

INTER-OFFICE MEMORANDUM

TO: CITY CLERK 2015 February 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #13-41**
AMENDMENT BYLAW NO. 24, 2014; BYLAW #13365
Townhouse Development
Third Reading

ADDRESS: 7262, 7268 and 7274 Eighteenth Avenue

LEGAL: Lots 24 – 26, DL 95, Group 1, NWD Plan 1915

FROM: R5 Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled “18th Avenue Townhomes” prepared by Robert Ciccozzi Architecture Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 July 07;
- b) Public Hearing held on 2014 July 22; and,
- c) Second Reading given on 2014 August 25.

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.

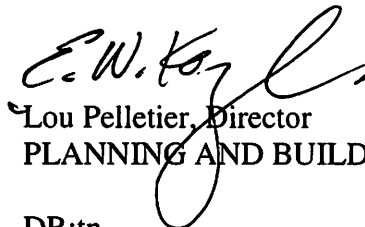
- *The applicant has submitted engineering design drawings for review and has agreed in a letter dated 2015 February 16 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*
- c) The installation of all electrical, telephone and cable 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 16.*
- d) The removal of all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw. Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 16.*
- 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 16.*
- f) The pursuance of Stormwater Management Best Practices in line with established guidelines
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 16.*
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
 - a Section 219 Covenant restricting the enclosure of balconies; and,
 - a Section 219 Covenant ensuring that all disabled parking remain as common property
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 16 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*

- h) 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 of undertaking dated 2015 February 16 committing to implement the recycling provisions.*
- i) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 16 and the funds will be deposited prior to Final Adoption.*
- j) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 16 and the funds will be deposited prior to Final Adoption.*
- k) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 16 and the funds will be deposited prior to Final Adoption.*
- l) 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 agreed to this prerequisite in a letter dated 2015 February 16.*
- m) 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 16 and the on-site area plan notification sign has been installed. The applicant has also indicated in a letter dated 2015 February 16 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.

City Clerk
Rezoning Reference #13-41
Consideration and Third Reading
2015 February 18..... Page 4

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

P:\REZONING\Applications\2013\Rez 13-41 18th Ave Townhouses\Rezoning Reference 13-41 Third Reading.doc

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 24, 2014 - BYLAW NO. 13365**

Rez. #13-41

7262, 7268 and 7274 Eighteenth Avenue

Lots 24 – 26, DL 95, Group 1, NWD Plan 1915

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled “18th Avenue Townhomes” prepared by Robert Ciccozzi Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 3-storey (27 unit) stacked townhouse development with underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 July 14 was received from Bogdan Grigorescu, #18-7273 17th Avenue, Burnaby opposing the rezoning application. The reasons for opposition include blocking of sunlight, an infringement upon personal space & privacy, removal of large trees, overcrowding and truck traffic during construction stage, creating noise and exhaust fumes.

An email letter dated 2014 July 21 was received from Alan Leung, #9-7238 18th Avenue, Burnaby advising that, as a resident next door to the proposed development, he has concerns regarding retention of large trees, extension of the existing sidewalk, ground settlement and/or disturbance and various issues regarding the construction stage.

An email letter dated 2014 July 22 was received from Roger and Marlene Manson, 7249 17th Avenue, Burnaby wanting to ensure that their alley is not impeded by the proposed development by having the parking entrance for the development situated off of 18th Avenue.

An email letter dated 2014 July 22 from Cheryl and Antero Uunila, 7223 17th Avenue, Burnaby expressing concern regarding blockage of their lane during construction. The laneway is their only means of exit.

There were no further submissions received regarding Rezoning #13-41, Bylaw No. 13365.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #13-41, Bylaw No. 13365 be terminated.”

CARRIED UNANIMOUSLY