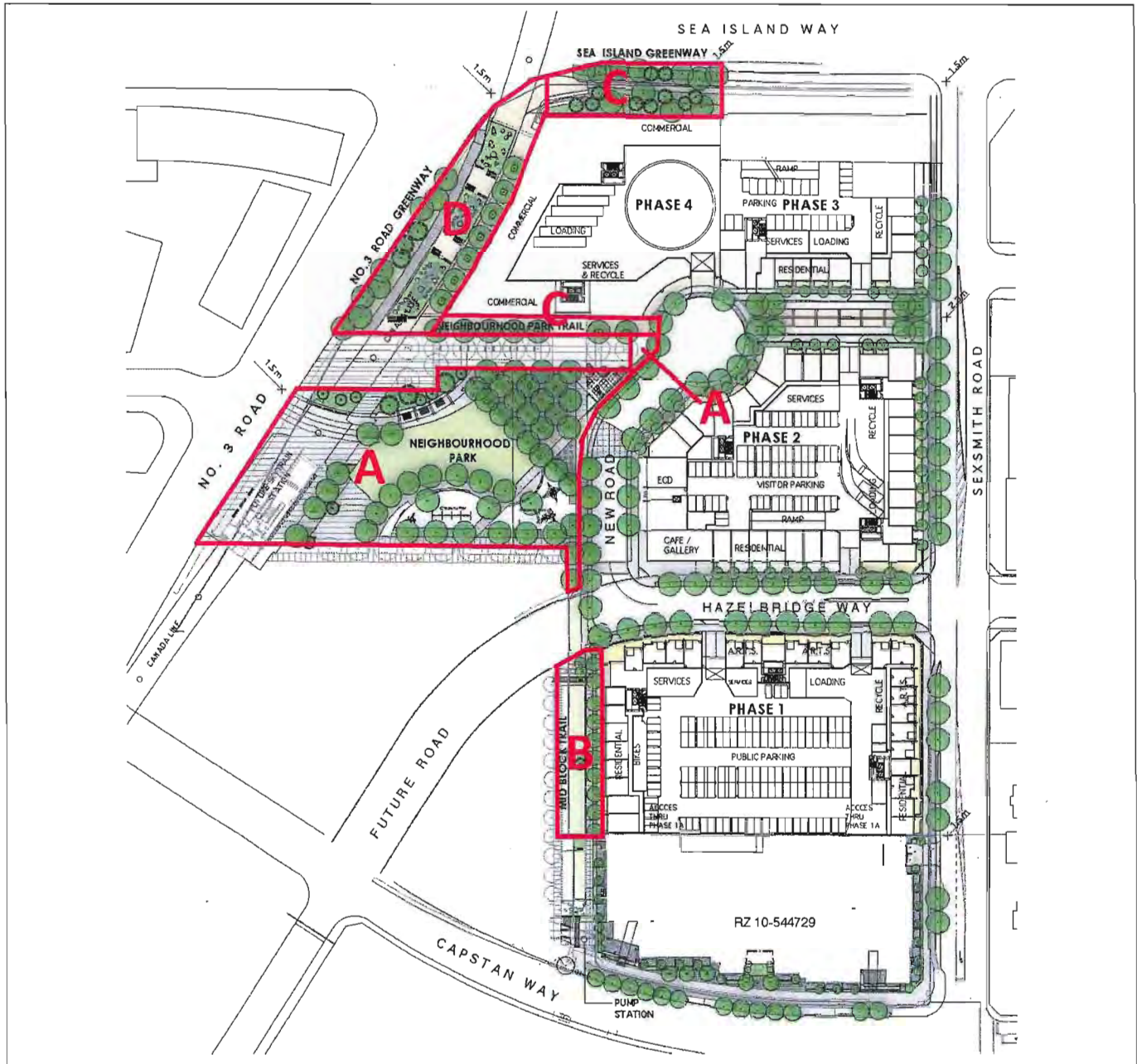
SCHEDULE F
Phasing Key Plan - ROADS



PH - 240

Initial: _____

SCHEDULE F
Phasing Key Plan - PARKS



- A** **Prior to rezoning adoption:** Servicing Agreement & Letter of Credit for Neighbourhood Park improvements, including 50% permanent works (east half) & 50% temporary works (west half)
- B** **Prior to Phase 1 Development Permit issuance:** DP design & Landscape Letter of Credit for the Mid-Block Trail SRW (i.e. extension of trail improvements initiated through RZ 10-544729)
- C** **Prior to Phase 4 Development Permit issuance:** DP design & Landscape Letter of Credit for the Neighbourhood Park Trail SRW & Sea Island Way Greenway SRW
- D** **Prior to Phase 4 Development Permit issuance:** Servicing Agreement & Letter of Credit for the No. 3 Road Greenway

SCHEDULE G
Phasing Summary Table

** Occupancy refers to final Building Permit (BP) inspection granting occupancy for the applicable phase in whole or in part, exclusive of parking.

Features & Amenities	Phased Voluntary Developer Contributions	Prior to Rezoning Adoption (RZ 12-610011)	Prior to Development Permit (DP) Issuance	Prior to Occupancy**
PHASE 1 – All features, amenities & voluntary developer contributions identified with respect to Phase 1 must be satisfied, as follows:				
NOTE: The developer shall be required to enter into Servicing Agreement #1 (secured via a Letter (s) of Credit) prior to rezoning adoption (RZ 12-610011).				
a. ARTS units	100% (turnkey level of finish)	Legal agreement on title	City-approved DP design	Complete
b. Affordable housing	Lot 1 – 100% (turnkey level of finish)	Legal agreement on title	City-approved DP design	Complete
c. Residential amenity space	Lot 1 – 100% of indoor & outdoor space	Legal agreement on title	City-approved DP design	Complete
d. Neighbourhood Park (CCAP park/City-owned)	Temporary improvements (i.e. relocation of temporary field secured via RZ 10-544729) will be designed & constructed within roughly 50% of the Neighbourhood Park. (Non-DCC item)	Servicing Agreement #1 & Letter of Credit	n/a	Complete
e. Neighbourhood Park (Capstan Station Bonus park space/City-owned)	100% of the additional City-owned park space forming roughly 50% of the Neighbourhood Park will be designed & constructed	Servicing Agreement #1 & Letter of Credit	n/a	Complete
f. Mid-Block Trail (SRW)	100%	Legal agreement on title	City-approved DP design & DP landscape Letter of Credit	Complete
g. MOTI improvements	All applicable MOTI requirements, as determined to the City's satisfaction	City-approved functional road design, Servicing Agreement #1 & Letter of Credit	n/a	Complete
h. Sexsmith Road (City-owned) & Sexsmith sidewalk widening (SRW)	Capstan Way to north side of Hazelbridge Way & transitions	City-approved functional road design, Servicing Agreement #1 & Letter of Credit	n/a	Complete
i. Hazelbridge Way (City-owned)	100%, except traffic island & north sidewalk & boulevard	City-approved functional road design, Servicing Agreement #1 & Letter of Credit	n/a	Complete
j. North-South Street (City-owned)	100%, except sidewalk & boulevard along the east side & at the bulb	City-approved functional road design, Servicing Agreement #1 & Letter of Credit	n/a	Complete
k. Traffic signals	Upgrade @ Sexsmith Road & Hazelbridge Way	City-approved functional road design, Servicing Agreement #1 & Letter of Credit	n/a	Complete

