



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2016 September 28

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #15-01**  
**AMENDMENT BYLAW NO. 35/15 ; BYLAW #13531**  
**Apartment tower with street-oriented townhouses and live-work units**  
**Final Adoption**

**ADDRESS:** 6750 Dunblane Avenue, 5025 Imperial Street and 6729/6789 Marlborough Avenue

**LEGAL:** Lots 1, 4 & 5, DL 152, Group 1, NWD Plan 1292; Lot A, DL 152, Group 1, NWD Plan 1292

**FROM:** RM3 Multiple Family Residential District

**TO:** CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C2 Community Commercial District, Metrotown Town Centre Development Plan as guidelines and in accordance with the development plan entitled "Marlborough Multi-Family" prepared by Chris Dikeakos Architects Inc.)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 November 09;
- b) Public Hearing held on 2015 November 24;
- c) Second Reading given on 2015 December 07; and,
- d) Third Reading given on 2016 April 25.

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. A few remaining details will be resolved prior to Final Adoption.*
- 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.

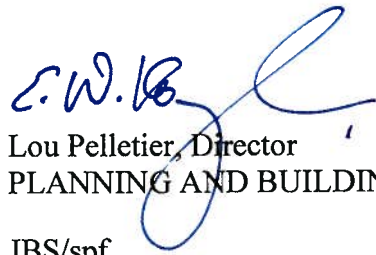
- *The applicant has submitted the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout 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 2016 April 06.*
- d. The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw.
  - *Demolition of existing improvements is currently underway and will be completed shortly, an extension to the demolition post Final Adoption has been requested by the applicant due to unforeseen circumstances.*
- e. The utilization of an amenity bonus through the provision of a \$6,745,200.00 cash in-lieu contribution in accordance with Section 3.3 of this report.
  - *The necessary deposits have been made to meet this prerequisite.*
- f. 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.*
- g. The consolidation of the net project site into one legal parcel.
  - *The requisite subdivision plan of consolidation has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants.
  - *The requisite statutory rights-of-way, easements and/or covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- i. The granting of Section 2019 Covenant:
  - restricting enclosure of balconies;
  - indicating that project surface driveway access will not be restricted by gates;

- guaranteeing the provision and maintenance of public art;
  - ensuring compliance with the approved acoustical study;
  - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
  - restricting the use of guest suites;
  - ensuring the provision and ongoing maintenance of five bicycles and related storage/bicycle repair room, and to ensure that they remain common property to be administered by the Strata Corporation;
  - ensuring the provision and ongoing maintenance of one electric vehicle and one fast charging (Level 3) Electric Vehicle Charging Station, and to ensure that they remain as common property to be administered by the Strata Corporation; and,
  - ensuring that handicap accessible parking stalls in the underground parking areas be held in common property to be administered by the Strata Corporation.
- *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j. The review of a detailed Sediment Control System by the Director Engineering.
- *A detailed Sediment Control System plan has been approved by the Engineering Department – Environmental Services.*
- k. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- *A suitable on-site stormwater management system has been approved by the Director Engineering, the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and the required funds to guarantee this provision have been deposited.*
- l. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2016 April 06. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*

- m. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 April 06, and the necessary provisions are indicated on the development plans.*
- n. The provision of two covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space 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 2016 April 06 committing to implement the recycling provisions.*
- o. The review of on-site residential loading facilities by the Director Engineering.
  - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2016 April 06 to meet this prerequisite.*
- p. The submission of a tenant assistance plan.
  - *The applicant has submitted the requisite tenant assistance plan in accordance with the City's Tennant Assistance Policy.*
- q. 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 2016 April 06 agreeing to meet this prerequisite.*
- r. Compliance with the Council-adopted sound criteria.
  - *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division, and a Section 219 Covenant to ensure compliance with the submitted study has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- s. The undergrounding of existing overhead wiring abutting the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 April 06, and has deposited the necessary funds to guarantee the completion of this prerequisite.*

- t. The submission of a detailed comprehensive sign plan.
  - *The applicant has submitted a detailed comprehensive sign plan.*
- u. The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- v. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The required deposits have been made to meet this prerequisite.*
- w. The deposit of the applicable School Site Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- x. 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 2016 April 06 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 October 03.

  
Lou Pelletier, Director  
PLANNING AND BUILDING  
JBS/spf