



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 February 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #19-42**
AMENDMENT BYLAW NO. 10, 2020; BYLAW #14164
High-Rise Apartment Building
Final Adoption

ADDRESS: 5970, 5986, and 5994 Kathleen Avenue

LEGAL: Parcel "A" (Explanatory Plan 24921) Lots 11 and 12 District Lot 153 Group 1 New Westminster District Plan 1191, Lot 13 and 14 District Lot 153 Group 1 New Westminster District Plan 1191, and Lot "B" District Lots 151 And 153 Group 1 New Westminster District Plan 6950

FROM: R5 Residential District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Bosa Kathleen" prepared by IBI Group Architects (Canada) Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2020 June 08;
- b) Public Hearing held on 2020 June 23;
- c) Second Reading given on 2020 July 06; and,
- d) Third Reading given on 2020 October 26.

The prerequisite conditions have been satisfied as follows:

- a) The submission of a suitable plan of development.
 - *The applicant has submitted a complete suitable plan of development.*
- 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.

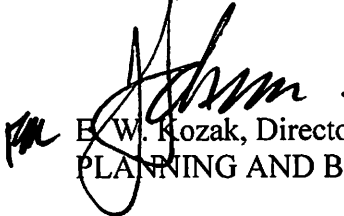
- *The applicant has submitted the necessary funds including 4% inspection fees and the servicing agreement has been completed.*
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and transformer/service 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 2020 October 20.*
- d) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of the Public Hearing report.
 - *The applicant has agreed to the provision of a \$4,963,422 (subject to detailed survey) cash in-lieu contribution, in accordance with the terms and conditions approved by Council in a report dated 2021 January 12. The applicant will deposit the funds prior to issuance of Preliminary Plan Approval. A Section 219 Covenant to guarantee this provision, including restricting the issuance of Preliminary Planning Approval and Building Permit for the proposed development has been submitted in registerable form and will be deposited with the Land Title Office prior to Final Adoption.*
- e) The granting of any necessary statutory rights-of-way, easements, and covenants.
 - *The requisite statutory right-of-way plans, easements and/or covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f) The granting of any necessary Section 219 Covenants in accordance with Section 5.4 of the Public Hearing report.
 - *The required Section 219 Covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The registration of a Housing Agreement and Housing Covenant, and Council consideration and approval of a Housing Agreement Bylaw.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 October 20. A Housing Covenant and Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit. 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.*
- h) The submission of an undertaking to remove all improvements prior to Final Adoption of the Bylaw. If requested, demolition may also be delayed to more closely coincide with approval of building permits.

- *The applicant has requested to postpone demolition until one year (1) after Final Adoption. A Section 219 Covenant has been submitted in a registerable form and will be deposited with the Land Title Office prior to Final Adoption, and sufficient security has been deposited to ensure that remaining improvements are demolished within 12 months of Final Adoption.*
- i) The review of a detailed Sediment Control System by the Director Corporate Services.
 - *A detailed Sediment Control System has been approved by the Climate Action and Energy Division.*
- j) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
 - *A suitable Solid Waste and Recycling Plan has been approved, and the necessary provisions are indicated on the development plans.*
- k) The completion of the Highway Closure Bylaw and sale of City property as described in Section 5.2 of the Public Hearing report.
 - *The Highway Closure Bylaw plans have been deposited in the Land Title Office, and the sale of City property will be completed prior to Final Adoption according to the terms approved by Council in a report dated 2021 January 12.*
- l) Completion of Rezoning Application #17-32 concurrently with the subject rezoning application.
 - *The prerequisite conditions to Rezoning Reference #17-32 are complete. The amendment bylaw will be returned to Council for Reconsideration and Final Adoption on 2021 February 22.*
- m) The consolidation of the development site into one legal lot.
 - *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.*
- n) The design and provision of units adaptable to persons with disabilities, with the provision of customized hardware and cabinet work being subject to the renting of the unit to a disabled person.
 - *The applicant has submitted a letter dated 2020 October 20 agreeing to meet this prerequisite, this provision is indicated on the development plans and the requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

- o) 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 necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 October 20 agreeing to meet this prerequisite.*
- p) The review of on-site residential loading facilities by the Director Engineering.
 - *A suitable Residential Loading Plan has been achieved, and the necessary provisions are indicated on the development plans.*
- q) The submission of a Public Art Plan.
 - *The required Public Art Plan has been submitted for approval.*
- r) Compliance with the Council-adopted sound criteria
 - *The applicant has submitted an acoustic study which has been accepted by the Climate Action and Energy Division, and a Section 219 Covenant to ensure compliance with the submitted 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 the Public Hearing report.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 October 20 agreeing to meet this prerequisite.*
- t) The undergrounding of existing overhead wiring abutting the site, as determined by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 October 20 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- u) Compliance with the guidelines for underground parking for visitors.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 October 20 agreeing to meet this prerequisite.*
- v) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*

- w) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- x) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- y) The deposit of the applicable Regional Transportation Charge.
 - *The required deposits have been made to meet this prerequisite.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2021 February 22.


B. W. Kozak, Director
PLANNING AND BUILDING

MN:tn

cc: City Manager