



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 November 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-08**
AMENDMENT BYLAW NO. 10/17; BYLAW #13729
Apartment Tower (Southgate Neighbourhood)
Final Adoption

ADDRESS: Portion of 7201 11th Avenue

LEGAL: Lot 1, DL 53, Group 1, NWD Plan EPP691185 Except Plans EPP80476 and EPP81619; Lot A, DL, 53, Group 1, NWD Plan EPP53090 Except Plans EPP61185, EPP61185, EPP80467 and EPP81619

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 "Icon" prepared by IBI Group and PWL Partnership Landscape Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 March 06;
- b) Public Hearing held on 2017 March 28;
- c) Second Reading given on 2017 April 03; and,
- d) Third Reading given on 2020 May 11.

The prerequisite conditions have been completely 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 4% inspection fees to cover the costs of all services necessary to serve the site and the servicing 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.*
- d. The utilization of an amenity bonus in accordance with Section 3.5 of this report.
 - *The applicant has agreed to the provision of a \$4,979,915.90 (subject to detailed survey) cash in-lieu contribution, in accordance with the terms and conditions approved by Council. The applicant will deposit the funds prior to issuance of Preliminary Planning Approval. A Section 219 Covenant to guarantee this provision has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption.*
- 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 prior to Final Adoption.*
- 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 prior to Final Adoption.*
- g. The approval of a detailed park master plan for the future City-owned park.
 - *A detailed park master plan for the future City-owned park has been submitted and approved.*
- 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,
 - Statutory right-of-way for a pedestrian pathway across the site.


- *The requisite statutory rights-of-way and/or easements have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- 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 prior to Final Adoption.*
- j. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 04.*
- 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 prior to Final Adoption, and the required funds to guarantee this provision will be deposited prior to Final Adoption. .*
- l. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
 - *The necessary provision 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 submitted the required Site Profile for the development site and has committed to obtaining a Certificate of Compliance from the Ministry of Environment prior to release of any Occupancy Permits.*
- n. The design and provision of units adaptable to persons with disabilities.
 - *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 will be deposited in the Land Title Office prior to Final Adoption.*

- o. The provision of four 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 provision 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 for review by the Engineering Department – Environmental Services Division, and the requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- 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.

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- *The applicant has agreed to this prerequisite in a letter dated 2020 May 04 and the area plan notification signs are in place.*

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

for 
E. W. Kozak, Director
PLANNING AND BUILDING

JBS/spf
Attachments

cc: Chief Administrative Officer