



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2021 July 21

**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**  
**Final Adoption**

**ADDRESS:** Ptn. 4567 Lougheed Highway

**LEGAL:** Lot 1, DL's 123 and 124, Group 1, NWD Plan EPP31990 - Except Plans EPP40171 and EPP59173

**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.

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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;
- c) Second Reading given on 2017 August 28; and,
- d) Third Reading given on 2018 December 03.

The prerequisite conditions have been fully 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 4% inspection fees 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 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 \$30,727,382.41 (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 requisite Easements, Covenants and Statutory Rights-of-ways have been submitted in a registerable form and 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 in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g. Compliance with the guidelines for underground parking for visitors.
- *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.*
- h. The provision of facilities for cyclists in accordance with this report.
- *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.*
- 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 has been submitted in a registerable form and 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.
- *A detailed Sediment Control System has been approved by the Climate Action and Energy Division.*
- 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.
- *A suitable on-site stormwater management system has been approved, the required covenant has been submitted in registerable form and will be deposited*

*in the Land Title Office prior to Final Adoption, and the required funds to guarantee this provision has been deposited.*

- l. Compliance with the Council-adopted sound criteria.
  - *The Applicant has submitted an acoustic study which has been accepted by the Climate Action and Energy 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.*
- 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.
  - *A suitable Residential Loading Plan has been achieved, and the necessary provisions are indicated on the development plans.*
- p. Submission of a Comprehensive Sign Plan and resolution of any arising requirements.
  - *The applicant has submitted an approvable Comprehensive Sign Plan.*
- q. The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- r. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The required deposits have been made to meet this prerequisite.*

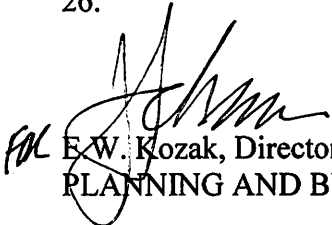
s. The deposit of the applicable School Site Acquisition Charge.

- *The required deposits have been made to meet this prerequisite.*

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 complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2021 July 26.

  
E.W. Kozak, Director  
PLANNING AND BUILDING

IW:tn

cc: Acting City Manager