PH - 242

Initial: _____

Features & Amenities	Phased Voluntary Developer Contributions	Prior to Rezoning Adoption (RZ 12-610011)	Prior to Development Permit (DP) Issuance	Prior to Occupancy**
l. Transitional parking & TDM measures	Pre-ducting for EV charging stations along the Neighbourhood Park frontage of the North-South Street	City-approved design, Servicing Agreement #1 & Letter of Credit	n/a	Complete
m. Transitional parking & TDM measures	Temporary frontage improvements along No. 3 Road frontage of the Neighbourhood Park (& cash-in-lieu contribution for the future installation of ultimate frontage improvements to the City's satisfaction)	City-approved functional road design, Servicing Agreement #1 & Letter of Credit (& cash-in-lieu contribution)	n/a	Complete
n. Transitional parking & TDM measures	Construction of a Public Parking facility containing 250 parking spaces, together with provisions for interim residential use	Legal agreement on title	Legal agreement & City-approved DP design for Phase 1	Complete
o. Transitional parking & TDM measures	Parking for 6 car share vehicles & EV charging stations, to be located with the Public Parking facility (above)	Legal agreement on title	Legal agreement & City-approved DP design for Phase 1 & Letter(s) of Credit	Complete
p. On-site parking, bike storage & EV charging	Compliance with current OCP & Zoning Bylaw requirements	Legal agreement on title	City-approved DP design & legal agreements (as determined to the City's satisfaction)	Complete
q. Cross Access	Comprehensive parkade development facilitating vehicle & pedestrian circulation for Lot 1 & 8677 Capstan Way (as per RZ 10-544729)	Legal agreement on title	City-approved DP design & legal agreement (& security, as determined by the City)	Complete
r. District Energy Utility	DEU-ready design & construction	Legal agreement on title	City-approved DP design	Complete
s. Engineering	As per Phasing Key Plan – Engineering, generally including: - Water: 100% (No phasing permitted) - Storm: Cul-de-sac to Capstan Way - Sanitary: Cul-de-sac to Capstan pump station	Servicing Agreement #1 & Letter of Credit	n/a	Complete
t. Additional Engineering Requirements	Additional works arising through Development Permit, Servicing Agreement & Building Permit processes for Lot 1	Legal agreement on title	To be determined to the City's satisfaction. May include Servicing Agreement, Letter of Credit &/or other requirements.	Complete
u. Public art	Lot 1 – 100% of developer requirements for the City-approved Public Art Plan with respect to Lot 1	Legal agreement on title	Detailed Public Art Plan, Letter of Credit or cash &/or legal agreements, as applicable by phase	Complete

Features & Amenities	Phased Voluntary Developer Contributions	Prior to Rezoning Adoption (RZ 12-610011)	Prior to Development Permit (DP) Issuance	Prior to Occupancy**
PHASE 2 – All features, amenities & voluntary developer contributions identified with respect to Phase 1 must be satisfied, together with the following:				
NOTE: The developer shall be required to enter into Servicing Agreement #2 (secured via a Letter (s) of Credit) prior to Development Permit issuance for Phase 2 (Lot 2) or as otherwise determined at the sole discretion of the City (e.g., Building Permit issuance for Phase 2 / Lot 2).				
a. ECD Hub	100% (turnkey level of finish)	Legal agreement on title	City-approved DP design	Complete
b. Affordable housing	Lot 2 – 100% (turnkey level of finish)	Legal agreement on title	City-approved DP design	Complete
c. Residential amenity space	Lot 2 – 100% of indoor & outdoor space	Legal agreement on title	City-approved DP design	Complete
d. Neighbourhood Park (CCAP park/City-owned)	Park improvements, as determined to the satisfaction of the City, the construction cost of which to the developer shall not exceed the development's DCCs (for park construction) payable for Lot 2. (DCC-eligible item.)	Legal agreement on title	To be determined to the City's satisfaction. May include public consultation processes, Servicing Agreement #2 & Letter of Credit	Complete
e. MOTI improvements	All applicable MOTI requirements, as determined to the City's satisfaction	City-approved functional road design & legal agreement on title	Servicing Agreement #2 & Letter of Credit	Complete
f. Sexsmith Road (City) & Sexsmith sidewalk widening (SRW)	Hazelbridge Way to north side of Patterson Road & transitions	City-approved functional road design & legal agreement on title	Servicing Agreement #2 & Letter of Credit	Complete
g. Hazelbridge Way (City-owned)	Lot 2 frontage improvements (e.g., sidewalk & boulevard)	City-approved functional road design & legal agreement on title	Servicing Agreement #2 & Letter of Credit	Complete
h. North-South Street (City-owned)	Lot 2 frontage improvements (e.g., sidewalk & boulevard)	City-approved functional road design & legal agreement on title	Servicing Agreement #2 & Letter of Credit	Complete
i. Private Road (SRW)	Lot 2 multi-modal connection between Sexsmith Road & the North-South Street	City-approved functional road design & legal agreement on title	City-approved DP design & DP landscape Letter of Credit	Complete
j. Transitional parking & TDM measures	Interim use of the Public Parking facility constructed in Phase 1 for, in part, residential use	Legal agreement on title	Legal agreement & City-approved DP design for Phase 2	Complete
k. On-site parking, bike storage & EV charging	Compliance with current OCP & Zoning Bylaw requirements	Legal agreement on title	City-approved DP design & legal agreements (as determined to the City's satisfaction)	Complete
l. Cross Access	Comprehensive parkade development facilitating vehicle & pedestrian circulation for Lots 2, 3 & 4	Legal agreement on title	City-approved DP design & legal agreement (& security, as determined by the City)	Complete
m. District Energy Utility	DEU-ready design & construction	Legal agreement on title	City-approved DP design	Complete

