



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2016 February 17

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #14-15**  
**AMENDMENT BYLAW NO. 41/14 ; BYLAW #13421**  
**Six-Storey Mixed-Use Development**  
**Final Adoption**

**ADDRESS:** 4305 and 4349 Dawson Street

**LEGAL:** Lot 19 Except: Part on Bylaw Plan 52808: DL 119, Group 1, NWD Plan 25081;  
Lot "J", Block 8, DL 119, Group 1, NWD Plan 2855

**FROM:** M1 Manufacturing District

**TO:** CD Comprehensive Development District (based on C9 Urban Village  
Commercial District and Brentwood Town Centre Development Plan guidelines  
and in accordance with the development plan entitled "Mixed Use Development"  
prepared by GBL Architects Inc.)

---

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 November 24;
- b) Public Hearing held on 2014 December 09;
- c) Second Reading given on 2015 January 19; and,
- d) Third Reading given on 2015 August 24.

The prerequisite conditions have been completely 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 July 17.*
- d. The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning bylaw being effected, but not prior to Third Reading 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 has requested to retain one building on site for the period of one year as a sales and marketing centre for the development. A Section 219 Covenant requiring the demolition of this remaining building has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption*
- e. The approval to the Ministry of Transportation to the rezoning application.
  - *The approval of the Ministry of Transportation to the rezoning bylaw has been obtained.*
- f. The consolidation of the net project site into one legal lot.
  - *The requisite subdivision plan 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 July 17, and the necessary funds have been made to meet the prerequisites.*
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants.

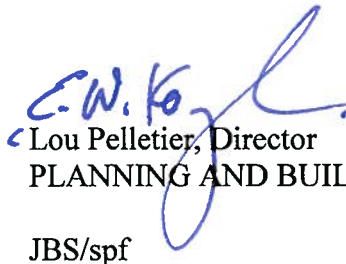
- *The requisite statutory rights-of-way, easements and/or covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- i. The granting of any necessary Section 219 Covenants including restricting enclosure of balconies, providing that all disabled parking remain as common property, provision and maintenance of Electric Vehicles, and to ensure compliance with the approved acoustical study.
- *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 Council-adopted sound criteria.
- *The applicant has submitted an acoustic study which has been accepted by the Engineering Department - Environmental Services Division and submitted a letter dated 2015 July 17 agreeing to comply with the Council-adopted sound criteria. The requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- k. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- *The applicant has agreed to this prerequisite in a letter dated 2015 July 17 and the necessary provisions have been indicated on the development plans.*
- l. The provision of a covered car wash stall 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 July 17 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 July 17 committing to implement the solid waste and recycling provisions.*
- n. The pursuance of Storm Water Management Best Practices in line with established guidelines.

- *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.*
- o. The submission of a Site Profile and resolution of any arising requirements.
  - *The applicant has submitted the required Site Profile. No remedial works are required in conjunction with the proposed development.*
- p. The submission of a Comprehensive Sign Plan.
  - *A Comprehensive Sign Plan has been submitted and approved.*
- 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 Division.*
- r. 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 July 17 agreeing to meet this prerequisite.*
- s. The review of on-site residential and commercial loading facilities by the Director Engineering.
  - *An on-site residential and commercial loading plan has been approved by the Director Engineering.*
- 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 July 17 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 22.

  
Lou Pelletier, Director  
PLANNING AND BUILDING  
JBS/spf