

INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2018 July 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-57**
AMENDMENT BYLAW NO. 56/16; BYLAW #13688
Residential Tower III of Gilmore Station Phase I
Final Adoption

ADDRESS: 4120, 4160, Ptn. 4170, Ptn. 4180 Lougheed Highway, and Ptn. 4161 Dawson Street

LEGAL: See Schedule A (*attached*)

FROM: M1 Manufacturing District and CD Comprehensive Development District (based on M1 and M1r Manufacturing District, M5 and M5l Light Industrial District, C1 Neighbourhood Commercial District and P2 Administration and Assembly District)

TO: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Gilmore Station Phase 1 – Tower 3" prepared by IBI Group Architects)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 November 21;
- b) Public Hearing held on 2016 December 13;
- c) Second Reading given on 2017 January 23; and,
- d) Third Reading given on 2018 March 12.

The prerequisite conditions have been 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 (as well as underground switching and transformer/service boxes in town centre locations), 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 2018 February 21.*
- d. The utilization of an amenity bonus in accordance with Section 5.6 of this report.
- *The subject rezoning application represents a single sub-phase (Tower 3) of the overall site's first phase of development. As the first phase of development will be delivered in four sub-phases, the applicant will provide a phased cash in-lieu contribution. The Tower 1 sub-phase has deposited the required amenity bonus funds. The Tower 3 sub-phase contribution of \$21,401,640, as well as the contribution for Tower 2, would be payable prior to issuance of Preliminary Plan Approval, subject to an annual interest rate of 2% above Royal Bank of Canada (RBC) prime. A density allocation covenant for the overall site, and no-build covenant for Towers 2 and 3 have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e. The granting of any necessary covenants, easements or statutory rights-of-way, including but not necessary limited to:
- Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant guaranteeing the provision and maintenance of public art;
 - Section 219 Covenant ensuring 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 a single, integrated development;
 - Section 219 Covenant ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - Section 219 Covenant ensuring compliance with the approved acoustic study;
 - Section 219 Covenant ensuring the provision and ongoing maintenance of EV cars and EV plug-in stations;

- Section 219 Covenant ensuring that provided amenity spaces are for the sole use of residents of the Gilmore Station development and are not to be used for commercial purposes; and,
 - Section 219 Covenant 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 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.*
- g. 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.
- *The applicant has submitted the required Stormwater Management Plan for approval by the Director Engineering. A finalized on-site stormwater management system will be required prior to issuance of a Building Permit. The requisite covenant to ensure this provision has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The review of residential loading facilities by the Director Engineering.
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2018 February 21 agreeing to meet this prerequisite.*
- i. The submission of a suitable district energy pre-feasibility study to the approval of the Director Planning and Building is required.
- *A district energy pre-feasibility study has been submitted and approved.*
- j. The submission of a sustainability report detailing the initiatives for the development to meets its environmental commitments within the Gilmore Station Master Plan.
- *The applicant has submitted the required sustainability report, 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.*

- k. The provision of facilities for cyclists in accordance with this report.
- *The applicant has agreed to this prerequisite in a letter dated 2018 February 21, and the necessary provisions are indicated on the development plans.*
- 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 of undertaking dated 2018 February 21 committing to implement the solid waste and recycling provisions.*
- m. Compliance with the guidelines for underground parking for residential visitors.
- *The applicant has agreed to this prerequisite in a letter dated 2018 February 21, and the necessary provisions are indicated on the development plans.*
- n. 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.*
- o. The submission of a detailed construction management plan including a schedule for the construction/development phasing of the subject proposal.
- *The required construction management plan has been submitted.*
- 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 agreed to this prerequisite in a letter dated 2018 February 21 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 2018 July 23.



Lou Pelletier, Director
PLANNING AND BUILDING

JBS:tn
Attachment

SCHEDULE A
REZONING 15-57

ADDRESS	LEGAL DESCRIPTION	PID
4120 Lougheed Hwy.	Block 8 Except: Firstly: Parcel A (Reference Plan 11251); Secondly: Part By-Law Plan 52808; Thirdly: Part Now Road On Statutory Right Of Way Plan 4957; DL 119, Group 1, NWD Plan 206	003-206-840
4160 Lougheed Hwy.	Lot D, DL 119, Group 1, NWD Plan 69931	001-942-361
Portion of 4170 Lougheed Hwy.	Lot C, DL 119, Group 1, NWD Plan 69931	001-942-352
Portion of 4180 Lougheed Hwy.	Lot A, DLs 30 & 95, Group 1, NWD Plan EPP41731	029-728-088
4161 Dawson St.	Lot B, DL 119, Group 1, NWD Plan 69931	001-942-344