

**Refers to Referral Report Item 2
Public Hearing of September 12, 2023**

YELLOW MEMORANDUM

September 8, 2023

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Maria Pontikis, Chief Communications Officer, CEC
Rosemary Hagiwara, Acting City Clerk
Teresa Jong, Administration Services Manager, City Manager's Office
Mellisa Morphy, Director of Policy, Mayor's Office
Trevor Ford, Interim Chief of Staff, Mayor's Office
Jeff Greenberg, Assistant Director of Legal Services
Lon LaClaire, General Manager of Engineering Services
Yardley McNeill, Director, Rezoning Centre, Planning, Urban Design and Sustainability

FROM: Theresa O'Donnell
General Manager, Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 5235-5275 Kersland Drive – Conditions of Approval in Appendix B

RTS #: [15831](#)

On July 11, 2023 Council referred the above-mentioned rezoning application to a Public Hearing. The application included rainwater management conditions in Appendix B. On July 25, 2023 Council approved amendments to the Green Buildings Policy for Rezoning and the Rezoning Policy for Sustainable Large Developments, and enacted amendments to the Zoning and Development By-law and the Building By-law that simplify rezoning application and development permit requirements. These changes streamline the review and approval process for rainwater management requirements ([RTS 15424](#)).

As a result of the changes noted above, staff will consider conditions 1.16, 1.17, 1.39, 1.40, 1.41 and 1.42 of the Conditions of Approval (Appendix B, Part 1) to be generally met by virtue of compliance with the downstream building permit application process. Staff will also consider the paragraph beginning with "The post-development 10-year ..." and ending with "... prior to the issuance of the development permit" in condition 2.4(b)(i) of the Conditions of By-law Enactment

(Appendix B, Part 2) to be met by virtue of compliance with the downstream building permit application process. This is because a substantially equivalent requirement will come into force and effect in the Building By-law on January 1, 2024.

No action is required by Council. This memorandum will form part of the September 12, 2023 Public Hearing agenda package and be available for public viewing.

A handwritten signature in black ink that reads "Theresa O'Donnell". The signature is written in a cursive style with a large, stylized 'T' and 'O'.

Theresa O'Donnell
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