Features & Amenities	Phased Voluntary Developer Contributions	Prior to Rezoning Adoption (RZ 12-610011)	Prior to Development Permit (DP) Issuance	Prior to Occupancy**
n. Engineering	As per Phasing Key Plan – Engineering	Legal agreement on title	Servicing Agreement #2 & Letter of Credit	Complete
o. Additional Engineering Requirements	Additional works arising through Development Permit, Servicing Agreement & Building Permit processes for Lot 2	Legal agreement on title	To be determined to the City's satisfaction. May include Servicing Agreement #2, Letter of Credit &/or other requirements.	Complete
p. Public art	Lot 2 – 100% of developer requirements for the City-approved Public Art Plan with respect to Lot 2	Legal agreement on title	Detailed Public Art Plan, Letter of Credit or cash &/or legal agreements, as applicable by phase	Complete
<p>PHASE 3 – All features, amenities & voluntary developer contributions identified with respect to Phases 1 & 2 must be satisfied, together with the following: NOTE: The developer shall be required to enter into Servicing Agreement #3 (secured via a Letter (s) of Credit) prior to Development Permit issuance for Phase 3 (Lot 3) or as otherwise determined at the sole discretion of the City (e.g., Building Permit issuance for Phase 3 / Lot 3). NOTE: If Phase 4 proceeds ahead of Phase 3 (as per the terms of the phasing covenant registered on title prior to rezoning adoption), at the sole determination of the City, prior to Development Permit issuance and/or occupancy for Phase 4, various features, amenities & voluntary developer contributions identified with respect to Phase 3 including, but not limited to, various things identified with respect to Servicing Agreement #3, may be required to be undertaken in addition to those identified for Phase 4.</p>				
a. 3131 Sexsmith Road (orphaned lot)	Development Permit issuance is restricted for Lot 3, in whole or in part, until development is coordinated with 3131 Sexsmith Road to the City's satisfaction	Legal agreement on title	To be determined to the City's satisfaction prior to DP issuance. May include legal agreement(s), security &/or other measures, as determined to the City's satisfaction.	Complete
b. Affordable housing	Lot 3 – 100% (turnkey level of finish)	Legal agreement on title	City-approved DP design	Complete
c. Residential amenity space	Lot 3 – 100% of indoor & outdoor space (to be shared with Lot 4)	Legal agreement on title (including shared use by Lot 4 residents)	City-approved DP design	Complete
d. Neighbourhood Park (CCAP park/City-owned)	Park improvements, as determined to the satisfaction of the City, the construction cost of which to the developer shall not exceed the development's DCCs (for park construction) payable for Lot 3. (DCC-eligible item.)	Legal agreement on title	To be determined to the City's satisfaction. May include public consultation processes, Servicing Agreement #3 & Letter of Credit	Complete
e. MOTI improvements	All applicable MOTI requirements, as determined to the City's satisfaction	City-approved functional road design & legal agreement on title	Servicing Agreement #3 & Letter of Credit	Complete
f. Sexsmith Road (City-owned) & Sexsmith sidewalk widening (SRW)	North of Patterson Road	City-approved functional road design & legal agreement on title	Servicing Agreement #3 & Letter of Credit	Complete

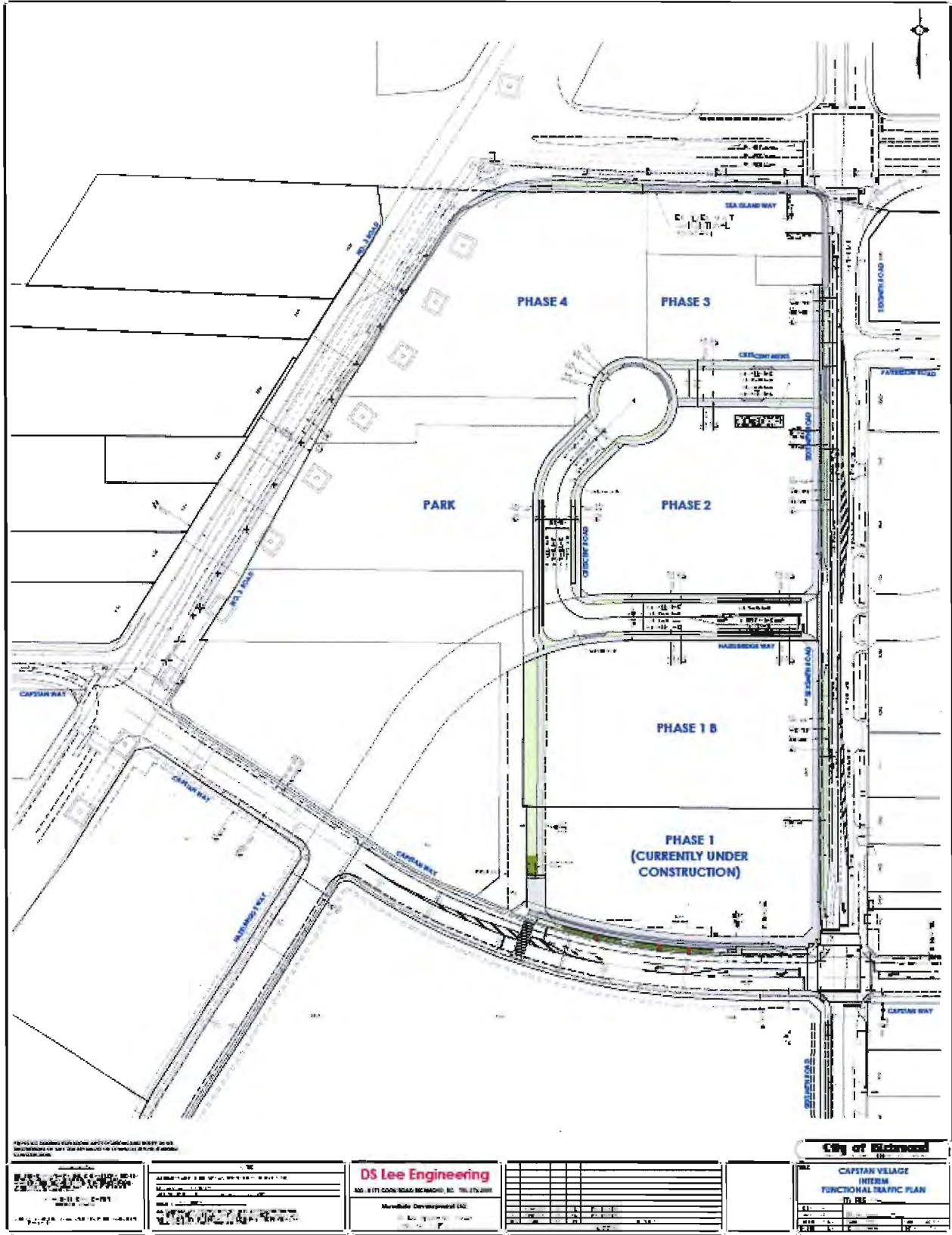
Features & Amenities	Phased Voluntary Developer Contributions	Prior to Rezoning Adoption (RZ 12-610011)	Prior to Development Permit (DP) Issuance	Prior to Occupancy**
g. Transitional parking & TDM measures	Interim use of the Public Parking facility constructed in Phase 1 for, in part, residential use	Legal agreement on title	Legal agreement & City-approved DP design for Phase 3	Complete
h. On-site parking, bike storage & EV charging	Compliance with current OCP & Zoning Bylaw requirements	Legal agreement on title	City-approved DP design & legal agreements (as determined to the City's satisfaction)	Complete
i. Cross Access	Comprehensive parkade development facilitating vehicle & pedestrian circulation for Lots 2, 3 & 4	Legal agreement on title	City-approved DP design & legal agreement (& security, as determined by the City)	Complete
j. District Energy Utility	DEU-ready design & construction	Legal agreement on title	City-approved DP design	Complete
k. Engineering	As per Phasing Key Plan – Engineering	Legal agreement on title	Servicing Agreement #3 & Letter of Credit	Complete
l. Additional Engineering Requirements	Additional works arising through Development Permit, Servicing Agreement & Building Permit processes for Lot 3	Legal agreement on title	To be determined to the City's satisfaction. May include Servicing Agreement #3, Letter of Credit &/or other requirements.	Complete
m. Public art	Lot 3 – 100% of developer requirements for the City-approved Public Art Plan with respect to Lot 3	Legal agreement on title	Detailed Public Art Plan, Letter of Credit or cash &/or legal agreements, as applicable by phase	Complete
<p>PHASE 4 – All features, amenities & voluntary developer contributions identified with respect to Phase 1, 2 & 3 must be satisfied, together with the following:</p> <p>NOTE: The developer shall be required to enter into Servicing Agreement #4 (secured via a Letter (s) of Credit) prior to Development Permit issuance for Phase 4 (Lot 4) or as otherwise determined at the sole discretion of the City (e.g., Building Permit issuance for Phase 4 / Lot 4).</p> <p>NOTE: If Phase 4 proceeds ahead of Phase 3 (as per the terms of the phasing covenant registered on title prior to rezoning adoption), at the sole determination of the City, prior to Development Permit issuance and/or occupancy for Phase 4, various features, amenities & voluntary developer contributions identified with respect to Phase 3 including, but not limited to, various things identified with respect to Servicing Agreement #3, may be required to be undertaken in addition to those identified for Phase 4.</p>				
a. Affordable housing	Lot 4 – 100% (turnkey level of finish)	Legal agreement on title	City-approved DP design	Complete
b. Residential amenity space	Lot 4 – 100% of indoor & outdoor space (to be shared with Lot 3)	Legal agreement on title (including shared use by Lot 3 residents)	City-approved DP design	Complete
c. Neighbourhood Park (CCAP park/City-owned)	Park improvements, as determined to the satisfaction of the City, the construction cost of which to the developer shall not exceed the development's DCCs (for park construction) payable for Lot 4. (DCC-eligible item.)	Legal agreement on title	To be determined to the City's satisfaction. May include public consultation processes, Servicing Agreement #4 & Letter of Credit	Complete
d. No. 3 Road Greenway (City-owned)	100% (Non-DCC item)	Legal agreement on title	City-approved design, Servicing Agreement #4 & Letter of Credit	Complete

