

INTER-OFFICE MEMORANDUM

TO: DIRECTOR LEGISLATIVE SERVICES March 11, 2025

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

Subject: **REZONING REFERENCE #20-09**
BYLAW 14631, AMENDMENT BYLAW NO. 43, 2023
High Density Mixed-Use Development
Reconsideration and Final Adoption

Address: 3777 and 3791 Kingsway

Legal: PIDs: 000-744-557 and 002-509-172
Lot "A" (X75108) District Lots 35 and 151 Group 1 New Westminster
District Plan 51937
Lot 199 District Lots 35 and 151 Group 1 New Westminster District
Plan 47944

Applicant: Anthem Properties Group
#1100-1055 Dunsmuir Sttreet, Vancouver, BC V7X 1K8
Attention: Tracy McRae

Current Zoning: CD Comprehensive Development District (C3 General Commercial
District) and CD Comprehensive Development District (C6a Gasoline
Service Station District and P8 Parking District), and Metrotown
Downtown Plan as guidelines

Proposed Zoning: Amended CD Comprehensive Development District (RM4s and RM4r
Multiple Family Residential District, C3 General Commercial District,
Metrotown Downtown Plan as guidelines, and in accordance with the
development plan entitled "Central Park Commons" prepared by
Arcadis

The following information applies to the subject rezoning bylaw:

1. First Reading given on January 29, 2024;
2. Second Reading given on February 12, 2024; and,
3. Third Reading given on November 18, 2024 .

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 a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed. The developer will be responsible for a new full-movement signalized intersection at their Kingsway access. With the addition of a new full movement intersection, Phase 1 will accommodate a multi-use pathway through the site connecting the regional BC Parkway on the north side of Kingsway with Central Park and the BC Parkway on the south side of Kingsway. As the intersection has received approval from TransLink, the developer will be responsible for removing the existing and aging pedestrian overpass, which will no longer be required to facilitate movement across Kingsway. The appropriate security has been collected to ensure the abovementioned works, and a Section 219 Covenant has been registered at the Land Title Office restricting occupancy of Phase 1 until the works have 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 November 13, 2024.

- D. The undergrounding of existing overhead wiring abutting the site.

The applicant has agreed to this prerequisite in a letter dated November 13, 2024 and has deposited the necessary funds to guarantee the completion of this prerequisite.

- E. The subdivision of the net project site into three distinct parcels.

The requisite subdivision plan has been deposited in the Land Title Office.

- F. The utilization of an amenity density bonus through the provision of a cash in-lieu contribution in accordance with Section's 3.6 and 3.7 of this report.

The applicant has selected the option to defer the negotiation and payment of their density bonus value until prior to PPA/BP for Phase 2 of the development. A Section 219 Covenant restricting the issuance of a PPA/BP for Phase 2, and restricting marketing for the project until such time that the value is negotiated and paid in full has been deposited in the Land Title Office.

- G. The dedication of any rights-of-way deemed requisite.

A subdivision plan dedicating the requisite rights-of-way has been deposited in the Land Title Office.

- H. The granting of any necessary statutory rights-of-way, easements and covenants.

The requisite statutory right-of-way, easement and covenants have been deposited in the Land Title Office

- I. The registration of a Housing Agreement and Housing Covenant.

A Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of an Occupancy Permit until such time that a Housing Agreement has been approved, and the requisite covenant to guarantee its provision has been deposited.

- J. The submission of a suitable on-site stormwater management system to the approval of the General Manager Engineering, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.

A Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of a Building Permit until such time that a suitable on-site stormwater management system has been approved by the General Manager Engineering, the required covenant has been deposited in the Land Title Office, and the required funds to guarantee this provision have been deposited.

- K. The submission of a Phasing and Construction Management Plan.

An approved Phasing and Construction Management Plan has been submitted.

- L. The submission of a Site Disclosure Statement.

The applicant has submitted the required Site Disclosure Statement for the development site and has committed to obtaining an appropriate instrument from the Ministry of Environment prior to release of any Occupancy Permits. The required Covenant governing this arrangement has been deposited in the Land Title Office.

- M. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.

The applicant has agreed to this prerequisite in a letter dated November 13, 2024.

- N. The submission of a suitable Solid Waste and Recycling plan.

The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated November 13, 2024 committing to implement the solid waste and recycling provisions.

- O. A review of on-site residential loading facilities.

The applicant has agreed to this prerequisite in a letter dated November 13, 2024.

- P. The provision of a covered car wash stall and an adequately sized and screened garbage handling and recycling material holding space within the development and a commitment to implement the recycling provisions.

The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated November 13, 2024 committing to implement the recycling provisions.

- Q. The provision of facilities for cyclists in accordance with this report.

This provision is indicated on the development plans and the applicant has submitted a letter dated November 13, 2024 agreeing to meet this prerequisite.

- R. The design and provision of units adaptable to the disabled (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.

This provision is indicated on the development plans and the applicant has submitted a letter dated November 13, 2024 agreeing to meet this prerequisite.

- S. 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 submitted a letter dated November 13, 2024 agreeing to comply with the Council-adopted sound criteria.

- T. Compliance with the guidelines for underground parking for visitors.

The applicant has agreed to this prerequisite in a letter dated November 13, 2024 and the necessary provisions are indicated on the development plans.

- U. The submission of a Public Art Plan.

A suitable Public Art Plan has been approved, the required funds to guarantee this provision have been deposited, and the required covenant has been deposited in the Land Title Office.

- V. The submission of a Green Building Plan and Energy Benchmarking.

A suitable Green Building Plan has been approved, and the required covenant has been deposited in the Land Title Office.

- W. The submission of a Master Sign Plan.

A Master Sign Plan has been accepted.

- X. The deposit of the applicable Parkland Acquisition Charge.

The required deposits have been made to meet this prerequisite.

- Y. The deposit of the applicable School Site Acquisition Charge.

The required deposits have been made to meet this prerequisite.

Z. The deposit of the applicable Water Development Charge.

The required deposits have been made to meet this prerequisite.

AA. The deposit of the applicable Metrotown Public Open Space Charge.

The required deposits have been made to meet this prerequisite.

BB. The deposit of the proportionate contribution to grade-separated crossings of the BC Parkway.

The required deposits have been made to meet this prerequisite.

CC. The deposit of the applicable GVS & DD Sewerage Charge.

The required deposits have been made to meet this prerequisite.

DD. The deposit of the applicable Regional Transportation Development Cost Charge.

The required deposits have been made to meet this prerequisite.

EE. 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 develop 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 provided a letter of undertaking dated April 27, 2024 and the area plan notification signs are in place.

As the prerequisite conditions to this rezoning are now completely fulfilled, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on March 11, 2025.

E. W. Kozak, GENERAL MANAGER
PLANNING AND DEVELOPMENT