



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2018 March 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-15
AMENDMENT BYLAW NO. 17/16; BYLAW #13599
Two High Rise Apartment Buildings with Low Rise Commercial Podium
Final Adoption**

ADDRESS: 2085 and 2088 Skyline Court

LEGAL: Lot C and D, Block 6, DL 119, NWD Plan BCP51027

FROM: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and C3 General Commercial)

TO: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C3 General Commercial District, and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "SOLO Phase 3 and 4 Amendment" prepared by Chris Dikeakos Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 May 09;
- b) Public Hearing held on 2016 May 31;
- c) Second Reading given on 2016 June 13; and,
- d) Third Reading given on 2016 November 07.

The prerequisite conditions have been satisfied as follows:

- a. Compliance with the prerequisites established under Rezoning Reference #06-47.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 October 19.*
- b. The submission of a suitable plan of development.
 - *A complete suitable plan of development has been submitted.*
- c. 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.*
- d. 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 October 19.*
- e. 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 in a letter dated 2016 October 19 that a portion of the building accommodating the current sales centre on 2088 Skyline Court be retained until 2019 July, or until marketing ceases for Phase 4, whichever is earlier. The required Covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption. The required funds to guarantee this provision have been made to meet this prerequisite.*
- f. The utilization of an amenity bonus in accordance with Section 3.4 of this report.
- *The necessary funds for Phase III (\$7,830,896) have been deposited to meet this prerequisite, and as approved the necessary funds for Phase IV will be deposited prior to issuance of Preliminary Plan Approval for that phase. It is noted that in addition to the amenity bonus contribution for Phases III and IV, as part of the Phase I contribution an approximate 4,570 sq.ft. City-owned community flex space is provided within the Phase III commercial component.*
- g. 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.*
- h. The granting of any necessary Covenants, including but not necessary limited to, Section 219 Covenants:
- restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;

- ensuring development densities are appropriately allocated across the development sites;
 - guaranteeing the provision and maintenance of public art;
 - 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 electric vehicles and EV plug-in stations, and to ensure that they remain common property; 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.*
- i. 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.*
- j. 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 of undertaking dated 2016 October 19 committing to implement the solid waste and recycling provisions.*
- k. 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.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and the necessary provisions are indicated on the development plans.*
- l. The provision of covered car wash stalls 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 October 19 committing to implement the recycling provisions.*

- m. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and the necessary provisions are indicated on the development plans.*
- n. The review of on-site residential and commercial loading facilities by the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2016 October 19 agreeing to meet this prerequisite.*
- o. The submission of an acoustic study to ensure 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.*
- p. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- q. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- r. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- s. 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 October 19 and the area plan notification signs are in place.*

t. Approval of the Ministry of Transportation to the rezoning application.

- *The approval of the Ministry of Transportation has been obtained.*

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 2018 March 26.



Lou Pelletier, Director
PLANNING AND BUILDING

JBS/eb