

## ATTACHMENT 3 – REZONING PREREQUISITES

### REZ #24-20 – 7135 Walker Ave. and 7244 Arcola St.

The following are to be established as prerequisites to the Final Adoption of the Rezoning Bylaw for REZ #24-20.

1. **Required Plans and Studies**

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

- Offsite Civil Engineering Design; and
- Geotechnical and Groundwater Study.

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

The granting and execution of any necessary Statutory Rights of Way, easements and/or covenants with security, where necessary, including but not limited to:

- Section 219 Covenant restricting the issuance of a Building Permit (including excavation permit) until such time that the PPA or DP has been approved. Items to be deferred to PPA or DP will include, but not necessarily be limited to:
  - a) The following plans and documents:
    1. Architectural and Landscape Plans in line with the established development guidelines;
    2. Comprehensive Sign Plan;
    3. Traffic Impact Analysis Report
    4. Construction Management and Access Plan;
    5. Fire Access Plan;
    6. Solid Waste and Recycling Plan;
    7. Loading Management Plan;
    8. Public Art Plan or cash in lieu;
    9. Green Building Plan and Energy Benchmarking;
    10. Storm and Ground Water Management Plan;
    11. Acoustic Study; and
    12. Arborist Report and Tree Survey with a Tree Retention Plan.
  - b) The granting and execution of the following legal instruments:
    1. Section 219 Covenant ensuring compliance with the approved acoustical study;
    2. Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art, and if required, a Statutory Right of Way guaranteeing public access to, and use and enjoyment of, the public art; or Section 219 Covenant to ensure payment of cash-in-lieu contribution for public art prior to Building Permit issuance;
    3. Section 219 Covenant to ensure the provision of four car share spaces with Level 2 or higher charging

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level, and a Statutory Right of Way to secure public access to the car share parking spaces on the development site;

4. Section 219 Covenant ensuring that any building lighting features can be turned on and off by the owner, and that the owner will turn off any architectural lighting at the City's request in the event that the lighting results in any adverse neighbourhood and/or environmental impacts;
  5. Section 219 Covenant restricting commercial uses fronting on Arcola Street and Walker Ave. from having obscured fenestration; and
  6. Section 219 Covenant guaranteeing the provision and ongoing maintenance of storm and ground water management facilities.
- c) Calculation and payment of any applicable payment in lieu amount of commercial parking.
- Section 219 Covenant ensuring (1) the heating and hot water system in the development buildings is designed and constructed in accordance with the connection guidelines in the Council-adopted District Energy policy for connection to the City's District Energy Utility system (DEU) if and when the DEU is available for connection, and (2) the owner connects the development buildings to the DEU if and when the DEU is available for connection;
  - Statutory Right of Way allowing the City or its designates to access the mechanical system and thermal energy system-related infrastructure within the development for the purposes of enabling DEU connection and operation.
  - Section 219 Covenant ensuring that the site is constructed and used in accordance with the approved geotechnical study; and
  - Section 219 Covenant restricting occupancy of the development site subject to the adoption of a Housing Agreement Bylaw and execution and delivery of a Housing Agreement.

### 3. **Engineering**

Provision of standard requirements to service the proposed development as determined by the General Manager of Engineering, including the execution and delivery of a Servicing Agreement in respect of all services necessary to serve the site, including but not limited to:

- a) any required storm sewer, sanitary sewer, and water main upgrades;
- b) Construction of Arcola Street to a Two-lane Local Standard and Walker Avenue to a Two-lane Standard (Collector) under the Town Centre

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Standards, with separated sidewalks, cycle facilities, street trees, rain gardens, and street and pedestrian lighting;

- c) Improvements to the lane as required;
- d) Undergrounding of all overhead wiring abutting the site; and
- e) Any required easements, statutory rights-of-way, or other legal instruments to facilitate servicing requirements.

All services are to be designed to City standards and constructed in accordance with the City-approved engineering design. Completion of all services required under the Servicing Agreement is a condition for the issuance of an occupancy permit for the development. A copy of either the developer's or the contractor's Certificate of Insurance is to be submitted to the Planning and Development Department.

4. **Subdivision**

A submission for registration in the Land Title Office of a subdivision plan to create the subject development parcel and all required road dedications.

5. **Road Dedications**

The dedication of any road or lane allowances as required, including the following approximate road & lane dedications (subject to final survey):

- 1.8 m dedication along Walker Avenue; and
- 3.0 m corner cuts on all four property corners.

6. **Tree Cutting**

- a) In accordance with the Burnaby Tree Bylaw, a tree cutting permit will be required for the removal of any tree over 20 cm (8 in.) in diameter; and
- b) The submission of a nesting raptors survey to the Planning and Development Department prior to the removal of any trees on the site.

7. **Site Disclosure**

The submission of a Site Disclosure Statement with any requirements for the rezoning or subdivision addressed before Final Adoption.

8. **Documentation and Commemoration of the Edmonds Baptist Church building:**

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

- a) an as-found report prepared by a heritage professional; and
- b) a commemoration strategy guided by an interpretive plan that provides access for the public to the history of the site and the Edmonds Baptist Church building.

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9. **Responsible Removal of the Edmonds Baptist Church building**

The submission to the City, and acceptance by the City, of the following:

- a) a record of engagement with a salvage company to determine if the building can be transferred to another owner and re-located; and
- b) should relocating the building not be feasible, provide a plan that is acceptable to the City for the deconstruction of the building to salvage architectural elements, lumber, and other materials and make them available for re-use. The plan will prioritize the re-use of salvaged building materials and the recycling of materials that cannot be re-used.

10. **Additional Requirements**

Additional requirements as determined by the City, in its discretion, as part of the review of the development proposal.