

## INTER-OFFICE MEMORANDUM

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**TO:** CITY CLERK 2015 February 25

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #13-33**  
**AMENDMENT BYLAW NO. 17, 2014; BYLAW #13350**  
**Mixed Use Development**  
**Apartment Study Area 'C'**  
**Third Reading**

**ADDRESS:** 7174 Barnet Road

**LEGAL:** Lot "A", DL 207, Group 1, NWD Plan 67812

**FROM:** CD Comprehensive Development District (based on C1 Neighbourhood Commercial District and P8 Parking District)

**TO:** Amended CD Comprehensive Development District (based on C1 Neighbourhood Commercial District, RM2 Multiple Family Residential District, Apartment Study Area "C" as guidelines and in accordance with the development plan entitled "Mixed Use Residential Commercial Development" prepared by Atelier Pacific Architecture Inc.)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 June 09;
- b) Public Hearing held on 2014 June 24; and,
- c) Second Reading given on 2014 July 21.

The prerequisite conditions have been partially satisfied as follows:

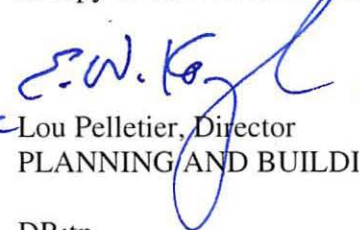
- a) The submission of a suitable plan of development.
  - *A virtually complete suitable plan of development has been submitted. A few remaining details will be resolved prior to Final Adoption.*
- b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee to cover the costs of all 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 10 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 10.*
- d) 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 10.*
- e) 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 10.*
- f) 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 10 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*
- g) 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 10 committing to implement the recycling provisions.*
- h) The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 February 10 and the funds will be deposited prior to Final Adoption.*
- i) The deposit of the applicable GVS & DD Sewerage Charge.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 February 10 and the funds will be deposited prior to Final Adoption.*

- j) The deposit of the applicable School Site Acquisition Charge.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 February 10 and the funds will be deposited prior to Final Adoption.*
- k) 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 applicant has agreed to this prerequisite in a letter dated 2015 February 10.*
- l) The submission of a detailed comprehensive sign plan.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 February 10.*
- 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 10 and the on-site area plan notification sign has been installed. The applicant has also indicated in a letter dated 2015 February 10 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 March 2, 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  
P:\REZONING\Applications\2013\Rez 13-33 Mountain Shadow\Rezoning Reference 13-33 Third Reading.doc

**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 17, 2014 - BYLAW NO. 13350**

Rez. #13-33

7174 Barnet Road

Lot "A", DL 207, Group 1, NWD Plan 67812

From: CD Comprehensive Development District (based on C1 Neighbourhood Commercial District and P8 Parking District)

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The purpose of the proposed zoning bylaw amendment is to permit the construction of a three-storey mixed-use commercial and residential development with underground parking.

*\*\*Councillor Jordan arrived at the Public Hearing at 7:12 p.m.\*\**

The Advisory Planning Commission advised it supports the rezoning application.

Mike Kassian, 22 – 265 Duthie Avenue, Burnaby appeared before Council expressing general support for the proposed development. The speaker, however, noted residents in the housing co-op expressed concern regarding the following matters:

- fire lane access must be properly maintained.
- the height of the wall separating the proposed development from the housing co-op should be increased from 6 ft. to 8 ft.
- vehicles parking too close to the Barnet Road / Pandora Street intersection create a safety hazard.
- consideration should be given to implementing traffic calming measures in the area and installing a four-way stop at the Pandora Street / Barnet Road intersection.

Mary Williams, 7166 Barnet Road, Burnaby appeared before Council noting the proposed development is an improvement to the area. The speaker, however, noted a variety of concerns, issues and points including the following:

- Noise and dust control measures should be implemented during the construction phase of the project.
- Adjacent residents, especially children, must be protected from construction debris.
- Consideration should be given to installing four-way stops at the Barnet Road / Pandora Street and Duthie Avenue / Pandora Street intersections.
- Traffic calming measures should be implemented in the subject area.
- Vehicles parking too close to the Barnet Road / Pandora Street intersection create a safety hazard.
- Consideration should be given to relocating the access point to the underground parking for the proposed development.

Leanne Scott, 265 Duthie Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application including matters related to noise and resident safety during the construction phase of the project, fire lane access, increasing traffic and parking too close to the Barnet Road / Pandora Street intersection.

The speaker requested consideration be given to installing a four-way stop or pedestrian control at the Barnet Road / Pandora Street intersection. The speaker further requested the height of the wall separating the proposed development from the housing co-op be increased from 6 ft. to 8 ft.

Brian Shigetomi, Atelier Pacific Architecture Inc., 109 – 131 Water Street, Vancouver, the rezoning applicant, appeared before Council expressing no objection to increasing the height of the wall separating the proposed development and the housing co-op from 6 ft. to 8 ft. provided the City permits the wall height relaxation.

The speaker also noted the following points:

- The access point to underground parking for the proposed development is located at the lowest end of the site to avoid a potential building height relaxation.
- Fabric could be added to the construction site safety fence as a dust and debris control measure.
- Consideration should be given to installing a four-way stop at the Barnet Road / Pandora Street intersection.

A letter dated 2014 June 18 was received from Anne Peirce, 7279 Ednor Crescent, Burnaby expressing concern regarding the future closure of the Mountain Shadow Pub. The writer, an SFU student, noted the pub is a core part of the school culture.

A letter dated 2014 June 23 was received from Hjalman Leon, President, Nova Vita Co-operative, 7166 Barnet Road, Burnaby expressing concern regarding the rezoning application particularly with respect to adjacent property fire safety.

A letter dated 2014 June 24 was received from Taylor Ripley, 15 – 265 Duthie Avenue, Burnaby requesting consideration be given to preserving the trees that line the brick wall dividing the Mountain Shadow Pub from the Nova Vita Co-op.

Letters dated 2014 June 24 were received from Thomas Ward and Zoey Semchuk, 35 – 7175 Pandora Street, Burnaby opposing tearing down the Mountain Shadow Pub for the purpose of replacing it with an apartment building.

There were no further submissions received regarding Rezoning #13-33, Bylaw No. 13350.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing for Rez. #13-33, Bylaw No. 13350 be terminated.”

CARRIED UNANIMOUSLY

Arising from discussion, Councillor Volkow was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the issue of vehicles parking too close to the Barnet Road / Pandora Street intersection and requests for traffic calming measures in the subject area as well as the installation of four-way stops or pedestrian control at Barnet Road / Pandora Street and Duthie Avenue / Pandora Street intersections be REFERRED to the Traffic Safety Committee for review.”

CARRIED UNANIMOUSLY

Arising from further discussion, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff prepare a report in response to other issues raised at the Public Hearing for rezoning #13-33, Bylaw No. 13350.”

CARRIED UNANIMOUSLY