

INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 November 03

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-40**
BYLAW 14181 AMENDMENT BYLAW NO. 21/2020
High-Rise Strata Tower and Low Rise Non Market Rental
Final Adoption

ADDRESS: 5895 Barker Avenue, Portion of Olive Avenue ROW and Lane ROW

LEGAL: Lot 102, District Lot 151, Group 1, New Westminster District Plan 34852

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s and RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Barker + Olive" prepared by IBI Group)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2020 July 06;
- b) Public Hearing held on 2020 July 28;
- c) Second Reading given on 2020 October 26; and,
- d) Third Reading given on 2021 April 12.

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 the 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 2021 March 09.*
- d) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2021 March 09 and the necessary funds have been deposited to meet this prerequisite.*
- e) The completion of the Highway Closure Bylaw.
 - *The applicant has agreed to this prerequisite in a letter dated 2021 March 09. The Road Closure Bylaw reference #20-00005 achieved Final Adoption on 2021 April 26.*
- f) The completion of the sale of City property.
 - *The applicant has agreed to this prerequisite in a letter dated 2021 March 09 and the sale of City property has been completed according to the terms approved by Council.*
- 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 Section 219 covenants in accordance with Section 4.12 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2021 March 09, and the necessary 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 registration of a Housing Agreement and Housing Covenant and Council consideration and approval of a Housing Agreement Bylaw as described in Section 4.8 of this report.

- *The applicant has agreed to this prerequisite in a letter dated 2021 March 09. A Housing Covenant and Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit for the low rise rental building. A Section 219 Covenant guaranteeing this provision has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j) The execution of a Tenant Assistance Plan, in accordance with Council adopted policies.
- *The applicant has agreed to this prerequisite in a letter dated 2021 March 09 and has submitted the requisite Tenant Assistance Plan in accordance with the City's Tenant Assistance Policy.*
- k) The review of a detailed Sediment Control System by the Director Engineering.
- *A detailed Sediment Control System plan has been reviewed by the Director Engineering.*
- l) The submission of a 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.*
- m) Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- *The applicant has agreed to this prerequisite in a letter dated 2021 March 09, and the necessary Section 219 Covenant to guarantee the provisions of the ground water management has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- n) 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 2021 March 09 agreeing to meet this prerequisite.*
- 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 2021 March 09 and the necessary provisions are indicated on the development plans.*
- p) 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 applicant has agreed to this prerequisite in a letter dated 2021 March 09 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 2021 March 09 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 that has been accepted by the Climate Action and Energy Division, and has submitted a letter dated 2021 March 09 agreeing to comply with the Council-adopted sound criteria. A Section 219 Covenant to ensure compliance with the accepted study has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- s) The provision of facilities for cyclists in accordance with this report.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2021 March 09 agreeing to meet this prerequisite.*
- t) The submission of a Public Art Plan
 - *The applicant has agreed to this prerequisite in a letter dated 2021 March 09, and the required Public Art Plan has been submitted.*
- u) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2021 March 09 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- v) Compliance with the guidelines for underground parking for visitors.
 - *The necessary provisions are indicated on the development plans and the applicant has agreed to this prerequisite in a letter dated 2021 March 09.*
- w) The deposit of the applicable Parkland Acquisition Charge.

- *The required deposit has been made to meet this prerequisite.*
- x) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposit has been made to meet this prerequisite.*
- y) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposit has been made to meet this prerequisite.*
- z) The deposit of the applicable Regional Transportation Development Cost Charge.
 - *The required deposit has been made to meet this prerequisite.*
- aa) 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 2021 March 09 and the area plan notification signs are in place.*

As the prerequisite conditions to this rezoning are now substantially complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2021 November 08.

 E. W. Kozak, Director
PLANNING AND BUILDING

JDC:spf

cc: Chief Administrative Officer

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