Features & Amenities	Phased Voluntary Developer Contributions	Prior to Rezoning Adoption (RZ 12-610011)	Prior to Development Permit (DP) Issuance	Prior to Occupancy**
e. Sea Island Greenway (SRW)	100%	Legal agreement on title	City-approved DP design & DP landscape Letter of Credit	Complete
f. Neighbourhood Park trail (SRW)	100%	Legal agreement on title	City-approved DP design & DP landscape Letter of Credit	Complete
g. MOTI improvements	All applicable MOTI requirements, as determined to the City's satisfaction	City-approved functional road design & legal agreement on title	Servicing Agreement #4 & Letter of Credit	Complete
h. North-South Street (City-owned)	Lot 4 frontage improvements (e.g., sidewalk & boulevard)	Legal agreement on title	Servicing Agreement #4 & Letter of Credit	Complete
i. Transitional parking & TDM measures	Frontage improvements along the No. 3 Road & Sea Island Way frontages of the City-owned No. 3 Road Greenway (park)	Legal agreement on title	City-approved design, Servicing Agreement #4 & Letter of Credit	Complete
j. Transitional parking & TDM measures	Use of the Public Parking facility constructed in Phase 1 for, in part, assigned non-residential use	Legal agreement on title	Legal agreement & City-approved DP design for Phase 4	Complete
k. On-site parking, bike storage & EV charging	Compliance with current OCP & Zoning Bylaw requirements	Legal agreement on title	City-approved DP design & legal agreements (as determined to the City's satisfaction)	Complete
l. Cross Access	Comprehensive parkade development facilitating vehicle & pedestrian circulation for Lots 2, 3 & 4	Legal agreement on title	City-approved DP design & legal agreement (& security, as determined by the City)	Complete
m. District Energy Utility	DEU-ready design & construction	Legal agreement on title	City-approved DP design	Complete
n. Engineering	As per Phasing Key Plan – Engineering	Legal agreement on title	Servicing Agreement #4 & Letter of Credit	Complete
o. Additional Engineering Requirements	Additional works arising through Development Permit, Servicing Agreement & Building Permit processes for Lot 4	Legal agreement on title	To be determined to the City's satisfaction. May include Servicing Agreement #4, Letter of Credit &/or other requirements.	Complete
p. Public art	Lot 4 – 100% of developer requirements for the City-approved Public Art Plan with respect to Lot 4	Legal agreement on title	Detailed Public Art Plan, Letter of Credit or cash &/or legal agreements, as applicable by phase	Complete

