



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2015 December 09

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #12-26**  
**AMENDMENT BYLAW NO. 02/14; BYLAW #13282**  
**Mixed-Use Development with Three High-Rise Residential Towers, Office Building, Two-Storey Retail Podium, and Underground Parking**  
**Final Adoption**

**ADDRESS:** 7350 Edmonds Street and 7338 Kingsway

**LEGAL:** Lot 1, DL 30, Group 1, NWD Plan BCP566; Lot 228, DL's 30 and 95, Group 1, NWD Plan 64963

**FROM:** C3 General Commercial District and C4 Service Commercial District

**TO:** CD Comprehensive Development District (based on RM5's' Multiple Family Residential District, C3 General Commercial District and the Edmonds Town Centre Plan guidelines, and in accordance with the development plan entitled "Kingsway and Edmonds Street Project" prepared by IBI Group)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 January 13;
- b) Public Hearing held on 2014 January 28;
- c) Second Reading given on 2014 February 03;
- d) Third Reading given on 2015 September 28.

The prerequisite conditions have been 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 fees 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 2015 February 19.*
- d) The removal of existing improvements from the site in accordance with Section 4.2 of this report. A Section 219 Covenant, a Licensing Agreement, and a Trespass Agreement, with the City detailing the arrangements, are required.
- *The applicant has agreed to this prerequisite in a letter dated 2015 February 19. The necessary Section 219 Covenant, Licensing Agreement, and Trespass Agreement have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The utilization of an amenity bonus through the provision of a \$14.9 million cash in-lieu contribution in accordance with Section 3.7 of this report.
- *The final cash in-lieu contribution, based on an updated market land value provided by the Legal and Lands Department and final survey plans, is \$15.36 million. The required deposit has been made to meet this prerequisite.*
- f) 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.*
- g) The completion of the Highway Closure Bylaw.
- *The Highway Closure Bylaw plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h) 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.*
- i) The granting of any necessary statutory rights-of-way and easements.

- *The requisite easement and statutory right-of-way plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j) The granting of any necessary Section 219 Covenants, including a covenant for the provision and maintenance of Public Art.
- *The required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- k) The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has submitted engineering design drawings for review, and has agreed to this prerequisite in a letter dated 2015 February 19.*
- l) 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 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) 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 2015 February 19 committing to implement the solid waste and recycling provisions.*
- n) The submission of a Site Profile and resolution of any arising requirements.
- *The applicant has submitted the required Site Profile and has obtained the necessary Ministry of Environment instrument to satisfy this prerequisite. A Section 219 Covenant has also been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption. The Covenant ensures the developer's compliance with Ministry of Environment requirements; withholds occupancy until required remediation is completed; and indemnifies the City against any claims caused by migration of contaminants from the subject site onto adjacent public lands*

*or any other private properties. The applicant has also deposited funds to guarantee completion of necessary remediation work.*

- o) The design and provision of 41 units adaptable to persons with disabilities (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person), with allocated disabled parking spaces protected by a Section 219 Covenant.
  - *The applicant has submitted a letter dated 2015 February 19 agreeing to meet this prerequisite, this provision is indicated on the development plans, and the requisite covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption*
- p) The provision of covered car wash stalls and 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 provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 February 19 committing to implement the recycling provisions.*
- q) Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
  - *The provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 February 19 agreeing to meet this prerequisite.*
- r) The provision of facilities for cyclists in accordance with this report.
  - *The provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 February 19 agreeing to meet this prerequisite.*
- s) Compliance with the Council-adopted sound criteria.
  - *The applicant has submitted an acoustic study that has been accepted by the Engineering Environmental Services Division, and has submitted a letter dated 2015 February 19 agreeing to comply with the Council-adopted sound criteria.*
- t) The undergrounding of existing overhead wiring adjacent to the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 February 19 and has deposited the necessary funds to guarantee the completion of this prerequisite.*

- u) The submission of a detailed Comprehensive Sign Plan.
  - *An approvable Comprehensive Sign Plan has been achieved.*
- v) The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposit has been made to meet this prerequisite.*
- w) The deposit of the applicable GVS & DD Sewerage Charge.
  - *The required deposit has been made to meet this prerequisite.*
- x) The deposit of the applicable School Site Acquisition Charge.
  - *The required deposit has been made to meet this prerequisite.*
- y) 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 agreed to this prerequisite in a letter 2015 February 19 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 2015 December 14.

Lou Pelletier, Director  
PLANNING AND BUILDING

KH:spf