



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2016 August 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #14-32**
AMENDMENT BYLAW NO. 27/15; BYLAW #13503
Low-Rise Multiple Family Residential Development
Final Adoption

ADDRESS: 5415 Lougheed Highway

LEGAL: Lot 19 Except: Firstly: Parcel A (Explanatory Plan 12407) and Secondly: Part Highway Shown On SRW Plan 21112, Thirdly: Part Highway Shown on SRW Plan 4800, D.L. 125, Group 1, NWD Plan 3520

FROM: CD Comprehensive Development District (based on C5 Tourist Commercial District)

TO: Amended CD Comprehensive Development District (based on RM3s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines and in accordance with the development plan entitled "Lougheed" prepared by Integra Architecture Inc. and Jonathan Losee Ltd. Landscape Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 September 14;
- b) Public Hearing held on 2015 September 29;
- c) Second Reading given on 2015 October 05; and,
- d) Third Reading given on 2016 June 27.

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 2016 June 13.*
- d. The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning 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 agreed to this prerequisite in a letter dated 2016 June 13 and the site is now vacant.*
- e. The utilization of an amenity bonus through the provision of a \$3,022,760.00 cash in-lieu contribution in accordance with Section 3.5 of this report.
 - *The necessary deposits have been made to meet this prerequisite.*
- f. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 June 13, and the necessary deposits have been made to meet this prerequisite.*
- g. 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.*
- 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 Covenants:

- restricting enclosure of balconies;
- indicating that project surface driveway access will not be restricted by gates;
- ensuring compliance with the approved acoustical study;
- guaranteeing the provision and ongoing maintenance of stormwater management facilities;
- ensuring the achievement of a green building design with a Leadership in Energy and Environmental Design (LEED) Silver rating or equivalent;
- ensuring the provision and ongoing maintenance of 10 commuter bicycles and related storage/repair room, and to ensure that they remain common property; and,
- ensuring that handicap accessible parking stalls in the underground parking areas be held in common property to be administered by the Strata Corporation.

- *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

j. 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.*

k. 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.*

l. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.

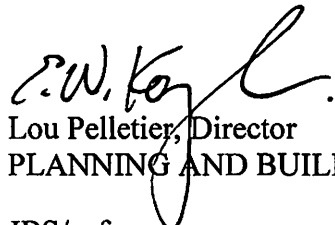
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2016 June 13 agreeing to meet this prerequisite.*

- m. The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile and no remedial works are required in connection with the proposed development.*
- n. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 June 13, and the necessary provisions are indicated on the development plans.*
- o. 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 2016 June 13 committing to implement the recycling provisions.*
- p. Compliance with the guidelines for underground parking for residential visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 June 13, and the necessary provisions are indicated on the development plans.*
- q. 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.*
- r. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- s. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- t. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*

- u. 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 2016 June 13 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 August 29.


Lou Pelletier, Director
PLANNING AND BUILDING
JBS/spf