



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2018 October 24

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #16-27**  
**BYLAW #13801, AMENDMENT BYLAW NO. 34/17**  
**High Rise Apartment Tower with Commercial Podium**  
**Final Adoption**

**ADDRESS:** 4285 and 4295 Dawson Street

**LEGAL:** Lots' 1 and 2, DL 119, Group 1, NWD Plan 70369

**FROM:** M1 Manufacturing District

**TO:** 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 "Dawson Street Rezoning Proposal" prepared by IBI Group)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 October 02,
- b) Public Hearing held on 2017 October 17; and,
- c) Second Reading given on 2017 October 30.
- d) Third Reading given on 2018 June 11.

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, 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 May 23.*
- d. The submission of an undertaking to remove all improvements prior to Final Adoption of the Bylaw. 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 3.6 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 consolidation of the net site into one legal parcel.
  - *The requisite subdivision plan of consolidation has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The granting of any necessary Easements, Covenants, and Statutory Rights-of-Way including, but not necessarily limited to:
  - 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 be held in common property to be administered by the Strata Corporation;
  - ensuring compliance with the approved acoustic study;
  - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
  - ensuring that the site can be used safely in accordance with the approved geotechnical study;
  - ensuring that the water table will not be drawn down during and after development;
  - ensuring the achievement of a green building design with a Leadership in Energy and Environmental Design (LEED) Silver rating (mid-rise) or equivalent;
  - ensuring the provision and ongoing maintenance of EV plug-in stations;
  - ensuring the provision and ongoing maintenance of car share vehicles;
  - 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.*
- 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.
- *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 approval of the Ministry of Transportation to the rezoning application.
- *The approval of the Ministry of Transportation has been obtained.*
- k. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.

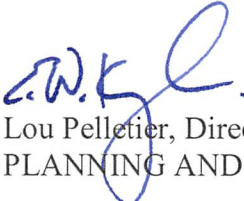
- *The applicant has submitted a letter dated 2018 May 23 agreeing to meet this prerequisite, this provision is indicated on the development plans and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- l. The undergrounding of existing overhead wiring abutting the site.
- *The applicant has agreed to this prerequisite in a letter dated 2018 May 23 and the necessary provisions are indicated on the development plans.*
- m. 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.*
- n. 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.*
- o. 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 dated 2018 May 23 agreeing to meet this prerequisite.*
- p. 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.*
- q. The review of on-site residential loading facilities by the Director Engineering.
- *The suitable on-site residential loading plan has been achieved.*

- r. The provision of facilities for cyclists in accordance with this report.
  - *The applicant has submitted a letter dated 2018 May 23 agreeing to meet this prerequisite.*
- s. 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.*
- t. Compliance with the guidelines for underground parking for visitors.
  - *The applicant has agreed to this prerequisite in a letter dated 2018 May 23.*
- u. 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.*
- v. The submission of a comprehensive sign plan.
  - *The applicant has agreed to this prerequisite in a letter dated 2018 May 23.*
- x. The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- y. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The required deposits have been made to meet this prerequisite.*
- z. The deposit of the applicable School Site Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*

aa. 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 May 23 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 October 29.

  
Lou Pelletier, Director  
PLANNING AND BUILDING

IW:tn