

ATTACHMENT 3 – REZONING PREREQUISITES

REZ #24-23 - 3900 GRAND PROMENADE, 9850 AUSTIN ROAD AND 9858 AND 9898 GATINEAU PLACE

The following are to be established as prerequisites to the final adoption of the Rezoning Bylaw for REZ #24-23.

1. **Suitable Plan of Development**

The submission of a Suitable Plan of Development.

2. **Required Plans and Studies**

The submission of the following plans and studies acceptable to the City:

- a) Comprehensive Sign Plan;
- b) Fire Access Plan;
- c) Solid Waste and Recycling Plan;
- d) Loading Management Plan;
- e) Green Building Plan and Energy Benchmarking;
- f) Public Art Plan; and,
- g) Acoustic Study.

3. **Engineering**

The Development Services Division, Engineering Department, has confirmed the Servicing Agreement approved under REZ #18-32 does not need to be updated and the proposed amendments to the Phase 1 development under the subject rezoning application do not impact or alter the Servicing Agreement finalized under REZ #18-32.

4. **Subdivision**

No subdivision is proposed.

5. **Density Bonus**

The utilization of an amenity bonus gross floor area (GFA) as outlined in the report.

6. **Statutory Rights-of-Way, Easements, Covenants and Agreements**

The submission for registration in the Land Title Office of the following legal instruments with security, where necessary:

- a) Amendment to (or replacement of) any and all existing charges registered on title to the Austin-Gatineau site in association with REZ #18-32 as required by the City, including without limitation:
 - Section 219 Covenant CB1605463 re Deferred Density Bonus Payment;
 - Section 219 Covenant CB1605426 re Master Density Allocation (if required);
 - Section 219 Covenant CB1605437 re allocation of development density for Phase 1 (Lot 1, Plan EPP136470);

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- Section 219 Covenant CB1605453 re Noise Impact Reduction;
- Section 219 Covenant and Statutory Right of Way CB1605487 and CB1605489, respectively, regarding Public Art Features;
- Section 219 Covenant CB1605455 re Energy and Environmental Design;
- Section 219 Covenant and Statutory Right of Way CB1605497 and CB1605493, respectively, re Alternative Transportation;
- Section 219 Covenant CB1605439 re No Build – Deferred Payment In-Lieu re Parking;
- Section 219 Covenant CB1605457 re Accessible Parking Spaces; and,
- Section 219 Covenant CB1605465 re End of Trip Facilities.

b) Acknowledgment Agreement (and other registrable amending agreements, as required by the City) confirming that the security and certain other applicable covenants granted by the applicant to the City in relation to REZ #18-32 shall apply in respect of REZ #24-23 *mutatis mutandis*

7. **Ministry of Transportation and Infrastructure Approval**

The confirmation of approval of the proposed development from the BC Ministry of Transportation and Infrastructure.

8. **Cash-in-Lieu of Commercial Parking**

The confirmation of the commercial parking spaces to be calculated as part of the payment in lieu at the time of Building Permit.