

TO: CITY MANAGER 2009 September 14

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #06-14
Townhouse Development
Edmonds Town Centre Plan – Sub-Area 1**

ADDRESS: 7595 Kingsway (see **attached** Sketches #1 and #2)

LEGAL: Lot 74, D.L. 29, Group 1, NWD Plan 41638

FROM: C4 Service Commercial District and P8 Parking District

TO: CD Comprehensive Development District (based on RM3 Multiple Family Residential District, and Edmonds Town Centre Plan as guidelines, and in accordance with the development plan entitled “Multi-Family Residential Development 7595 Kingsway” prepared by Wilson Chang Architect)

APPLICANT: Skyreach Homes 2006 Ltd.
7455 Royal Oak Avenue
Burnaby, B.C. V5J 4J8
Attention: Bimaljit Sahdev

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2009 October 27.

1. **THAT** the predecessor Rezoning Bylaw, Amendment Bylaw No. 4/07, Bylaw #12214, be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 October 5, and to a Public Hearing on 2009 October 27 at 7:30 p.m.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - 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.

- 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.
- d) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw.
- e) The creation of the net project site as one legal parcel.
- f) The granting of a Section 219 Covenant restricting enclosure of balconies.
- g) The dedication of any rights-of-way deemed requisite.
- h) The provision of 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 a commitment to implement the recycling provisions.
- i) The retention of identified existing trees (and vegetation) on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
- j) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- k) Compliance with the guidelines for underground parking for residential visitors.
- l) The utilization of an amenity bonus through the deposit of funds equal to the estimated value of the density bonus in accordance with Section 3.2 of this report.
- m) The granting of a Section 219 Covenant providing that all disabled parking to remain as common property.

- n) The review of a detailed Sediment Control System by the Director Engineering.
- o) The deposit of the applicable GVS & DD Sewerage Charge.
- p) The deposit of the applicable Parkland Acquisition Charge.
- q) The deposit of the applicable School Site Acquisition Charge.
- r) The provision of facilities for cyclists in accordance with this report.
- s) The undergrounding of existing overhead wiring adjacent to the site.
- t) Compliance with the Council-adopted sound criteria.
- u) 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.
- v) The submission of a Site Profile and resolution of any arising requirements.
- w) 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.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit a four storey apartment development with underground parking.

2.0 BACKGROUND

- 2.1 The subject site is located at the southwest corner of Kingsway and 14th Avenue and is currently occupied by an older commercial building (see **attached** Sketch #1). The Edmonds Town Centre Plan previously designated the subject site for RM2 residential density plus commercial mixed-use development. Council, however, on 2006 December 11 approved a Plan adjustment (see **attached** Sketch #2) providing for pure residential development at RM3 density. The approved Plan adjustment also provided for development of the subject property on its own, because the neighbouring property at 7359 Fourteenth Avenue was not available at an economically viable price for consolidation, and because it was considered desirable to maintain the lane in its existing configuration.
- 2.2 Adjacent sites include existing and planned low-rise residential development, with a local commercial component included in the developments planned for the northwest and southeast corners of the Kingsway and 14th Avenue intersection.
- 2.3 The subject rezoning application previously proceeded to Public Hearing on 2007 January 23, with Second Reading granted on 2007 February 05. Traffic safety issues raised at the Public Hearing were addressed by the planned widening of the Kingsway/14th Avenue intersection to accommodate left turn lanes on Kingsway in both directions.
- 2.4 Due to current market conditions, the developer has reviewed the project to make it more economically viable while not reducing its quality. Instead of the previous 36 unit 2-bedroom 3-storey townhouse development, the applicant now wishes to pursue a 47 unit 4-storey apartment development with a mix of smaller unit sizes. He also proposes to utilize the amenity density bonus provisions of the Zoning Bylaw. Parking provision for the development is to increase from 63 spaces in the previous proposal to 76 spaces in the new proposal. Due to these proposed changes, a further Public Hearing is required.

The applicant has submitted a new plan of development suitable for presentation to this second Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The subject site is to be rezoned to the Comprehensive Development District (CD) based on the RM3 District as guidelines.
- 3.2 Given the site's Town Centre location, the applicant is proposing to utilize the amenity density bonus provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 0.15 FAR, which translates into 4,652 additional sq. ft. of