



INTER-OFFICE MEMORANDUM

TO: DIRECTOR
LEGISLATIVE SERVICES

June 10, 2025

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

Subject: **REZONING REFERENCE # 21-16**
BYLAW 14612, AMENDMENT BYLAW NO. 34, 2023,
Mixed Use Development
Reconsideration and Final Adoption

Address: 5292 and 5318 Kingsway

Legal: PID: 002-439-441, 011-905-549, and 002-447-151
West 50 Feet Block 4 District Lot 94 Group 1 New Westminster District
Plan 720;

Lot 8 Except: The West 50 Feet; District Lot 94 Group 1 New
Westminster District Plan 720; and

Lot 1 District Lot 94 Group 1 New Westminster District Plan 6178

Applicant: Porte Communities

100 – 33 East 8th Avenue, Vancouver, BC V5T 1R5

Attn: Tony Zhang

Current Zoning: C4 Service Commercial District

Proposed Zoning: CD Comprehensive Development District (based on C9 Urban Village
District and Royal Oak Community Plan as guidelines, and in
accordance with the development plan entitled "Roi and Reine"
prepared by RH Architects Inc.)

The following information applies to the subject rezoning bylaw:

1. First Reading given on November 6, 2023;
2. Public Hearing given on November 28, 2023;
3. Second Reading given on December 4, 2023; and,
4. 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.

- 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 October 24, 2024.

- D. The consolidation of the net project site into one legal parcel.

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

- E. The completion of the Highway Closure Bylaw and sale of City property.

The Highway Closure Bylaw plans have been deposited in the Land Title Office, and the sale of City property has been completed according to the terms approved by Council.

- F. The submission of an undertaking to remove all improvements from the site within 12 months of Final Adoption of the Rezoning Bylaw.

The applicant has agreed to this prerequisite in a letter dated October 24, 2024. The applicant may submit a request for an extension to that timeline, for the benefit of existing tenants.

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

The applicant has agreed to this prerequisite in a letter dated May 23, 2024. 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 deposited in the Land Title Office.

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

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.

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

A suitable Groundwater Management system has been approved by the General Manager Engineering.

- J. 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.

- K. The granting of any necessary statutory rights-of-way, easements and/or covenants.

The requisite statutory rights-of-way, easements and/or covenants have been deposited in the Land Title Office.

- L. The provision of facilities for cyclists in accordance with the October 30, 2023 report to Council.

These necessary provisions are indicated on the development plans, and the applicant has submitted a letter dated October 24, 2024 agreeing to meet this prerequisite.

- M. 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 October 24, 2024 committing to implement the solid waste and recycling provisions.

- N. The review of on-site loading facilities.

The necessary provisions are indicated on the development plans, and the applicant has agreed to this prerequisite in a letter dated October 24, 2024.

- O. The provision of one covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space 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 October 24, 2024 committing to implement the recycling provisions.

- P. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the lease of the unit to a disabled person and with allocated disabled parking spaces.

This provision is indicated on the development plans, and the applicant has submitted a letter dated October 24, 2024 agreeing to meet this prerequisite.

- Q. Compliance with the Council-adopted sound criteria.

The applicant has submitted an acoustic study which has been accepted by Climate Action and Energy Division and has submitted a letter dated October 24, 2024 agreeing to comply with the Council-adopted sound criteria.

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

The applicant has agreed to this prerequisite in a letter dated October 24, 2024, and the necessary provisions are indicated on the development plans.

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

The applicant has agreed to this prerequisite in a letter dated October 24, 2024.

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

The applicant has agreed to this prerequisite in a letter dated October 24, 2024, and the required covenant has been deposited in the Land Title Office.

- U. The submission of a detailed Comprehensive Sign Plan.

An approvable detailed comprehensive sign plan has been achieved.

- V. The provision of a statutory right-of-way for a public pathway from Kingsway to Grimmer Street, to the approval of the General Manager Engineering.

The requisite statutory right-of-way plan has been deposited in the Land Title Office.

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

The required deposits have been made to meet this prerequisite.

- X. The deposit of the applicable GVS & DD 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 Cost Charge.

The required deposits have been made to meet this prerequisite.

- AA. The deposit of the applicable Regional Transportation Development Cost Charge.

The required deposits have been made to meet this prerequisite.

- BB. Submission of a written undertaking to 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 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 rented, whichever is greater.

On March 11, 2025, Council approved a recommendation eliminating the requirements for area plan notifications, effective immediately. Therefore, this prerequisite is no longer required.

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 June 10, 2025.

E. W. Kozak, GENERAL MANAGER
PLANNING AND DEVELOPMENT