



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 February 22

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-05
AMENDMENT BYLAW NO. 26/15; BYLAW #13499
Residential Tower III
Final Adoption

ADDRESS: Ptn. 4567 Lougheed Highway

LEGAL: Lot 1, DL's 123 and 124, Group 1, NWD Plan EPP31990- Except Plan EPP40171

FROM: CD Comprehensive Development District (based on the C3 and C3a General Commercial Districts, P2 Administration and Assembly District, RM4s and RM5s Multiple Family Residential Districts)

TO: Amended CD Comprehensive Development District (based on the C3 General Commercial District, RM4s and RM5s Multiple Family Residential Districts and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Residential Tower 3" prepared by Stantec Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 July 20;
- b) Public Hearing held on 2015 August 25;
- c) Second Reading given on 2015 September 14; 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 May 24.*
- d. The utilization of an amenity bonus through the provision of a \$11,987,600 cash in-lieu contribution in accordance with Section 3.5 of this report.
 - *The necessary deposits have been made to meet this prerequisite.*
- e. 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;
 - providing for future air space parcels covering both the commercial and residential components to ensure 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 an integrated development;
 - ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - ensuring compliance with the approved acoustic study;
 - ensuring the provision and ongoing maintenance of EV cars and EV plug-in stations;
 - ensuring the provision and ongoing maintenance of end-of-trip facilities; and,
 - restricting the use of guest rooms.
 - *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f. The granting of any necessary easements and statutory rights-of-way.
 - *The requisite easements and statutory rights-of-way have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

- g. Completion of the necessary subdivision.
 - *The requisite subdivision plan has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. Compliance with the guidelines for underground parking for visitors and commercial patrons.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 May 24, and the necessary provisions are indicated on the development plans.*
- i. The provision of facilities for cyclists in accordance with this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 May 24, and the necessary provisions are indicated on the development plans.*
- j. The design and provision of units adaptable to persons with disabilities with allocated disabled parking spaces.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 May 24, and the necessary provisions are indicated on the development plans.*
- k. The review of a detailed Sediment Control System by the Director Engineering.
 - *A detailed Sediment Control System plan has been reviewed and accepted by the Engineering Department – Environmental Services.*
- l. 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 has been deposited.*
- m. Compliance with the Council-adopted sound criteria.
 - *The applicant has submitted an acoustic study which has been accepted by the 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.*

- n. 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 May 24 committing to implement the recycling provisions.*
- o. 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 2016 May 24. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*
- p. The review of on-site residential and commercial loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 May 24, and the necessary provisions are indicated on the development plans.*
- q. The submission of a comprehensive sign plan.
 - *The required comprehensive sign plan has been submitted.*
- 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 May 24 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 2017 February 27.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS/spf