



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2015 July 15

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #13-42
AMENDMENT BYLAW NO. 28/14; BYLAW #13374
Low Rise Multiple-Family
Final Adoption

ADDRESS: 3205, 3209, 3229, 3239, 3249, 3279, 3311, 3337, 3361, 3369 Noel Drive, 9083
and 9125 Cameron Street

LEGAL: See *attached* Schedule A

FROM: R2 Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple-Family
Residential District and Lougheed Town Centre Plan guidelines and in
accordance with the development plan entitled "Noel Drive Residential" prepared
by RHA Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 July 21;
- b) Public Hearing held on 2014 August 26;
- c) Second Reading given on 2014 September 29; and,
- d) Third Reading given on 2015 March 09.

The prerequisite conditions have been 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 2015 February 25.*
- d. The removal of all existing improvements from the site prior to Final Adoption of the Bylaw. Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted, provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.
 - *The applicant in a letter dated 2015 February 25, has requested an extension to the demolition to within six months of the rezoning being effected. Staff are supportive of the request, and a Section 219 Covenant has been submitted in registerable form and will be registered in the Land Title Office prior to Final Adoption, and sufficient funds have been deposited to ensure the demolition is completed.*
- e. The dedication of any rights-of-way deemed requisite.
 - *A subdivision plan dedicating the requisite rights-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f. The consolidation of the net project site into one legal parcel.
 - *The requisite subdivision plan of consolidation has been submitted in registerable form and will be deposited in the Land Title Office Prior to Final Adoption.*
- g. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 25, and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants.

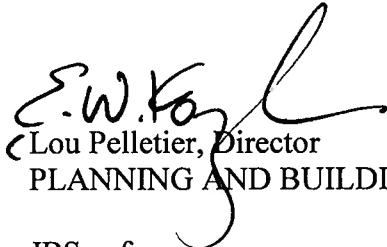
- *The applicant has agreed to this prerequisite in a letter dated 2015 February 25, and the requisite statutory rights-of-way, easements and/or covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- i. The granting of Section 219 Covenants including:
 - restricting enclosure of balconies;
 - protecting the streamside protection and enhancement areas (SPEA);
 - protecting on-site trees to be retained; and,
 - providing that all disabled parking is to remain as common property.
- *The applicant has agreed to this prerequisite in a letter dated 2015 February 25, and the requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j. Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 25 and the necessary provisions have been indicated on the development plans.*
- k. The provision of covered car wash stalls and an 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.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2015 February 25 committing to implement the recycling provisions.*
- l. The review of a detailed Sediment Control System by the Director Engineering.
 - *A detailed Sediment Control System plan has been approved by the Engineering Department – Environmental Services.*
- m. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 25. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*
- n. The review of on-site residential loading facilities by the Director Engineering.

- *The applicant has agreed to this prerequisite in a letter dated 2015 February 25. An on-site residential loading plan has been approved the Engineering Department – Traffic Division.*
- o. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit 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 Director Engineering, the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and the required funds to guarantee this provision have been deposited.*
- p. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2015 February 25 agreeing to meet this prerequisite.*
- q. The completion of the Highway Closure Bylaw.
 - *The Highway Closure Bylaw plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- r. The completion of the sale of City Property.
 - *The sale of City property has been completed according to the terms approved by Council.*
- s. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- t. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- u. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*

- v. 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.

- *The applicant has agreed to this prerequisite in a letter dated 2015 February 25 and the on-site area plan notification sign is in place.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2015 July 20.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf

cc: City Manager
Director Finance

SCHEDULE A

REZONING 13-42

Address	Legal Description
3205 Noel Drive	Lot 1, DL 6, Group 1, NWD Plan 17130
3209 Noel Drive	Lot 1, Blk 10, DL 6, Group 1, NWD Plan 17130
3229 Noel Drive	Lot 11, DL 6, Group 1, NWD Plan 18558
3239 Noel Drive	Lot 8 Except: Part on Plan with Bylaw Filed 44114; Blk 10, DL 6, Group 1, NWD Plan 17130
3249 Noel Drive	Lot 7 Except: Part Shown on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3279 Noel Drive	Lot 6, Blk 10, DL 6, Group 1, NWD Plan 17130
3311 Noel Drive	Lot 5 Except: Part on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3337 Noel Drive	Lot 4 Except: Part on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3361 Noel Drive	Lot 3 Except: Part on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3369 Noel Drive	Lot 1, Blk 10, DL 6, Group 1, NWD Plan 17130
9083 Cameron Street	Parcel "A" (Explanatory Plan 9672), Lot 17 Except: Parcel "One" (Reference Plan 22345); DL 6, Group 1, NWD Plan 748
9125 Cameron Street	Lot 2 Except: Part Outlined Red on Plan with Bylaw Filed 44114; Blk 10, DL 6, Group 1, NWD Plan 17130