



INTER-OFFICE MEMORANDUM

TO: DIRECTOR LEGISLATIVE SERVICES December 16, 2024

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

Subject: **REZONING REFERENCE #20-15**
BYLAW 14678, AMENDMENT BYLAW NO. 15, 2024
Non-Market Housing Development with a Day Care Facility, and a
Separate Potential Non-Market Housing Development Primarily for
Seniors
Third Reading and Final Adoption

Address: 5912, 5924, 5938, 5946, 5958, 5968, 5978, 5988 Sunset Street,
and 5907, 5919, 5931, 5941, 5951, 5969, 5979, 5989 Kincaid
Street

Legal: Schedule A (*attached*)

Applicant: BC Indigenous Housing Society
548 Beatty Street, Vancouver, BC V6B 2L3
Attention: Helen Song

Current Zoning: CD Comprehensive Development District (based on P5 Community
Institutional District, RM3r Multiple Family Residential District, and
Central Administrative Area Plan as guidelines)

Proposed Zoning: Amended CD Comprehensive Development District (based on P5
Community Institutional District, RM3 and RM3r Multiple Family
Residential Districts, and Central Administrative Area Plan as
guidelines, and in accordance with the development guidelines
provided in Appendix A attached to Rezoning Bylaw for REZ #20-
15)

The following information applies to the subject rezoning bylaw:

1. First and Second Reading given on August 26, 2024.

The prerequisite conditions have been completely satisfied as follows:

- A. Distribute area plan notification forms, prepared by the City, with disclosure statements, and post area plan notification signs, also prepared by the City, on the development site in prominent and visible locations starting upon Third Reading, and which signs will remain posted until one year following posting.

- *The applicant has provided a letter of undertaking dated October 2, 2024, and the on-site plan is in place.*
- B. The completion of the Highway Closure Bylaw.
- *The Highway Closure Bylaw plans have been submitted in a registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- C. Consolidation and subdivision of the site into two parcels, with the subdivision including, but not limited to:
- dedication of any road allowances as required, including, but not limited to: 6.0m by 6.0m and 3.0m by 3.0m corner truncations at the southwest and northwest corners of the site, respectively;
 - dedication for the completion of the Sunset Street cul-de-sac, to match the existing radius of other property lines at the cul-de-sac (total area of dedication is approximately 99.5 m² (1,071 sq. ft.), subject to legal survey); and
 - closure of the unopened lane right-of-way measuring approximately 869.31 m² (9,357 sq. ft.), and consolidation of the closed lane with the development site.
- *The requisite subdivision plan of consolidation has been submitted in a registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- D. The approval of the Ministry of Transportation of the rezoning application.
- *The approval of the Ministry of Transportation for the rezoning bylaw has been obtained.*
- E. The granting and execution of any necessary Statutory Rights of Way, easements and/or covenants including but not limited to:
- Section 219 No Build Covenant ensuring a number of items are satisfied prior to construction commencing on the new western or eastern lot, including, but not limited to, for the relevant lot:
 - a site specific plan of development in line with the established development guidelines;
 - registration of a Ground Lease in favour of BC Indigenous Housing Society;
 - stormwater and groundwater management plan;
 - solid waste and recycling plan;
 - loading management plan;
 - fire truck access plan;
 - tree survey and arborist report;

- green building strategy;
 - acoustical report; and,
 - all necessary legal agreements, including statutory rights-of-way, easements, covenants, and lease agreements, including but not limited to:
 - Easement regarding shared outdoor space between the two buildings;
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant indicating that project surface driveway access(es) will not be restricted by gates;
 - Section 219 Covenant ensuring compliance with the approved acoustical study;
 - Section 219 Covenant guaranteeing the provision and ongoing maintenance of storm and groundwater management facilities;
 - Section 219 Covenant ensuring that accessible parking stalls are provided for the sole use of physically disabled persons; and
 - Section 219 Covenant ensuring compliance with the Green Building Plan for the site as well as a commitment for the property owner/representative to submit the necessary information to NRCAN.

 - *The requisite statutory rights-of-way, easements, and/or covenant plans have been submitted in a registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- F. Detailed design drawings, through the City's Engineering Department, for any services necessary to serve this site, including but not necessarily limited to:
- construction of Kincaid Street to its final local road standard, with new separated sidewalks, street trees, street lighting and pedestrian lighting across the development's frontage; and a new pedestrian crossing connecting the site to the walkway on 5895 Kincaid Street, in order to connect to Canada Way bus services;
 - construction of Godwin Avenue to its final local road standard, with new separated sidewalks, street trees, street lighting and pedestrian lighting across the development's frontage;
 - construction of Sunset Street to its final local road standard, including the assessment of existing curb and sidewalk on Sunset Street, and installation of street trees, street lighting and pedestrian lighting across the development's frontage; and construction of the cul-de-sac to its final standard; and,
 - storm, sanitary sewer, and water main upgrades, as required.

 - *Design drawings to service the site will be from the City's Engineering Department, and security to ensure that that the off-site works will be in place has been provided.*

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

- *The applicant has agreed to this prerequisite in a letter dated December 4, 2024.*

As the prerequisite conditions to this rezoning are now completely fulfilled, could you please arrange to return this amendment bylaw to Council for Consideration and Third Reading and Reconsideration and Final Adoption on December 16, 2024.

E. W. Kozak, GENERAL MANAGER
PLANNING AND DEVELOPMENT

**REZONING REFERENCE #20-15
SCHEDULE A**

ADDRESS	PID	LEGAL DESCRIPTION
5912 Sunset Street	012-409-511	Lot 28, District Lot 80, Group 1, New Westminster District Plan 1892
5924 Sunset Street	012-409-545	Lot 29, District Lot 80, Group 1, New Westminster District Plan 1892
5938 Sunset Street	012-409-618	Lot 30, District Lot 80, Group 1, New Westminster District Plan 1892
5946 Sunset Street	012-409-669	Lot 31, District Lot 80, Group 1, New Westminster District Plan 1892
5958 Sunset Street	012-409-707	Lot 32, District Lot 80, Group 1, New Westminster District Plan 1892
5968 Sunset Street	012-409-138	Lot 7, District Lot 80, Group 1, New Westminster District Plan 1891
5978 Sunset Street	012-409-146	Lot 8, District Lot 80, Group 1, New Westminster District Plan 1891
5988 Sunset Street	012-409-189	Lot 9, District Lot 80, Group 1, New Westminster District Plan 1891
5907 Kincaid Street	002-842-351	Lot 37, District Lot 80, Group 1, New Westminster District Plan 1892
5919 Kincaid Street	002-840-910	Lot 36, District Lot 80, Group 1, New Westminster District Plan 1892
5931 Kincaid Street	001-775-219	Lot 35, District Lot 80, Group 1, New Westminster District Plan 1892
5941 Kincaid Street	001-775-201	Lot 34, District Lot 80, Group 1, New Westminster District Plan 1892
5951 Kincaid Street	001-775-197	Lot 33, District Lot 80, Group 1, New Westminster District Plan 1892
5969 Kincaid Street	012-409-308	Lot 12, District Lot 80, Group 1, New Westminster District Plan 1891
5979 Kincaid Street	012-409-260	Lot 11, District Lot 80, Group 1, New Westminster District Plan 1891
5989 Kincaid Street	012-409-227	Lot 10, District Lot 80, Group 1, New Westminster District Plan 1891