



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK DATE: 2016 May 25

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE # 11-21**  
**BYLAW 13343, AMENDMENT BYLAW NO. 14/14,**  
**Four-storey mixed-use development**  
**Final Adoption**

**ADDRESS:** 7604 Sixth Street

**LEGAL:** Lot A, D.L. 28, Group 1, NWD Plan 5406

**FROM:** C2 Community Commercial District and R5 Residential District

**TO:** CD Comprehensive Development District (based on RM3 Multiple-Family Residential District, C1 Neighbourhood Commercial District and Sixth Street Community Plan guidelines and in accordance with the development plan entitled "Mixed Use Building" prepared by Joseph Park Architecture)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 May 05;
- b) Public Hearing held on 2014 May 27;
- c) Second Reading given on 2014 June 09; and,
- d) Third Reading given on 2015 December 14.

The prerequisite conditions have been completely satisfied as follows:

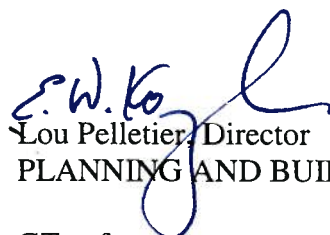
- a. The submission of a suitable plan of development.
  - *A complete suitable plan of development has been submitted.*
- b. The deposit of sufficient monies including, a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

- *The applicant has submitted the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 November 21.*
- d. The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption, but not prior to Third Reading of the Bylaw. Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted, provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.
  - *The site is currently vacant.*
- e. The dedication of any rights-of-way deemed requisite.
  - *A subdivision plan dedicating the requisite rights-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f. The undergrounding of existing overhead wiring abutting the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 November 21 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
  - *The requisite statutory right-of-way and covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The granting of any necessary Section 219 Covenants including restricting enclosure of balconies, providing that all disabled parking remain as common property and ensuring compliance with the submitted acoustical analysis.
  - *The required covenants have been submitted in registerable form and will be deposited in the Land Title Office.*
- i. Compliance with the Council-adopted sound criteria.

- *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division and submitted a letter dated 2015 November 21 agreeing to comply with the Council-adopted sound criteria.*
- j. The submission of a Comprehensive Sign Plan.
  - *An approvable detailed comprehensive sign plan has been achieved.*
- k. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 November 21 and the necessary provisions are indicated on the development plans.*
- l. The provision of a covered car wash stall, and adequately sized and appropriately located garbage handling and recycling material holding space, to the approval of the Director Engineering and a commitment to implement the recycling provisions.
  - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2015 November 21 committing to implement the recycling provisions.*
- m. The pursuance of Storm Water Management Best Practices in line with established guidelines.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 November 21 and the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- n. The submission of a Site Profile and resolution of any arising requirements.
  - *The applicant has submitted the required Site Profile for the development site, and has committed to obtaining an appropriate instrument from the Ministry of Environment prior to release of any Occupancy Permits. The required Covenant governing this arrangement has been submitted in registerable form and will be deposited in the Land Title Office.*
- o. The review of a detailed Sediment Control System by the Director Engineering.
  - *The applicant has submitted the required Sediment Control System plans for approval by the Engineering Environmental Services Division and has agreed in a letter dated 2015 November 21 to install the system as approved prior to commencing construction.*
- p. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.

- *This provision is indicated on the development plans and the applicant has submitted a letter dated 2015 November 21 agreeing to meet this prerequisite.*
- q. The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- r. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The required deposits have been made to meet this prerequisite.*
- s. The deposit of the applicable School Site Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- t. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.
  - *The applicant has provided a letter of undertaking dated 2015 November 21 and the area plan notification signs are in place.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2016 May 30.

  
Lou Pelletier, Director  
PLANNING AND BUILDING

GT:spf  
**Attachment**