



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2018 November 28

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-31**
BYLAW #13775, AMENDMENT BYLAW NO. 27/17
Residential Tower 5
Brentwood Town Centre Development Plan
Third Reading

ADDRESS: Ptn. 4567 Lougheed Highway

LEGAL: Lot 1, DL's 123 and 124, Group 1, NWD Plan EPP31990 - Except Plan EPP40171

FROM: CD Comprehensive Development District (based on C3, C3a General Commercial Districts, P2 Administration and Assembly District and RM4s, RM5s Multiple Family Residential Districts)

TO: Amended CD Comprehensive Development District (based on C3 General Commercial District; RM4s, RM5s Multiple Family Residential Districts and Brentwood Town Centre Development Plan) as guidelines, and in accordance with the development plan entitled "Brentwood Phase 2" prepared by IBI Group Architects (Canada) Inc.

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 July 10,
- b) Public Hearing held on 2017 July 25; and,
- c) Second Reading given on 2017 August 28.

The prerequisite conditions have been partially satisfied as follows:

- a. The submission of a suitable plan of development.
 - *The applicant has submitted a virtually complete suitable plan of development. A few remaining details will be resolved prior to Final Adoption.*
- 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 engineering design drawings for review and has agreed in a letter dated 2018 November 09 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*
- 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 November 09.*
- d. 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 applicant has agreed to the provision of a \$27,721,325.00 (subject to detailed survey) cash in-lieu contribution, in accordance with the terms and conditions approved by Council.*
- e. 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 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 EV cars and EV plug-in stations;
 - ensuring the provision and ongoing maintenance of end-of-trip facilities;

- restricting the use of guest rooms;
 - ensuring provision of a breakout panel to provide secondary access to the parkade no later than 5 years after final occupancy of the building; and
 - restricting residential parking for Tower 5 to those areas identified in the CD set.
- *The applicant has agreed to this prerequisite in a letter dated 2018 November 09, and the requisite Easements, Covenants and Statutory Rights-of-way will be deposited in the Land Title Office prior to Final Adoption.*
- f. Completion of the necessary subdivision .
- *The requisite subdivision plan has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g. Compliance with the guidelines for underground parking for visitors.
- *The applicant has agreed to this prerequisite in a letter dated 2018 November 09.*
- h. The provision of facilities for cyclists in accordance with this report.
- *The applicant has submitted a letter dated 2018 November 09 agreeing to meet this prerequisite.*
- i. 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 November 09 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.*
- j. The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2018 November 09.*
- k. 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 agreed to this prerequisite in a letter dated 2018 November 09. A suitable on-site stormwater management system will require approval of the*

Director Engineering, the required covenant will be deposited in the Land Title Office and the required funds to guarantee this provision will be deposited prior to Final Adoption.

1. Compliance with the Council-adopted sound criteria.
 - *An acoustic study has been submitted for review by the Engineering Environmental Services Division. Agreement by the applicant to comply with the Council-adopted sound criteria and an acceptable acoustic study will be achieved prior to Final Adoption.*
- m. 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 November 09 agreeing to meet this prerequisite.*
- n. 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 dated 2018 November 09 agreeing to meet this prerequisite.*
- o. 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 2018 November 09 agreeing to meet this prerequisite.*
- p. Submission of a Comprehensive Sign Plan and resolution of any arising requirements.
 - *The applicant has submitted a letter dated 2018 November 09 agreeing to meet this prerequisite.*
- q. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2018 November 09 to make the necessary deposits prior to Final Adoption.*

- r. The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2018 November 09 to make the necessary deposits prior to Final Adoption.*
- s. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2018 November 09 to make the necessary deposits prior to Final Adoption.*
- t. 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 November 09 and the area plan notification signs are in place.*

As the prerequisite conditions to this rezoning are now substantially complete, could you please arrange to return this amendment bylaw to Council for Consideration and Third Reading on 2018 November 26, with Reconsideration and Final Adoption to follow when the prerequisites are completely fulfilled and Planning notifies you to that effect.

A copy of the Public Hearing minutes for this rezoning application is **attached** for information.


Lou Pelletier, Director
PLANNING AND BUILDING

IW:rh
Attachment

cc: City Manager