



Planning and Building Department

INTER-OFFICE MEMORANDUM

TO: CITY CLERK 2015 February 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #06-55**
AMENDMENT BYLAW NO. 8, 2014; BYLAW #13302
Multiple Family Development
Sixth Street Area Plan
Third Reading

ADDRESS: 7485 and 7495 Sixth Street and 7873 Sixteenth Avenue

LEGAL: Lots 12, 13 & 14, Blk 8, D.L. 28, Group 1, NWD Plan 627

FROM: R5 Residential District and C4 Service Commercial District

TO: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Sixth Street Area Plan guidelines and in accordance with the development plan entitled "Townhouse Development" prepared by Jordan Kutev Architect)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 March 03;
- b) Public Hearing held on 2014 March 25; and,
- c) Second Reading given on 2014 April 07.

The prerequisite conditions have been partially satisfied as follows:

- a) The submission of a suitable plan of development.
 - *A virtually complete suitable plan of development has been submitted. 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 2015 February 17 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 2015 February 17.*
- d) The consolidation of the net project site into one legal parcel.
 - *A subdivision plan of consolidation has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has submitted engineering design drawings, and has agreed to this prerequisite in a letter dated 2015 February 17.*
- f) The pursuance of Storm Water Management Best Practices in line with established guidelines.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 17.*
- g) Compliance with the guidelines for surface and underground parking for residential visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 17.*
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants, including:
 - The granting of a 219 Covenant restricting enclosure of balconies.
 - The granting of a 219 Covenant providing that all disabled parking to remain as common property.
 - The granting of a 1.5 metre Statutory Right-of-Way along Sixth Street and a 3X3 metre Statutory Right-of-Way at the southwest corner of the site.
 - *The requisite statutory rights-of-way and covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*

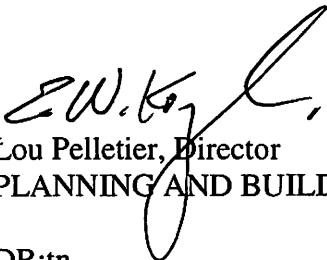
- i) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 17 and will deposit the necessary funds prior to Final Adoption.*
- j) Compliance with the Council-adopted sound criteria.
 - *The applicant has submitted an acoustical study which has been accepted by the Engineering Environmental Services Division and submitted a letter dated 2015 February 17 agreeing to comply with the Council-adopted sound criteria.*
- k) The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering 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 2015 February 17 committing to implement the recycling provisions.*
- l) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 17 and the funds will be deposited prior to Final Adoption.*
- m) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 17 and the funds will be deposited prior to Final Adoption.*
- n) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 17 and the funds will be deposited prior to Final Adoption.*
- o) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated agreeing to meet this prerequisite.*
- p) The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile which is being processed to determine if remediation measures are required.*

q) 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 2015 February 17 and the on-site area plan notification sign has been installed. The applicant has also indicated in a letter dated 2015 February 17 that an area plan notification sign will be installed inside a sales office / marketing centre as soon as marketing commences.*

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 2015 February 23 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

DR:tn
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 08, 2014 - BYLAW NO. 13302**

Rez. #06-55

7485 and 7495 Sixth Street and 7873 Sixteenth Avenue

Lots 12, 13, & 14, Blk 8, D.L. 28, Group 1, NWD Plan 627

From: R5 Residential District and C4 Service Commercial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Sixth Street Area Plan guidelines and in accordance with the development plan entitled "Townhouse Development" prepared by Jordan Kutev Architect)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a three-storey townhouse development with underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

Mr. Lal, 7865 16th Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted the proposed access point to the townhouse development is right next door to his home and this will reduce the value of his property. Mr. Lal requested consideration be given to providing access to the development from Sixth Street.

*****Councillor Chang arrived at the Public Hearing at 7:08 p.m. *****

In response to the speaker's comments, Council inquired regarding the possibility of relocating the barricade at Sixth Street and Sixteenth Avenue further back from the intersection to accommodate access to the development from Sixteenth Avenue via Sixth Street.

The Director Planning and Building undertook to review the matter.

There were no further submissions received regarding Rezoning #06-55, Bylaw No. 13302.

**MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:**

"THAT this Public Hearing for Rez. #06-55, Bylaw No. 13302 be terminated."

CARRIED UNANIMOUSLY

**MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:**

"THAT staff prepare a report in response to the issues raised at the Public Hearing for Rezoning #06-55, Bylaw No. 13302."

CARRIED UNANIMOUSLY