



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2018 July 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-52**
BYLAW #13785; AMENDMENT BYLAW NO. 29/17
High-Rise Apartment (Tower 3) in the Lougheed Town Centre Phase I Site
Lougheed Town Centre Plan
Final Adoption

ADDRESS: Portion of 9855 Austin Road

LEGAL: Lot 79, DL 4, Group 1, NWD Plan 36145 Except Plans BCP5531 and EPP10716

FROM: CD Comprehensive Development District (based on Lougheed Town Centre Core Area Master Plan and Lougheed Town Centre Plan as guidelines)

TO: Amended CD Comprehensive Development District (based on C3 General Commercial District, RM5s Multiple Family Residential District, Lougheed Core Area Master Plan, and Lougheed Town Centre Plan as guidelines, and in accordance with the development plan entitled "Lougheed Town Centre – Phase 1 Tower 3" prepared by GBL Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 July 24;
- b) Public Hearing held on 2017 August 28; and,
- c) Second Reading given on 2017 September 11; and,
- d) Third Reading given on 2018 February 26.

The prerequisite conditions have been satisfied as follows:

- a) The submission of a suitable plan of development.
 - *A complete suitable plan of development has been submitted.*
- b) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.5 of this report.
 - *The necessary deposits have been made to meet this prerequisite.*
- c) The granting of Section 219 Covenants in accordance with the subject rezoning and Rezoning Reference #15-28:

- restricting enclosure of balconies;
 - ensuring compliance with the approved acoustical study; and,
 - ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning and density allocation covenant for the site and to ensure that the overall site continues to function as a single, integrated development.
- *The requisite covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- d) 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 2018 February 16, and the necessary provisions are indicated on the development plans.*
- e) 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.*
- f) The submission of a suitable district energy pre-feasibility study to the approval of the Director Planning and Building.
- *An approvable district energy pre-feasibility study has been achieved.*
- g) The submission of a sustainability report detailing the initiatives for Tower 3 to contribute towards the environmental commitment of LEED ND Gold for the entire Phase 1 Development.
- *An approvable sustainability report to meet LEED ND Gold commitments has been achieved.*
- h) 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 2018 January 05. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*

- i) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- j) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- k) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- l) The completion of Rezoning References #15-28 and #15-29.
 - *Rezoning References #15-28 and #15-29 are scheduled to be considered by Council on 2018 July 23, prior to the subject rezoning being considered by Council for adoption.*
- m) 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 16.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Consideration and Final Adoption on 2018 July 23.


• Lou Pelletier, Director
PLANNING AND BUILDING

JD:tn