



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 November 1

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-49**
BYLAW #13645; AMENDMENT BYLAW NO. 40/16
Apartment tower with street-oriented townhouses and live-work units
Final Adoption

ADDRESS: 6695 Dunblane Avenue and 4909, 4929, 4971 Imperial Street (see *attached* Sketches #1 and #2)

LEGAL: Lot A, DL 152, Group 1, NWD Plan 7803, Lots' 1 & 2, DL 152, Group 1, NWD Plan 7803; Lot 53, DL 152, Group 1, NWD Plan 35102

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, C2 Community Commercial District, Metrotown Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Imperial" prepared by IBI Architects Group, dated 2016 July 08)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 November 7;
- b) Public Hearing held on 2016 November 22;
- c) Second Reading given on 2017 January 23; and,
- d) Third Reading given on 2017 June 26.

The prerequisite conditions have been 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 (as well as underground switching and transformer/service boxes in town centre locations), 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 2017 June 20.*
- d) The submission of an undertaking to remove all improvements prior to Final Adoption of the Bylaw, 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. If requested, demolition may be delayed to more closely coincide with approval of building permits.
- *An extension to the demolition post Final Adoption has been requested by the applicant. A covenant requiring demolition no later than 6 months after the date of Final Adoption has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and the necessary funds have been deposited to guarantee the completion of this prerequisite.*
- e) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with 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 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 covenants, easements or statutory rights-of-way have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

i) The granting of 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;
 - ensuring compliance with the approved acoustical study;
 - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - ensuring the provision and ongoing maintenance of ten 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 a minimum of two electric vehicle and two Level 2 Electric Vehicle Charging Stations, and to ensure that they remain as common property to be administered by the Strata Corporation;
 - ensuring the provision of three car share spaces as common property to be administered by the Strata Corporation; and,
 - ensuring that handicap accessible parking stalls in the underground parking areas be held as 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 Division.*

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 2017 June 20. 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 2017 June 20, and the necessary provisions are indicated on the development plans.*
- n) The provision of 3 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 dated 2017 June 20 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 2017 June 20 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 Tenant Assistance Policy.*
- q) The provision of facilities for cyclists in accordance with this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 June 20, and the necessary provisions are indicated on the development plans.*
- 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 2017 June 20.*
- t) The submission of a detailed comprehensive sign plan.
- *An approvable detailed comprehensive sign plan has been achieved.*
- 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 Metrotown Open Space 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 2017 November 1, and the on-site area plan notification sign has been in place prior to Third Reading.*

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 2017 November 6.



Lou Pelletier, Director
PLANNING AND BUILDING

JD/eb