



INTER-OFFICE MEMORANDUM

TO: CITY CLERK 2015 April 22

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #13-39**
AMENDMENT BYLAW NO. 27/14 ; BYLAW #13373
Five-Storey Mixed-Use Development
Third Reading

ADDRESS: 2273 Willingdon Avenue, 4460 and 4482 Dawson Street

LEGAL: Lot 9 Except: Part on Bylaw Plan 52808: DL 119, Group 1, NWD Plan 2855; Lot 6, Block 10, DL 119, Group 1, NWD Plan 2855; Lots 7 & 8, Block 10, DL 119, Group 1, NWD Plan 2855

FROM: M1 Manufacturing District

TO: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Brentwood Town Centre Development Plan guidelines and in accordance with the development plan entitled "Mixed Use Development" prepared by Yamamoto Architecture Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 July 21;
- b) Public Hearing held on 2014 August 26; and,
- c) Second Reading given on 2014 September 08.

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 March 13 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 March 13.*
- d. The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption but not prior to Third Reading of the Bylaw. Demolition 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 or vandalism.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13.*
- e. The approval to the Ministry of Transportation to the rezoning application.
 - *The preliminary approval of the Ministry of Transportation to the subject rezoning proposal has been obtained. Final approval of the rezoning bylaw will be obtained prior to Final Adoption.*
- f. The consolidation of the net project site into one legal parcel.
 - *The requisite subdivision plan has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13, and will deposit the necessary funds prior to Final Adoption.*
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*

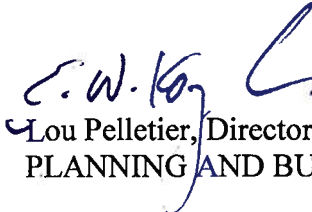
- i. The granting of any necessary Section 219 Covenants including restricting enclosure of balconies and providing that all disabled parking is to remain as common property.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- j. Compliance with the Council-adopted sound criteria.
 - *An acoustic study has been submitted for review by the Engineering Environmental Services Division. Agreement by the applicant to comply with the Council-adopted sound criteria and an acceptable study will be achieved prior to Final Adoption.*
- k. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13 and the necessary provisions have been indicated on the development plans.*
- l. 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 March 13 committing to implement the recycling provisions.*
- m. 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 application has submitted a letter dated 2015 March 13 committing to implement the solid waste and recycling provisions.*
- n. 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 March 13.*
- o. 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.*

- p. The submission of a Comprehensive Sign Plan
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13.*
- q. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- r. 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 2015 March 13 agreeing to meet this prerequisite.*
- s. The review of on-site residential and commercial loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 March 13.*
- t. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2015 March 13 to make the necessary deposits prior to Final Adoption.*
- u. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2015 March 13 to make the necessary deposits prior to Final Adoption.*
- v. The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2015 March 13 to make the necessary deposits prior to Final Adoption.*
- w. 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 provided a letter of undertaking dated 2015 March 13 and the area plan notification signs are in place.*

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 April 27, 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

JBS/spf
Attachment

cc: City Manager
Director Finance, Attn: R. Mester, Management Consultant

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 27, 2014 - BYLAW NO. 13373**

Rez. #13-39

2273 Willingdon Avenue, 4460 and 4482 Dawson Street

Lots 6, 7, 8, Block 10, DL 119, Group 1, NWD Plan 2855; and Lot 9 (Except: Part on Bylaw Plan 52808), Block 10, DL 119, Group 1, NWD Plan 2855

From: M1 Manufacturing District

To: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Brentwood Town Centre Development Plan guidelines and in accordance with the development plan entitled "Mixed Use Development" prepared by Yamamoto Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a five-storey mixed use development with retail at grade and residential uses above, with underground parking.

**Councillor Kang retired from the Public Hearing at 7:55 p.m.*

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 August 25 was received from Kerry West, Xpert Mechanical & JK Lillie Ltd., Unit B, 4467 Juneau Street, Burnaby opposing the rezoning application. The writer expressed

concern regarding the disruption to his business during the construction phase of the project. He also noted the demand for parking on Juneau Street exceeds the supply.

There were no further submissions received regarding Rezoning #13-39, Bylaw No. 13373.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing for Rez. #13-39, Bylaw No. 13373 be terminated."

CARRIED UNANIMOUSLY