

INTER-OFFICE MEMORANDUM

TO: DIRECTOR LEGISLATIVE SERVICES August 26, 2024

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

SUBJECT: **REZONING REFERENCE #22-03**
BYLAW 14552, AMENDMENT BYLAW NO. 04/23,
Non-Market Rental Apartment Building with In-Home Childcare
Final Adoption

ADDRESS: 7730 6th Street

LEGAL: Parcel "A" District Lot 28 Group 1 New Westminster District Reference Plan
66008

FROM: CD Comprehensive Development District (RM1 Multiple Family Residential
District)

TO: Amended CD Comprehensive Development District (based on RM3 and RM3r
Multiple Family Districts and Sixth Street Community Plan as guidelines, and
in accordance with the development plan entitled "Eastburn Square Affordable
Housing" by VIA – A Perkins Eastman Studio)

The following information applies to the subject rezoning bylaw:

1. First Reading given on February 27, 2023;
2. Public Hearing given on March 28, 2023;
3. Second Reading given on April 3, 2023; and,
4. Third Reading given on October 30, 2023.

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 October 6, 2023.*
- d. The submission of an undertaking to remove all existing improvements on the development site within 12 months of Final Adoption of the Rezoning Bylaw.
 - *The applicant has removed existing improvements on the development site.*
- e. The registration of a Housing Agreement and Housing Covenant.
 - *The applicant has agreed to this prerequisite in a letter dated October 6, 2023. A Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit for the 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.*
- f. The submission of a suitable on-site stormwater management system, 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 General Manager Engineering, the necessary funds to guarantee this provision have 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.*
- g. 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 October 6, 2023.*
- h. The dedication of any rights-of-way deemed requisite.
 - *A subdivision plan dedicating the requisite rights-of-way has been deposited in the Land Title Office.*
- i. The granting of any necessary covenants.
 - *The applicant has agreed to this prerequisite in a letter dated October 6, 2023. The requisite covenant plans have been deposited in the Land Title Office.*

- j. The design and provision of units adaptable to persons with disabilities, the provision of special hardware and cabinet work being subject to the lease of the unit to a disabled person.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated October 6, 2023 agreeing to meet this prerequisite.*
- k. The provision of a car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space 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 October 6, 2023 committing to implement the recycling provisions.*
- l. The submission of a suitable solid waste and recycling plan.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated October 6, 2023.*
- m. The review of on-site residential loading facilities by the General Manager Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated October 6, 2023.*
- n. Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated October 6, 2023 and the necessary provisions are indicated on the development plans.*
- o. The provision of facilities for cyclists in accordance with the public hearing report.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated October 6, 2023 agreeing to meet this prerequisite.*
- p. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated October 6, 2023 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- q. Compliance with the Council-adopted sound criteria.
 - *The applicant has submitted an acoustic study which has been accepted by Climate Action and Energy Division and submitted a letter dated October 6, 2023 agreeing to comply with the Council-adopted sound criteria.*
- r. The submission of a Green Building Plan and Energy Benchmarking.

- *A suitable Green Building Report, a letter of commitment to implement Energy Benchmarking, and the required covenant have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- s. A tree survey and arborist report of the site will be required to determine whether any existing trees are suitable for retention. If trees measuring 20 cm (8 in.) in diameter are required to be removed due to the site's development, then a tree removal permit will be required.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated October 6, 2023 agreeing to meet this prerequisite.*
- t. The deposit of the Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- u. The deposit of the GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- v. The deposit of the Regional Transportation Development Charge.
 - *The required deposits have been made to meet this prerequisite. In addition, the Regional Water Development Cost Charge is required and the necessary deposits have been made.*
- w. 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 any rental office in prominent and visible locations prior to Third Reading, and remain posted for a period of one year, or until such time that all units are rented, whichever is greater.
 - *The applicant has provided a letter of undertaking dated November 29, 2023 and the area plan notification signage is in place.*

As the prerequisite conditions to this rezoning are now completely fulfilled, could you please arrange to return this amendment bylaw to Council for Reconsideration and for Final Adoption on August 26, 2024.

Note: The bylaw was read out correctly by Council at First Reading on February 27, 2023, although the copy of the bylaw attached to the Council agenda contained a typo with respect to the year referenced. The correct copy of the bylaw will be presented for Final Adoption on August 26, 2024.

E. W. Kozak, GENERAL MANAGER
PLANNING AND DEVELOPMENT