



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK **DATE:** 2015 April 22

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE # 13-31**  
**AMENDMENT BYLAW NO. 30/14 ; BYLAW #13376**  
**Townhouse Development**  
**Final Adoption**

**ADDRESS:** 7011, 7029, 7087 MacPherson Avenue and 5558 Short Street

**LEGAL:** Lots 31-35, DL 98, Group 1, NWD Plan 1384

**FROM:** M4 Special Industrial District

**TO:** CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Royal Oak Community Plan guidelines and the development plan entitled "MacPherson and Short Townhomes: A Multi-Family Residential Development Burnaby, B.C." prepared by Robert Ciccozzi 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;
- c) Second Reading given on 2014 September 08; and,
- d) Third Reading given on 2015 February 16.

The prerequisite conditions have been completely satisfied as follows:

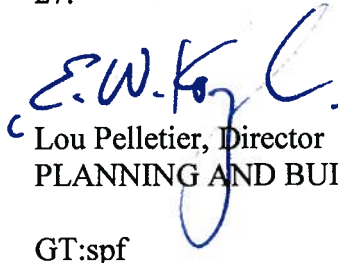
- a. The submission of a suitable plan of development.
  - *A complete suitable plan of development has been submitted.*
- b. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement 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 the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- 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 2014 September 11.*
- 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.
  - *All improvements have been removed and the site is currently vacant.*
- e. The consolidation of the net project site into one legal parcel.
  - *The requisite subdivision plan of consolidation has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f. The dedication of any rights-of-way deemed requisite.
  - *The requisite subdivision plan has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
  - *The requisite statutory right-of-way, easement and covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The undergrounding of existing overhead wiring abutting the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2014 September 11 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- i. The granting of any necessary Section 219 Covenants including restricting enclosure of balconies, providing that all disabled parking is to remain as common property and ensuring compliance with the submitted acoustical analysis.

- *The required covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- j. Compliance with the guidelines for underground parking for residential visitors.
- *The applicant has agreed to this prerequisite in a letter dated 2014 September 11, the necessary provisions have been indicated in the development plans and the requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- k. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- *A suitable on-site stormwater management system has been approved by the Director Engineering, the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption and the required funds to guarantee this provision have been deposited.*
- l. Due to the industrial history of the site, the submission of a Site Profile and resolution of any requirements is required.
- *The applicant has submitted the required Site Profile for the development site, and has committed to obtaining an appropriate instrument from the Ministry of Environment prior to the release of any Occupancy Permits. The required Covenant governing this arrangement has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- m. The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has submitted the required Sediment Control System plans for approval by the Engineering Environmental Services Division and has agreed in a letter dated 2014 September 11 to install the system as approved prior to commencing construction.*
- n. 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 2014 September 11 agreeing to comply with the Council-adopted sound criteria.*
- o. 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 recycling provisions.

- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2014 September 11 committing to implement the recycling provisions.*
- p. The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- q. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The required deposits have been made to meet this prerequisite.*
- r. The deposit of the applicable School Site Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*
- s. 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 2014 September 11 agreeing to meet this prerequisite.*
- t. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area 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 2014 September 11 and the area plan notification signs are in place.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2015 April 27.

  
Lou Pelletier, Director  
PLANNING AND BUILDING  
GT:spf

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