



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2016 December 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #14-19**
AMENDMENT BYLAW NO. 17/15; BYLAW #13482
Two High Rise Apartment Buildings with Townhouses and Low Rise Commercial Podium
Final Adoption

ADDRESS: 6380 and 6420 Silver Avenue

LEGAL: Lot 73, DL 153, NWD Plan 28967; Lot 72, DL 153, NWD Plan 28967

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C2 Community Commercial District and Metrotown Town Centre Development Plan as guidelines and in accordance with the development plan entitled "6830 & 6420 Silver Avenue" prepared by IBI/HB Architects.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 June 01;
- b) Public Hearing held on 2015 June 23;
- c) Second Reading given on 2015 November 09; and,
- d) Third Reading given on 2016 June 27.

The prerequisite conditions have been completely satisfied as follows:

- a. The submission of a suitable plan of development.
 - *The applicant has submitted a complete suitable plan of development.*
- 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 June 15.*
- d. 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 applicant has requested that demolition of the existing improvements be permitted within six months of the rezoning being affected. A Section 219 Covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and sufficient security has been deposited to ensure the remaining improvements are demolished within six months of Final Adoption.*
- e. The utilization of an amenity bonus through the provision of a \$15,877,726 cash in-lieu contribution in accordance with Section 3.4 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 two legal parcels.
 - *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 including provision of an east-west mews through the site from Silver Avenue to the lane, as outlined under Section 3.8 of this report.

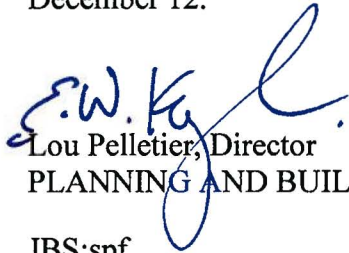
- *The requisite statutory rights-of-way, easements and/or covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- i. The granting of any necessary Covenants, including but not necessary limited to, Section 219 Covenants:
- restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - guaranteeing the provision and maintenance of public art;
 - providing for future air space parcels covering both the commercial and residential components to ensure that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as an integrated development;
 - ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - ensuring compliance with the approved acoustic study;
 - ensuring the provision and ongoing maintenance of EV cars and EV plug-in stations;
 - ensuring the provision and ongoing maintenance of end-of-trip facilities; and,
 - restricting the use of guest rooms.
- *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 reviewed and accepted 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 has been deposited.*
- l. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.

- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2016 June 15 committing to implement the solid waste and recycling provisions.*
- 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.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and the necessary provisions are indicated on the development plans.*
- n. The provision of covered car wash stalls and an 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 2016 June 15 committing to implement the recycling provisions.*
- o. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and the necessary provisions are indicated on the development plans.*
- p. The review of on-site residential and commercial loading facilities by the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2016 June 15 agreeing to meet this prerequisite.*
- q. The submission of an acoustic study to ensure 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.*
- r. The undergrounding of existing overhead wiring abutting the site.

- *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- s. The provision of a public pedestrian walkway statutory right-of-way from Silver Avenue to the lane, including the construction of concrete walk and lighting to the approval of the Director Engineering.
 - *The necessary provisions are indicated on the development plans, and the requisite statutory right-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- t. The submission of a comprehensive sign plan.
 - *The required comprehensive sign plan has been submitted.*
- u. The submission of a tenant assistance plan.
 - *The required tenant assistance plan has been submitted.*
- v. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- w. The deposit of the applicable Metrotown Public Open Space Charge.
 - *The required deposits have been made to meet this prerequisite.*
- x. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- y. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- z. 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 June 15 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 December 12.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf

Attachment