



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2016 February 10

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #12-07**
AMENDMENT BYLAW NO. 09/15 ; BYLAW #13455
High Rise Apartment Tower and Ground Oriented Apartments
Final Adoption

ADDRESS: 1735, 1763 Douglas Road and Portion of 1710 Gilmore Avenue

LEGAL: Parcel "A" (Explanatory Plan 9664), Lots' 2 & 3 , DL 120, Group 1, NWD Plan 3482; Lot 3 Except Part in Parcel "A" (Explanatory Plan 9664), DL 120, Group 1, NWD Plan 3482; Lot "C", DL 120, Group 1, NWD Plan 13545

FROM: M1 Manufacturing District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Aviara II" prepared by Integra Architecture Inc. and IBI Group Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 March 09;
- b) Public Hearing held on 2015 March 31;
- c) Second Reading given on 2015 April 13; and,
- d) Third Reading given on 2015 November 23.

The prerequisite conditions have been completely satisfied as follows:

- a. The submission of a suitable plan of development.
 - *The applicant has submitted a complete 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.

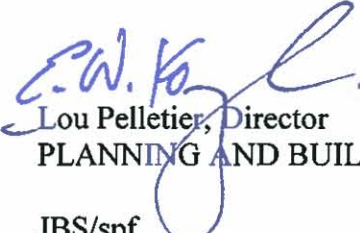
- *The applicant has submitted the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout 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 November 09.*
- d. 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. If requested, demolition may be delayed to more closely coincide with approval of building permits.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09 and the site is now vacant.*
- e. The utilization of an amenity bonus through the provision of a \$11,027,161 cash in-lieu contribution in accordance with Section 3.2 of this report.
 - *The necessary deposits have been made to meet this prerequisite.*
- 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 granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; indicating that project surface driveway access will not be restricted by gates; guaranteeing the provision and maintenance of public art; ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development; ensuring the provision and ongoing maintenance of co-op cars; ensuring the provision and on-going maintenance of EV plug-in stations; providing that all disabled parking to remain as common property, restricting the use of guest rooms; and ensuring compliance with the submitted acoustical analysis.

- *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The dedication of any easements or 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.*
- i. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and the necessary provisions are indicated on the development plans.*
- j. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- k. Compliance with the Council-adopted sound criteria.
 - *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division, and a Section 219 Covenant to ensure compliance with the submitted study has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- l. The provision of covered car wash stalls and 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 2015 November 09 committing to implement the recycling provisions.*
- m. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 November 09 agreeing to meet this prerequisite.*

- n. The review of on-site residential loading facilities by the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 November 09 agreeing to meet this prerequisite.*
- o. The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile for the development site, and has committed to obtaining the appropriate instrument from the Ministry of Environment prior to release of any Occupancy Permits. The required covenant governing this arrangement has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- 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 November 09 agreeing to meet this prerequisite.*
- q. 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.*
- r. Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and the necessary provisions are indicated on the development plans.*
- s. 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.*
- t. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*

- u. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- v. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- 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.
 - *The applicant has provided a letter of undertaking dated 2015 November 09 and the area plan notification signs are 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 2016 February 15.


Lou Pelletier, Director
PLANNING AND BUILDING
JBS/spf
Attachment