



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2019 September 16

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-58**
BYLAW 13914, AMENDMENT BYLAW NO. 26/18
New Childcare and Non-Market Rental Housing Uses
Final Adoption

ADDRESS: 3755 Banff Avenue

LEGAL: Lot 133, DL 74, Group 1, NWD Plan 39624

FROM: P5 Community Institutional District

TO: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and P5 Community Institutional District as guidelines, and in accordance with the development plan entitled "3755 Banff Avenue" prepared by Boni Maddison Architects)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2018 July 09;
- b) Public Hearing held on 2018 July 24;
- c) Second Reading given on 2018 August 27; and,
- d) Third Reading given on 2019 March 25.

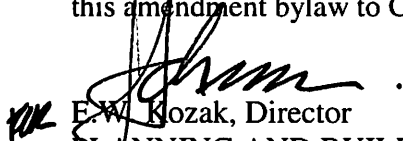
The prerequisite conditions have been completely satisfied as follows:

- a) The submission of a suitable plan of development.
 - *A complete suitable plan of development has been submitted.*
- 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 2019 January 10.*
- d) The demolition of the existing child care building from the site prior to Final Adoption but not prior to Third Reading of the Bylaw.
- *The applicant has requested an extension to complete the demolition beyond Final Adoption. A demolition permit has been issued (DEMO19-00029) and demolition is in progress. A Section 219 Covenant guaranteeing the demolition of the existing building within 6 months of Final Adoption has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- 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 granting of any necessary statutory rights-of-way, easements and/or covenants, including restricting enclosure of balconies and ensuring compliance with the accepted acoustical study.
- *The requisite statutory rights-of-way, easement and covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2019 January 10 and a detailed Sediment Control System has been submitted for review.*
- h) 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 funds to guarantee this provision has been deposited and the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

- i) The registration of a new Lease Agreement, as outlined in Section 3.3 of this report.
- *The applicant has agreed to this prerequisite in a letter dated 2019 January 10. The new Lease Agreement has been finalized and will be registered and deposited in the Land Title Office prior to Final Adoption.*
- j) Compliance with Council-adopted sound criteria.
- *An acoustic study has been submitted for review by the Engineering Environmental Services Division, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- k) 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 2019 January 10 agreeing to meet this prerequisite. A detailed Solid Waste and Recycling Plan forms part of the development plans, and has been approved by the Engineering Department – Environmental Services Division.*
- l) The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the 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 2019 January 10 and the necessary provisions are indicated on the development plans.*
- m) The deposit of the applicable Parkland Acquisition Charge.
- *The necessary deposits have been made to meet this prerequisite.*
- n) The deposit of the applicable GVS & DD Sewerage Charge.
- *The necessary deposits have been made to meet this prerequisite.*

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 2019 September 16.


E.W. Kozak, Director
PLANNING AND BUILDING

ZT:sla
Attachment

cc: City Manager