

INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 July 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-10**
AMENDMENT BYLAW NO. 38/16; BYLAW #13643
Apartment Tower and Low-Rise Development (Southgate Neighbourhood)
Final Adoption

ADDRESS: Portion of 7201 11th Avenue

LEGAL: Portion of Lot A, DL 53, Group 1, NWD Plan EPP53090

FROM: CD Comprehensive Development District (based on RM5 and RM1 Multiple Family Residential Districts, C2 Community Commercial District, Southgate Neighbourhood Master Plan and Edmonds Town Centre Plan guidelines)

TO: Amended CD Comprehensive Development District (based on RM5 and RM1 Multiple Family Residential Districts, C2 Community Commercial District, Southgate Neighbourhood Master Plan and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled "Southgate Community Island 3, 4 & 5" prepared by IBI Group, Integra Architecture Inc., and PWL Partnership Landscape Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 August 29;
- b) Public Hearing held on 2016 September 20; and,
- c) Second Reading given on 2016 October 03; and,
- d) Third Reading given on 2020 May 11.

The prerequisite conditions have been fully 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% Engineering 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 (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 May 04 and the necessary provisions are indicated on the development plans.*
- d. The utilization of an amenity bonus in accordance with Section 3.5 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 04, the applicant will deposit the funds prior to issuance of Preliminary Plan Approval. A Section 219 Covenant to guarantee this provision, has been submitted in registerable form and will be deposited in the Land Title Office.*
- e. 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.*
- f. The completion of the necessary subdivision.
 - *The requisite subdivision plan has been submitted in registerable form and will be deposited in the Land Title Office.*
- g. The approval of a detailed park master plan for the future City-owned park.
 - *A detailed park master has been approved in principle for the future City-owned park.*
- h. The granting of any necessary statutory rights-of-way and/or easements including but not limited to the following:
 - Statutory right-of-way for the provision, ongoing maintenance and public access and use of identified pedestrian walkways, park/open space features and private roads; and,
 - Easement for shared vehicular access.
 - *The requisite statutory rights-of-way plans and easement plan have been submitted in registerable form and will be deposited in the Land Title Office.*

- i. The granting of Section 219 Covenants as described in Section 3.7 of this report.
 - *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office.*
- j. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has submitted the required Sediment Control System plans for approval and has agreed in a letter dated 2020 May 04 to install the system as approved prior to commencing construction.*
- k. 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 in accordance with the Southgate Master Storm Water Management Plan.
 - *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, and the required funds to guarantee this provision have been deposited.*
- l. 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 dated 2020 May 04 committing to implement the recycling provisions.*
- m. Submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has obtained the required Certificate of Compliance from the Ministry of Environment for the site.*
- n. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 04, the necessary provisions have been indicated on the development plans, and the requisite covenant has been deposited in the Land Title Office.*
- o. The provision of three 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 commitment to implementing the recycling provisions.

- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 May 04 committing to implement the recycling provisions.*
- p. The review of on-site residential loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 04 and the necessary provisions are indicated on the development plans.*
- q. Compliance with the Council-adopted sound criteria.
 - *An acoustic study has been submitted and approved, and the requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office.*
- r. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- s. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- t. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- u. The submission of a written undertaking to comply with all prerequisites of the previous rezoning of the site (Rezoning Reference #14-25).
 - *The applicant has agreed in a letter dated 2020 May 04.*
- v. 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 dated 2020 May 04 and the area plan notification signs are in place.*

City Clerk
Rezoning Reference #16-10
Final Adoption
2021 July 21 Page 5

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Consideration and Final Adoption on 2021 July 26.


E. W. Kozak, Director
PLANNING AND BUILDING

KL:tn

cc: Acting City Manager

P:\49500 Rezoning\20 Applications\2016\16-10 Portion of 7201 11th Ave (Island - 3, 4, 5)\01 Council reports\Rezoning Reference 16-10 Final Adoption 2021.07.26.doc