PH - 247

Initial: _____

SCHEDULE H
 Preliminary Functional Roads Plan - Interim

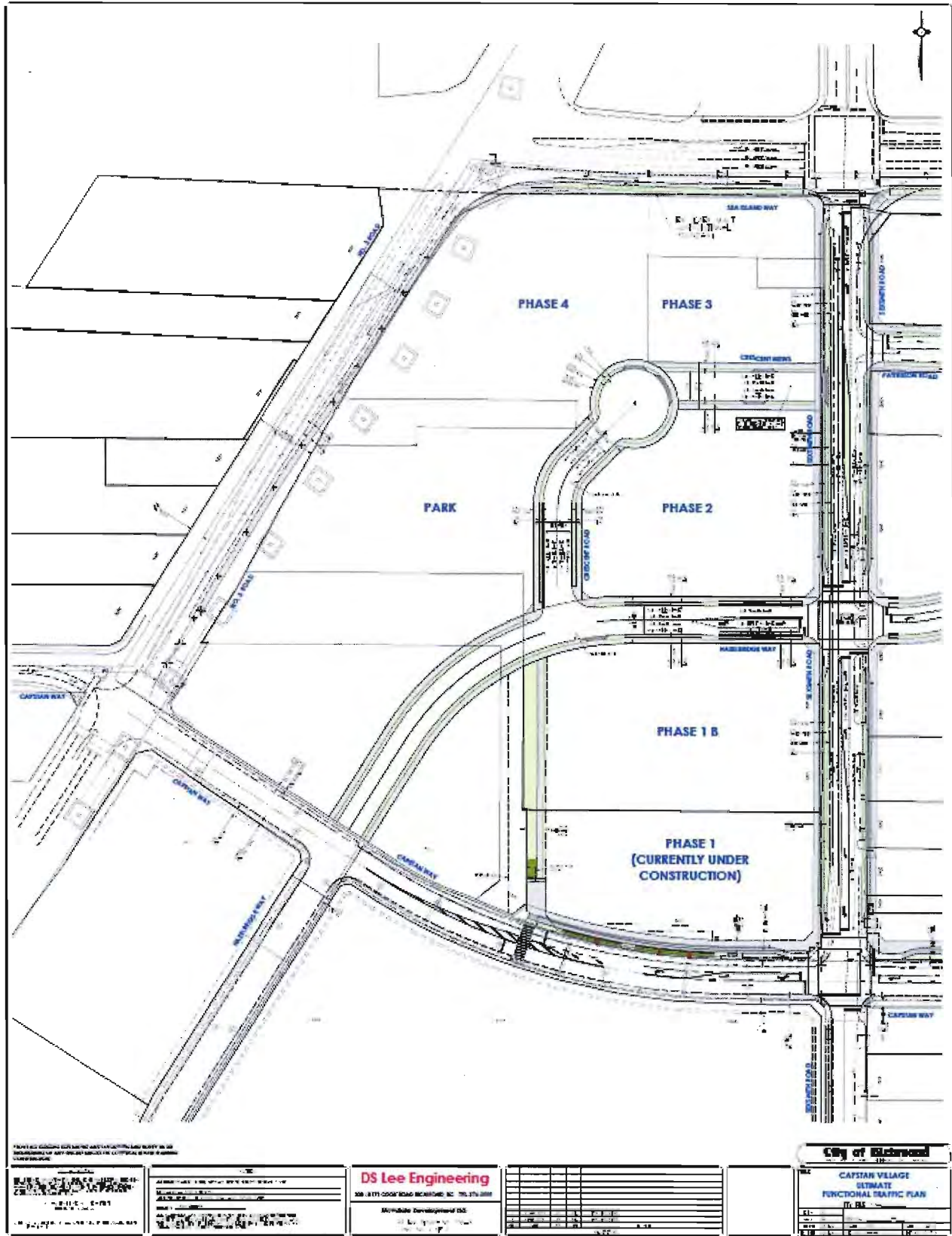


NOTE: The detailed design of the **Private Road** (right-of-way) shall be determined to the satisfaction of the City via the Development Permit* review and approval processes for Lot 2.

PH - 248

Initial: _____

SCHEDULE H
 Preliminary Functional Roads Plan - Ultimate



NOTE: The detailed design of the *Private Road* (right-of-way) shall be determined to the satisfaction of the City via the Development Permit* review and approval processes for Lot 2.

PH - 249

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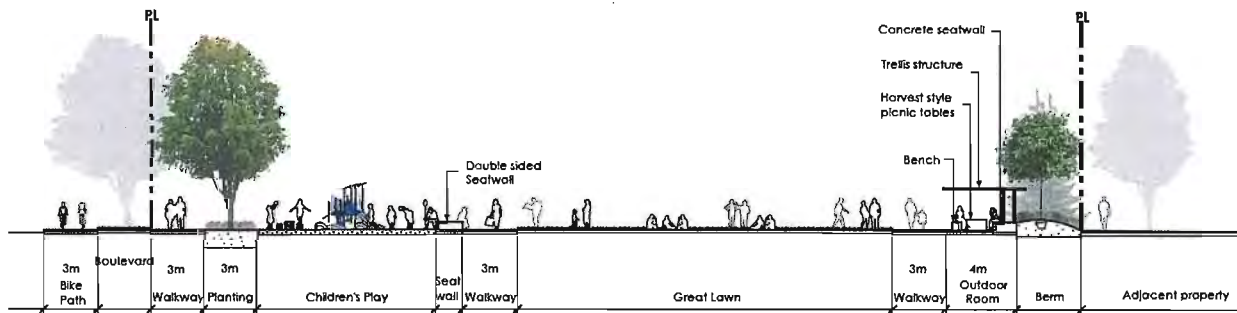
Conceptual Parks Plan (RZ 12-610011)



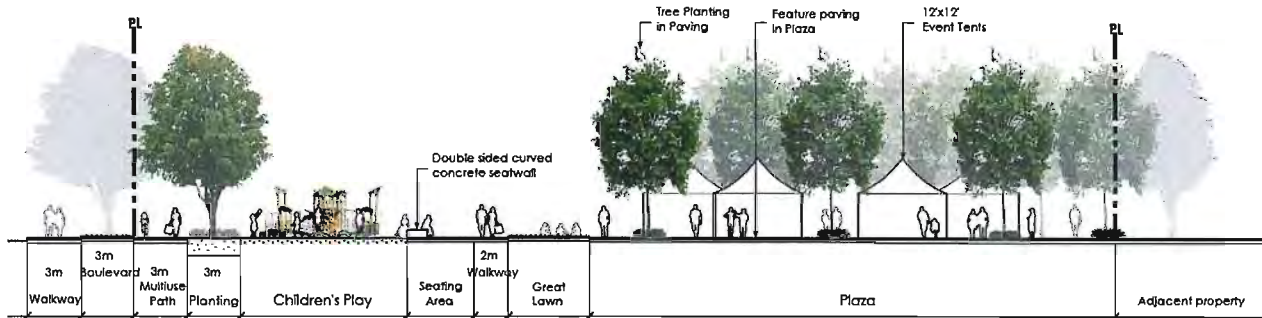
PH - 250

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Conceptual Parks Plan (RZ 12-610011)



Neighbourhood Park - West Portion (looking west)



Neighbourhood Park - East Portion (looking west)

