

ATTACHMENT 3 – REZONING PREREQUISITES

REZ #23-11 5502 Lougheed Highway

The following are to be established as prerequisites to the final adoption of the Rezoning Bylaw for REZ #23-11.

1. **Suitable Plan of Development**

The submission of a Suitable Plan of Development.

2. **Required Plans and Studies**

The submission and acceptance of the following plans and studies:

- a) Comprehensive Sign Plan;
- b) Phasing and Demolition Plan;
- c) Subdivision Plan;
- d) Construction Management and Access Plan;
- e) Fire Access Plan;
- f) Solid Waste and Recycling Plan;
- g) Loading Management Plan;
- h) Transportation Assessment;
- i) Public Art Plan;
- j) Geotechnical and Groundwater Study;
- k) Storm and Ground Water Management Plan;
- l) Green Building Plan and Energy Benchmarking;
- m) Offsite Civil Engineering Design;
- n) Acoustic Study; and,
- o) Arborist Report and Tree Survey with a Tree Retention Plan.

3. **Engineering**

Provision of standard requirements to service the proposed development as determined by the General Manager of Engineering, including the execution and delivery of a Servicing Agreement in respect of all services necessary to serve the site, including but not limited to:

- a) any required storm sewer, sanitary sewer, and water main upgrades;
- b) construction of Goring Street and Lougheed Highway to their required Town Centre Standards;
- c) subject to further review and the approval of the General Manager Engineering and Translink, and if deemed viable, any additional construction or requirements to facilitate a future mid-block pedestrian signal along Lougheed Highway midway between Springer Avenue and Holdom Avenue; and
- d) any required easements, statutory rights-of-way, or other legal instruments to facilitate servicing requirements.

ATTACHMENT 3 – REZONING PREREQUISITES

All services are to be designed to City standards and constructed in accordance with the City-approved engineering design. Completion of all services required under the Servicing Agreement is a condition for the issuance of an occupancy permit for the development. A copy of either the developer's or the contractor's Certificate of Insurance is to be submitted to the Planning and Development Department.

4. **Road Dedications**

The dedication of any road allowances, as required.

5. **Density Bonus**

The utilization of an amenity bonus in accordance with Section 3.5 of this report.

6. **Statutory Rights-of-Way, Easements, Covenants and Agreements**

The submission for registration in the Land Title Office any necessary Statutory Rights-of-Way, Easements, Covenants and Agreements, which may include but not necessarily limited to:

- a) If necessary, Section 219 Covenant restricting the issuance of Preliminary Plan Approval and Building Permit until the bonus density has been paid in full and requiring the payment, on a quarterly basis, to the City of interest in respect of the density bonus payment at the rate of interest equal to two percentage points above the Variable Royal Bank Prime Rate per annum compounded annually with the interest payment calculated commencing on the date of final adoption of the rezoning bylaw to the date of payment in full of the density bonus payment;
- b) Section 219 Covenant ensuring the demolition of the existing buildings on the development site;
- c) Section 219 Covenant restricting enclosure of balconies;
- d) Section 219 Covenant restricting gates at vehicular driveway accesses;
- e) Section 219 Covenant ensuring compliance with the approved acoustical study;
- f) Section 219 Covenant guaranteeing the provision and ongoing maintenance of storm and ground water management facilities;
- g) Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art, and if required, a Statutory Right of Way guaranteeing public access to, and use and enjoyment of, the public art;
- h) Section 219 Covenant ensuring compliance with the Green Building Plan for the site as well as a commitment for the property owner/representative to submit the necessary information to NRCAN;
- i) Section 219 Covenant to ensure the provision of Transportation Demand Management measures, and, if applicable, a Statutory Right of Way to

ATTACHMENT 3 – REZONING PREREQUISITES

secure public access to any proposed car share parking spaces on the development site;

- j) Section 219 Covenant ensuring that the water table will not be drawn down during or after development;
 - k) Section 219 Covenant ensuring that the site is constructed and used in accordance with the approved geotechnical study;
 - l) Section 219 Covenant restricting commercial uses fronting on Loughheed Street from having obscured fenestration;
 - m) Section 219 Covenant for the protection and enhancement of the identified Streamside Protection and Enhancement Area (SPEA);
 - n) Section 219 Covenant to ensure that all buildings and structures are constructed at elevations respecting flood proof requirements; and,
 - o) Section 219 Covenant and Statutory Right of Way to secure public access to a pedestrian path on the site.
7. **Housing Agreement and Housing Agreement Bylaw**
Adoption of a Housing Agreement Bylaw and the execution and delivery of a Housing Agreement setting out the terms and conditions regarding the occupancy of the non-market housing units required to be constructed as part of the development in accordance with the RUZP, or any needed covenants at the time of Final Adoption to require the completion of the Housing Bylaw and Agreement and the fulfillment of RUZP requirements prior to occupancy of the development.
8. **Site Disclosure**
The submission of a Site Disclosure Statement and resolution of any resultant conditions.
9. **Area Plan Notification**
Distribution and posting of area plan notification forms on the development site and in any applicable sales or leasing office prior to Third Reading.
10. **Streamside Protection and Enhancement Area**
Streamside Protection and Enhancement Area (SPEA) applies to this development site. Approval of the overall landscaping plans and final protection area is required.
11. **Additional Requirements**
Additional requirements as determined by the City, in its discretion, as part of the review of the development proposal.