



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 November 01

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-51**
AMENDMENT BYLAW NO. 26/16; BYLAW #13626
High-rise apartment tower with street-oriented town housing
Final Adoption

ADDRESS: 2285 Willingdon and 4455, 4467, 4483 Juneau

LEGAL: Lot 10 Except: Part on Bylaw Plan 43361; DL 119, Group 1, NWD Plan 2855;
Lot 61, DL 119, Group 1, NWD Plan 43709; Lots 11 and 12, Block 10, DL 119,
Group 1, NWD Plan 2855

FROM: M1 Manufacturing District

TO: CD Comprehensive Development District (based on the RM4s Multiple Family
Residential District and Brentwood Town Centre Development Plan as guidelines,
and in accordance with the development plan entitled "Juneau Street Rezoning
Proposal" prepared by IBI Group Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 July 11,
- b) Public Hearing held on 2016 July 26;
- c) Second Reading given on 2016 August 29 and,
- d) Third Reading given on 2017 March 20.

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 2017 February 02.*
- 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 requested that demolition of the existing improvements be permitted within 12 months of the rezoning being affected. A Section 219 Covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and sufficient security has been deposited to ensure the remaining improvements are demolished within 12 months of Final Adoption.*
- e. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.3 of this report.
 - *The necessary deposits have been made to meet this prerequisite.*
- f. 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.*
- g. The approval of the Ministry of Transportation to the rezoning application.
 - *The approval of the Ministry of Transportation has been obtained.*
- h. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; guaranteeing the provision and maintenance of public art; indicating that project surface driveway accesses will not be restricted by gates; guaranteeing the continued operation and maintenance of stormwater

management facilities; to ensure the site can be used safely in accordance with the approved geotechnical report; to ensure that the project does not draw down the water table, providing that all disabled parking to remain as common property; 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.*
- i. The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development is required.
 - *The requisite indemnity agreement has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j. 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 2017 February 02, and the necessary provisions are indicated on the development plans.*
- k. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 February 02, and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- l. 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.*
- m. 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.*

- n. 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 2017 February 02 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 suitable Solid Waste and Recycling Plan has been achieved.*
- p. The review of on-site residential loading facilities by the Director Engineering.
 - *The suitable on-site residential loading plan has been achieved.*
- q. The provision of facilities for cyclists in accordance with this report.
 - *The provision is indicated on the development plans and the applicant has submitted a letter dated 2017 February 02 agreeing to meet this prerequisite.*
- r. 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.*
- s. Compliance with the guidelines for underground parking for visitors.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2017 February 02 agreeing to meet this prerequisite.*
- t. 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.*
- u. The deposit of the applicable Parkland Acquisition Charge.

- *The required deposits have been made to meet this prerequisite.*
- v. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- w. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- x. 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 2017 February 02 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 November 06.



Lou Pelletier, Director
PLANNING AND BUILDING

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