NEIGHBOURHOOD PARK - DETAILS

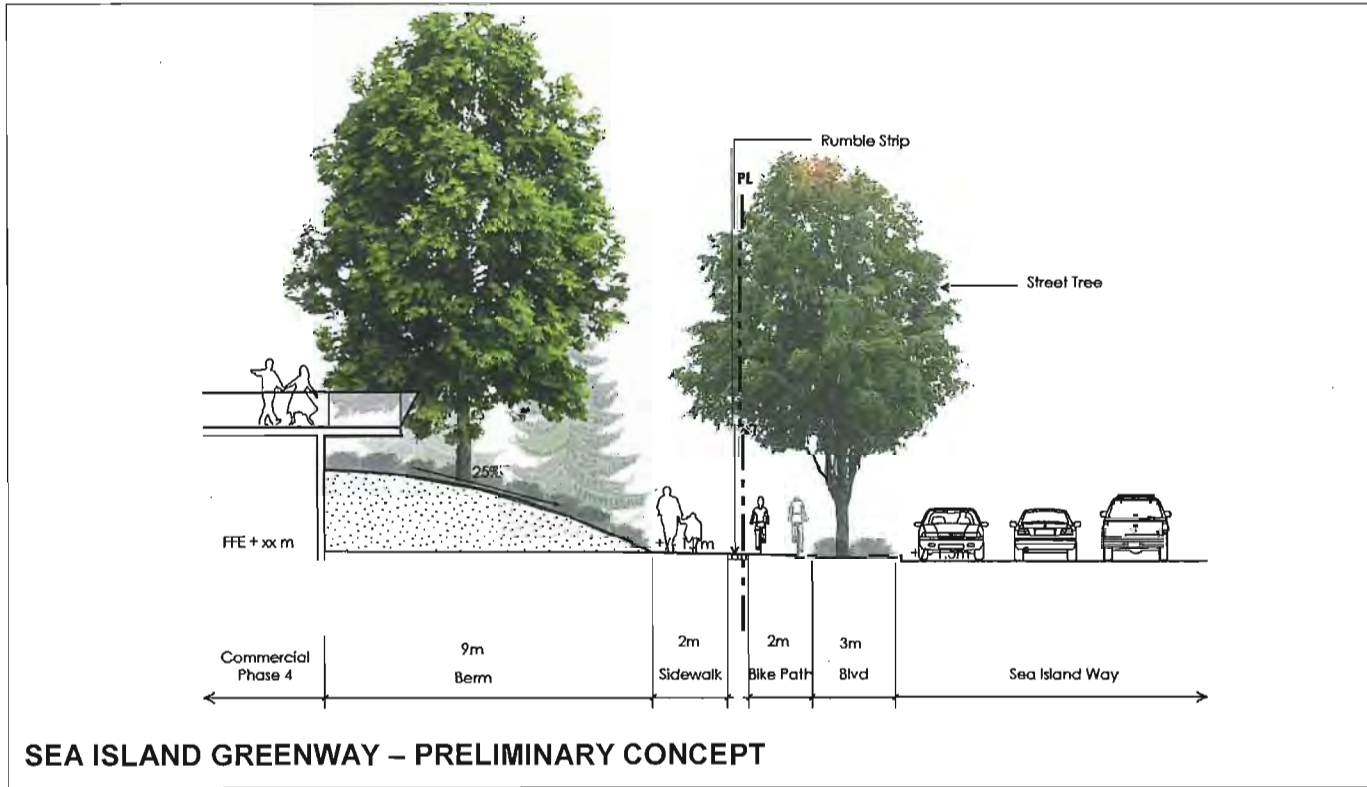
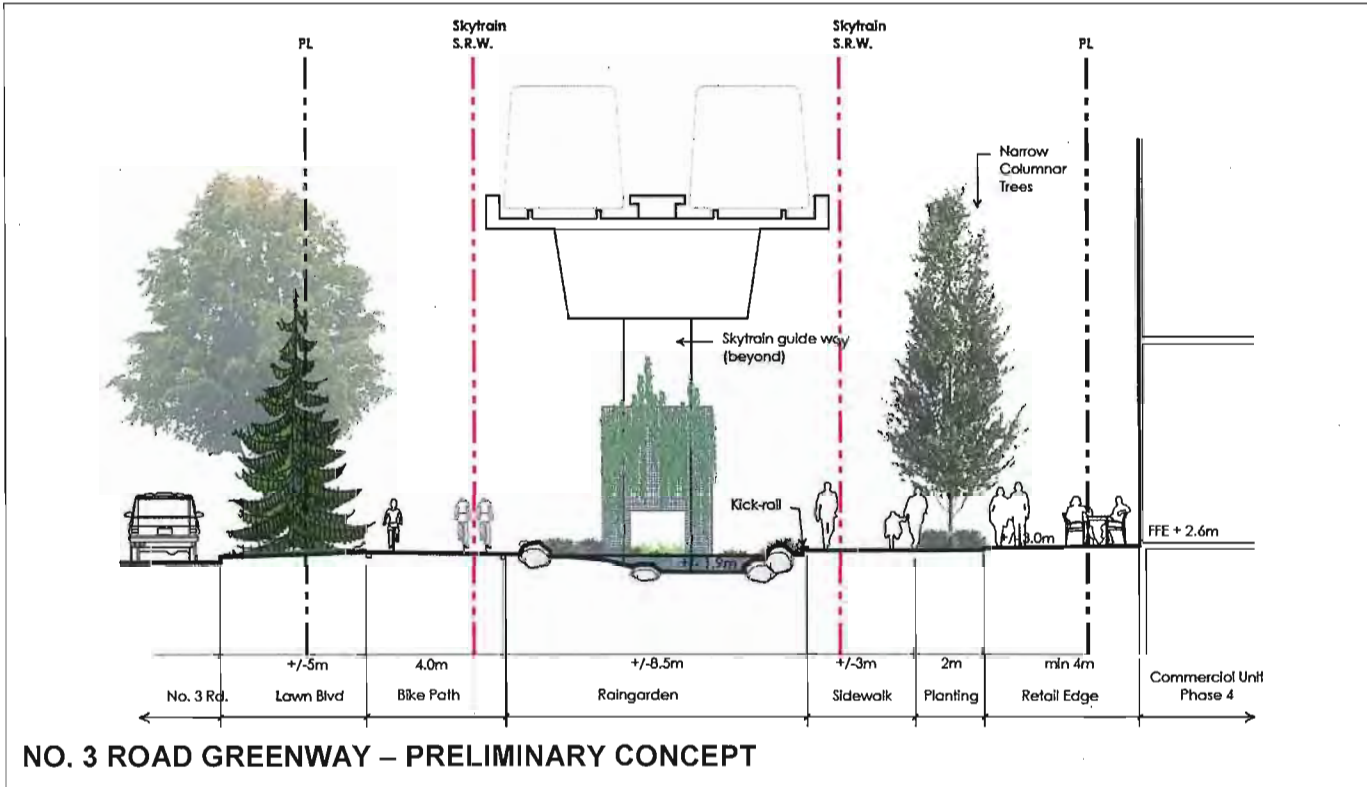
NEIGHBOURHOOD PARK

Highlights of the Conceptual Parks Plan for the Neighbourhood Park include:

1. **Urban Plazas/Squares:** Two hard surface spaces will form the backbone of an exciting, urban space. The main plaza, shaded with trees, will function as the common ground where neighbourhood residents can meet and socialize, enjoy the outdoors, and participate in a variety of programmed events. It will be constructed of high quality materials and built for durability and practicality. The second plaza area will be located at the southwest end of the park. Its association with the future Capstan Canada Line station and the anticipated retail and commercial uses of the future development site to the south will lead to a lively urban space, since pedestrian volumes in this area would be expected to be high.
2. **Lawn:** An open lawn space will be developed for informal play and sunning. It will be large enough so that it may host a range of outdoor activities, and its location between the two plaza spaces will extend the range of activities and events.
3. **Trees:** A mix of tree types will be planted to provide shade, colour, and seasonal interest.
4. **Landscape Features:** These will include earthworks, specimen trees, rain gardens and ornamental planting beds.
5. **Pedestrian Pathways:** A network of pathways and circulation routes will be developed to bring people in to, out from and through the park. This is especially important due to the park's position as at a crossroad linking the future Capstan Canada Line station with residences in the surrounding neighbourhood.
6. **Playground:** A range of traditional play equipment to those more informal and natural in materials and character will be provided for neighbourhood children. It will complement the services to be provided by a licensed child care centre that is included in the proposed development project.
7. **Site Furniture:** The park will contain a variety of benches and seating edges, tables, trellises and trash receptacles to support life within the park.
8. **Public Art:** Works of public art will be commissioned and placed to enliven the park and contribute towards a sense of place, ownership and identity for local residents and visitors.
9. **Infrastructure:** The plan will specify the infrastructure necessary for the efficient and effective operation and maintenance of the park including, but not limited to, lighting, irrigation, storm drainage, power, and water.

NOTE: Only City and private utilities required to facilitate public enjoyment of the Neighbourhood Park, as determined to the sole satisfaction of the City, shall be permitted within the bounds of the City-owned lot secured via the subject rezoning application for Neighbourhood Park purposes.

