



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2018 October 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 17-25**
BYLAW 13837, AMENDMENT BYLAW NO. 1/2018
Single High-Rise Apartment Building and Maywood Park Expansion
Final Adoption

ADDRESS: Schedule A (*attached*)

LEGAL: Schedule A (*attached*)

FROM: R5 Residential District and RM3 Multiple Family Residential District

TO: P3 Park and Public Use District and CD Comprehensive Development District
(based on the RM4s Multiple Family Residential District and Metrotown
Downtown Plan as guidelines and in accordance with the development plan
entitled "Maywood Park Multi-Residential Development" prepared by NSDA
Architects and Connect Landscape Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2018 February 05;
- b) Public Hearing held on 2018 February 27;
- c) Second Reading given on 2018 March 05; and,
- d) Third Reading given on 2018 August 27.

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, 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 2018 August 02.*
- d) The submission of an undertaking to remove all improvements within the development site (6438, 6456 and 6468 McKay Avenue and 6443 and 6467 Silver Avenue).
 - *Demolition of all improvements within the development site has been completed.*
- e) The utilization of an amenity bonus through the provision of a 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 road rights-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The completion of the Highway Closure Bylaw.
 - *The Highway Closure Bylaw, Road Closure Reference #18-02, received Final Adoption on 2018 August 27 and Plan EPP81695 (Control No. 153-488-6670) will be deposited in the Land Title Office prior to Final Adoption.*
- h) The consolidation of the net project site into one legal parcel.
 - *A reference plan consolidating the net project site into one legal parcel has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- i) The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *The requisite statutory rights-of-way, easements and covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j) The granting of a Section 219 Covenant:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;

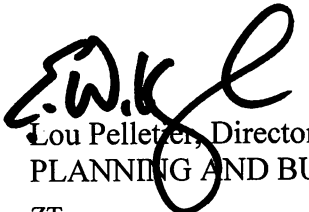
- ensuring compliance with the approved acoustical study;
 - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - ensuring the provision and ongoing maintenance of Electric Vehicle (EV) charging stations as outlined in Section 3.2 of this report;
 - ensuring that the density of development complies with the approved CD zoning for the site, as outlined in Section 3.3 of this report;
 - ensuring that seven handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation; and,
 - guaranteeing the provision and ongoing maintenance of public art.
 - *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- k) The completion of an Operations Agreement for the remaining rental apartment use within the park expansion site (4305 and 4325 Maywood Street), as outlined under Section 3.3 of this report.
- *As noted in the Third Reading memo to Council, the Legal Department has advised that a more suitable mechanism for the retention of the rental apartment buildings and uses within the park expansion site (4305 and 4325 Maywood Street) until 2023, is through the registration of an Option to Purchase Charge (at a nominal cost to the benefit of the City) in the Land Title Office, as well as the registration of Section 219 Covenants; restricting the sale or transfer of the properties; to establish the conditions of use; and, to ensure demolition of all buildings and remediation (if required), as well as improvement of the properties for public park use. This approach has been reviewed and is supported by the Planning Department and the requisite charge and covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- l) 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.*
- m) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- *As noted in the Third Reading memo to Council, the Engineering Environmental Services Division requires 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.

- n) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- The applicant has submitted a letter of undertaking dated 2018 August 02 agreeing to meet this prerequisite. A detailed Solid Waste and Recycling Plan forms part of the development plans and is approved by the Engineering Department – Environmental Services Division.*
- o) 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 2018 August 02 and the necessary provisions are indicated on the development plans.*
- p) The provision of three 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 applicant has agreed to this prerequisite in a letter dated 2018 August 02 and the necessary provisions are indicated on the development plans.*
- q) The review of on-site residential loading facilities by the Director Engineering.
- The applicant has agreed to this prerequisite in a letter dated 2018 August 02 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 the Engineering Department – 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, including the properties at 4305 and 4325 Maywood Street.

- *The applicant has agreed to this prerequisite in a letter dated 2018 August 02, and has deposited the necessary funds to guarantee the completion of this prerequisite. A statutory right-of-way is required over the closed lane allowance for existing overhead wiring and related pole infrastructure abutting 4305 and 4325 Maywood Street to serve the existing rental apartment buildings that are to be maintained and operated until 2023.*
- t) Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2018 August 02 and the necessary provisions are indicated on the development plans.*
- u) The deposit of the applicable Parkland Acquisition Charge.
 - *The necessary deposits have been made to meet this prerequisite.*
- v) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The necessary deposits have been made to meet this prerequisite.*
- w) The deposit of the applicable School Site Acquisition Charge.
 - *The necessary 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 2018 August 02 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 2018 October 29.


Lou Pelletier, Director
PLANNING AND BUILDING
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SCHEDULE A

REZONING 17-25

ADDRESS	LEGAL DESCRIPTION	PID
6438 McKay Ave.	Parcel "E" (H94881E) Lot 14 DL 151 and 153 Group 1 NWD Plan 2884	002-976-641
6456 McKay Ave	Westerly half Lot 13 DL 153 Group 1 NWD Plan 2884 Having a frontage of 52 feet on McKay Avenue by a uniform depth of 104 feet	010-745-190
6468 McKay Ave.	Lot 12 Except Parcel "A" DL 153 Group 1 NWD Plan 2884	002-797-976
6443 Silver Ave	Easterly half Lot 14 DL 153 Group 1 NWD Plan 2884 Having a frontage of 52 feet on Silver Avenue by a uniform depth of 104 feet	010-745-254
6455 Silver Ave	Easterly half Lot 13 DL 153 Group 1 NWD Plan 2884 Having a frontage of 52 feet on Silver Avenue by a uniform depth of 104 feet	010-745-246
6467 Silver Ave	Parcel A (Explanatory Plan 13719) of Lot 12 DL 151 and 153 Group 1 NWD Plan 2884	002-594-382
4305 Maywood St	Lot "D" DL 153 Group 1 NWD Plan 23107	002-849-640
4325 Maywood St	Lot 3 DL 153 Group 1 NWD Plan 2884	003-089-215
4325 Maywood St	Lot 4 DL 153 Group 1 NWD Plan 2884	003-089-258