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TOWN OF SIDNEY

Report to Council

TO: Mayor & Council Members
FROM: Yazmin Hernandez, Municipal Planner
DATE: February 19, 2020 **File No.** 10129 Fifth St (Land)
SUBJECT: Development Permit Application No. DP100786
10129 Fifth Street

PURPOSE:

The purpose of this report is to address a staff oversight in the APC recommendation on the **Development Permit Application** for the property located at **10129 Fifth Street** (*Aerial photo attached as Appendix A*).

BACKGROUND:

- The proposal for a 3-storey multi-family residential development containing 71 apartment dwelling units was first presented to Committee of the Whole on October 22nd, 2019. The application was subsequently reviewed by the Advisory Planning Commission on November 5th, 2019.
- At its November 12th, 2019 regular meeting, Council passed the following motion:
 1. *That the applicant for Development Permit Application No. DP100786 (10129 Fifth Street) submit a revised landscape plan and planting list addressing Design Guideline No. 20.3.35 (incorporate additional indigenous and drought resistant species) to the satisfaction of the Senior Manager of Current Planning;*
 2. *That the applicant address Design Guideline No. 20.3.3 (rooflines along the south and north elevations) to the satisfaction of the Senior Manager of Current Planning; and*
 3. *That prior to the issuance of Building Permit the applicant shall:*
 - a. *Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development;*
 - b. *Register a flood hazard covenant on the title of the property referencing the submitted Engineer's report;*
 - c. *Register a private sub-terrain access agreement between the property owners of 10129 Fifth Street and 2433 Malaview Avenue to permit the proposed encroachment of the development's parkade;*
 - d. *Register a private easement allowing the driveway of 2433 Malaview Avenue to serve as a shared driveway between the properties at 10129 Fifth Street and 2433 Malaview Avenue, and;*
 - e. *Register a private easement to permit the proposed encroachment of a pedestrian walkway and landscaping along the northwest interior side yard of 2433 Malaview Avenue.*

MOTION CARRIED

DISCUSSION:

Following the above Council resolution, staff noticed that the key words "be approved" had inadvertently been omitted from the staff recommendation in the report to APC for this development application. It had

been staff's intent to recommend approval for this development application, therefore the following recommendation is proposed to correct this error.

RECOMMENDATION:

That Development Permit Application No. DP100786 (for the form and character of a 3-storey multi-family residential development containing 71 multi-family dwelling units) be approved, subject to the conditions contained in Council Resolution No. 2019.38.528.

Respectfully submitted,

I concur,

I concur,

Yazmin Hernandez B

Alison Verhagen

Randy Humble

Yazmin Hernandez MCIP, RPP
Municipal Planner

Alison Verhagen, MCIP, RPP Senior
Manager of Current Planning

Randy Humble MCIP, RPP
Chief Administrative Officer

Attachments: Appendix A: Aerial photo of subject property

Appendix A: 2017 aerial photo of the subject property (10129 Fifth Street) outlined in blue, showing OCP (black) and Zoning (red) designations.