Conceptual Parks Plan (RZ 12-610011) – Details





**Richmond Zoning Bylaw 8500
Amendment Bylaw 9135 (RZ 12-610011)
3200, 3220, 3240, 3300, and 3320 No. 3 Road and 3171, 3191, 3211,
3231, 3251, 3271, 3291, 3331, and 3371 Sexsmith Road**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500, as amended, is further amended by inserting Section 20.25 thereof the following:

**“20.25 Residential / Limited Commercial and Artist Residential Tenancy Studio Units
(ZMU25) – Capstan Village (City Centre)**

20.25.1 Purpose

The **zone** accommodates artist residential tenancy studio (ARTS) units and high-rise apartments within the **City Centre**, plus a limited amount of **commercial use** and compatible **secondary uses**. Additional **density** is provided to achieve, among other things, **City** objectives in respect to the **City Centre** arts district, **affordable housing units**, **child care**, amenity, **commercial use**, and the Capstan Canada Line station.

20.25.2 Permitted Uses

- artist residential tenancy studio (ARTS) units
- **child care**
- **congregate housing**
- **housing, apartment**
- **housing, town**
- **live/work dwelling**

20.25.3 Secondary Uses

- **amenity space, community**
- **animal grooming**
- **boarding and lodging**
- **broadcast studio**
- **community care facility, minor**
- **education, commercial**
- **government service**
- **health service, minor**
- **home-based business**
- **hotel**
- **library and exhibit**
- **liquor primary establishment**

- **manufacturing, custom indoor**
- **office**
- **park**
- **parking, non-accessory**
- **private club**
- **recreation, indoor**
- **religious assembly**
- **restaurant**
- **retail, convenience**
- **retail, general**
- **retail, second hand**
- **service, business support**
- **service, financial**
- **service, household repair**
- **service, personal**
- **studio**
- **vehicle rental, convenience**
- **veterinary service**

20.25.4 Permitted Density

1. The maximum **floor area ratio** is 1.2, together with an additional 0.1 **floor area ratio** provided that it is entirely used to accommodate **amenity space**.
2. Notwithstanding Section 20.25.4.1, the reference to “1.2” is increased to a higher **floor area ratio** of “2.5”, provided that:
 - a) the **site** is located in the Capstan Station Bonus Map area designated by the **City Centre Area Plan**;
 - b) the **owner** pays a sum into the **Capstan station reserve** as specified in Section 5.19 of this bylaw;
 - c) the **owner** grants to the **City**, via a statutory **right-of-way, air space parcel**, or fee simple, as determined at the sole discretion of the **City**, rights of public use over a suitably landscaped area of the **site** for **park** and related purposes at a rate of 5.74 m² per **dwelling unit** or 6,810.4 m², whichever is greater;
 - d) prior to occupancy of the **building**, the **owner**:
 - i. provides within the **building** not less than four **affordable housing units** and the combined **habitable space** of the total number of **affordable housing units** would comprise at least 5% of the total residential **building** area, excluding the **building** area of artist residential tenancy studio (ARTS) units; and

- ii. enters into a **housing agreement** with respect to the **affordable housing units** and registers the **housing agreement** against title to the **lot**, and files a notice in the Land Title Office; and
 - e) prior to occupancy of any **building** within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2, the **owner**:
 - i. provides within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2, not less than 17 artist residential tenancy studio (ARTS) units and the combined **habitable space** of the total number of artist residential tenancy studio (ARTS) units would comprise at least 1,393.5 m²; and
 - ii. enters into a **housing agreement** with respect to the artist residential tenancy studio (ARTS) units and registers the **housing agreement** against title to the **lot**, and files a notice in the Land Title Office.
3. If the **owner** of a **lot** has paid a sum into the **Capstan station reserve** and provided a suitably landscaped area of the **site** for **park** and related purposes, **affordable housing units**, and artist residential tenancy studio (ARTS) units under Section 20.25.4.2, Sub-Sections (b), (c), (d), and (e) respectively, an additional 1.0 **density bonus floor area ratio** is permitted, provided that:
- a) the **lot** is located in the Village Centre Bonus Area designated by the **City Centre Area Plan**;
 - b) the **owner** uses the additional 1.0 **density bonus floor area ratio** only for non-residential purposes, which non-residential purposes shall provide, in whole or in part, for **convenience retail uses** (e.g., large format grocery store; drug store), **minor health services**, pedestrian-oriented **general retail**, or other **uses** important to the viability of the Village Centre as determined to the satisfaction of the **City**;
 - c) the **owner** uses a maximum of 49% of the **gross floor area** of the **building**, including the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building area**), for non-residential purposes;
 - d) the **owner** grants to the **City**, via **air space parcel**, at least 5% of the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building area**) or 1,428.4 m², whichever is greater, for **child care**, **community amenity space**, and **minor health service**, to the satisfaction of the **City**, and locates the entirety of the area granted to the **City** within the area shown cross-hatched and indicated as “B” in Section 20.25.4, Diagram 2; and
 - e) the **owner** provides 250 **parking spaces** for shared **commercial/residential use** and grants rights of public use over 50% of the **parking spaces**, secured via a statutory **right-of-way**, **air space parcel**, or alternative means, as determined at the sole discretion of the **City**, within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2.
4. For the area within the **City Centre** shown cross-hatched in Section 20.25.4, Diagram 1, notwithstanding Section 20.25.4.2, the reference to “2.5” is increased to a higher **floor**

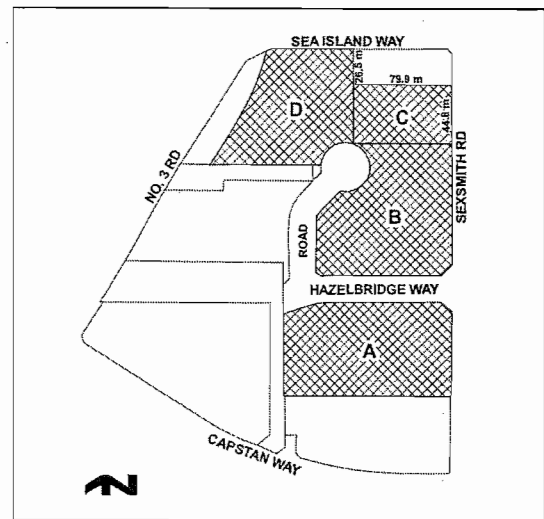
area ratio of “3.418” and, notwithstanding Section 20.25.4.3, the reference to “1.0” is increased to a higher **floor area ratio** of “1.462”, provided that the:

- b) **owner** complies with the conditions set out in Sections 20.25.4.2(a), (b), (c), and (d) and Sections 20.25.4.3(a), (b), (c), (d), and (e);
- c) **owner** dedicates not less than 5,529.0 m² of land to the **City** as **road**;
- d) **owner** transfers not less than 5,000.4 m² of land to the **City** as fee simple for **park** purposes, which shall include a suitably landscaped area of the **site** transferred by the **owner** to the **City** in compliance with Section 20.25.4.2(c), provided that such area is transferred to the **City** as fee simple;
- e) maximum total combined **floor area** for the **site** shall not exceed 126,575.4 m², of which the **floor area** of residential **uses** shall not exceed 98,008.0 m² and the **floor area** of other **uses** shall not exceed 28,567.4 m²; and
- f) maximum **floor area** for the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, shall not exceed:
 - i. for “A”: 35,144.1 m² for residential **uses**, including at least 843.8 m² of **habitable space** for **affordable housing units**, and nil for other **uses**;
 - ii. for “B”: 39,194.5 m² for residential **uses**, including at least 979.9 m² of **habitable space** for **affordable housing units**, and 1,688.5 m² for other **uses**;
 - iii. for “C”: 15,732.2 m² for residential **uses**, including at least 1,980.4 m² of **habitable space** for **affordable housing units**, and nil for other **uses**; and
 - iv. for “D”: 7,937.2 m² for residential **uses**, including at least 1,026.6 m² of **habitable space** for **affordable housing units**, and 26,878.9 m² for other **uses**.

Diagram 1



Diagram 2



- 5. There is no maximum **floor area ratio** for **non-accessory parking** as a **principal use**.

20.25.5 Permitted Lot Coverage

1. The maximum **lot coverage** for the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, is 90% for **buildings** and **landscaped** roofs over **parking spaces**.

20.25.6 Yards & Setbacks

1. Minimum **setbacks** shall be:
 - a) for Canada Line **setbacks**, measured to a **lot line**:
 - i. for **dwelling units**, **amenity space**, and **child care**: 20.0 m, but may be reduced to 10.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**; and
 - ii. for other **uses**: 6.0 m;
 - b) for **road** and **park setbacks**, measured to a **lot line** or the boundary of an area granted to the **City**, via a statutory **right-of-way** or **air space parcel**, for **road** or **park** purposes: 6.0 m, but may be reduced to 3.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**;
 - c) for **interior side yard setbacks**, measured to a **lot line** or the boundary of an area granted to the **City**, via a statutory **right-of-way** or **air space parcel**, for **road** or **park** purposes: 6.0 m, but may be reduced to 0.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**; and
 - d) for parking situated below finished grade, measured to a **lot line**: 0.0 m.

20.25.7 Permitted Heights

1. The maximum **building height** shall be:
 - a) 47.0 m geodetic north of Hazelbridge Way; and
 - b) 35.0 m south of Hazelbridge Way, but may be increased to 47.0 m geodetic if a proper interface is provided with adjacent **buildings** and areas secured by the **City**, via statutory **right-of-way**, **air space parcel**, fee simple, or other means as determined to the satisfaction of the **City**, for **park** purposes, as specified in a Development Permit approved by the **City**.
2. The maximum **height** for **accessory buildings** is 5.0 m.
3. The maximum **height** for **accessory structures** is 12.0 m.

20.25.8 Subdivision Provisions

1. The minimum **lot** area for the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, shall be:
 - a) for “A”: 9,000 m²;
 - b) for “B”: 8,800 m²;
 - c) for “C”: 3,200 m²; and
 - d) for “D”: 7,000 m².

20.25.9 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

20.25.10 On-Site Parking and Loading

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the provisions of Section 7.0, EXCEPT that for the purpose of minimum number of **parking spaces**:
 - a) **City Centre** Parking Zone 1 rates shall apply;
 - b) the minimum on-site parking requirements for **town housing, apartment housing, and mixed commercial/residential uses** shall not be less than 1.0 space for residents per **dwelling unit**; and
 - c) Artist residential tenancy studio (ARTS) units shall be treated as **affordable housing units**.
2. Notwithstanding Section 20.25.10.1, if the **owner** has provided:
 - a) **child care, community amenity space, and minor health service** within the area shown cross-hatched and indicated as “B” in Section 20.25.4, Diagram 2, under Section 20.25.4.3(d), the minimum combined total number of **parking spaces** for the **uses** shall be 32, all of which shall be located within area “B”; and
 - b) 250 **parking spaces** for shared **commercial/residential use** within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2, and granted rights of public use over 50% of the **parking spaces** under Section 20.25.4.3(e):
 - i. the minimum combined total number of **parking spaces** required for non-residential **uses** within the area shown cross-hatched and indicated as “D” in Section 20.25.4, Diagram 2, shall be reduced by 250; and
 - ii. the minimum number of residential visitor **parking spaces** within the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, may be reduced by 50%.

20.25.11 Other Regulations

1. For the purposes of this bylaw, arts residential tenancy studio unit or ARTS unit:
 - a) means a **dwelling unit** providing space for sleeping, living, washrooms, and **kitchen**, together with space designed to facilitate the use of the **dwelling** for arts-related **home-based business** purposes including painting, pottery, dance, choreography, non-amplified music, composing, conducting, arranging, recording, writing, media arts, photography, print making, or carving;
 - b) shall be **town housing**;
 - c) shall have a minimum **habitable space** of 74.0 m², of which at least 25.0 m², provided as one contiguous space, shall have a minimum clear height of 4.5 m measured from the surface of the finished floor to the surface of the finished ceiling.
 2. Signage must comply with the City of Richmond's *Sign Bylaw No. 5560*, as it applies to **development** in the Downtown Commercial (CDT1) **zone**.
 3. **Telecommunication antenna** must be located a minimum 20.0 m above the ground (i.e., on a roof of a **building**).
 4. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.”
2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it:
- 2.1. **RESIDENTIAL / LIMITED COMMERCIAL AND ARTIST RESIDENTIAL TENANCY STUDIO UNITS (ZMU25) – CAPSTAN VILLAGE (CITY CENTRE).**

That areas shown cross-hatched and indicated as “A” on “Schedule “A” attached to and forming part of Bylaw No. 9135”.
 - 2.2. **SCHOOL & INSTITUTIONAL USE (SI).**

That areas shown hatched and indicated as “B” on “Schedule “A” attached to and forming part of Bylaw No. 9135”.

20.25.11 Other Regulations

1. For the purposes of this bylaw, arts residential tenancy studio unit or ARTS unit:
 - a) means a **dwelling unit** providing space for sleeping, living, washrooms, and **kitchen**, together with space designed to facilitate the use of the **dwelling** for arts-related **home-based business** purposes including painting, pottery, dance, choreography, non-amplified music, composing, conducting, arranging, recording, writing, media arts, photography, print making, or carving;
 - b) shall be **town housing**;
 - c) shall have a minimum **habitable space** of 74.0 m², of which at least 25.0 m², provided as one contiguous space, shall have a minimum clear height of 4.5 m measured from the surface of the finished floor to the surface of the finished ceiling.
 2. Signage must comply with the City of Richmond's *Sign Bylaw No. 5560*, as it applies to **development** in the Downtown Commercial (CDT1) **zone**.
 3. **Telecommunication antenna** must be located a minimum 20.0 m above the ground (i.e., on a roof of a **building**).
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2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it:
 - 2.1. **RESIDENTIAL / LIMITED COMMERCIAL AND ARTIST RESIDENTIAL TENANCY STUDIO UNITS (ZMU25) – CAPSTAN VILLAGE (CITY CENTRE)**.

Those areas shown cross-hatched and indicated as “A” on “Schedule “A” attached to and forming part of Bylaw No. 9135”.
 - 2.2. **SCHOOL & INSTITUTIONAL USE (SI)**.

Those areas shown hatched and indicated as “B” on “Schedule “A” attached to and forming part of Bylaw No. 9135”.

3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9135".

FIRST READING

APR 28 2014

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

ADOPTED



MAYOR

CORPORATE OFFICER

