



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2015 November 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #12-07**
AMENDMENT BYLAW NO. 09/15 ; BYLAW #13455
High Rise Apartment Tower and Ground Oriented Apartments
Third Reading

ADDRESS: 1735, 1763 Douglas Road and Portion of 1710 Gilmore Avenue

LEGAL: Parcel "A" (Explanatory Plan 9664), Lots' 2 & 3 , DL 120, Group 1, NWD Plan 3482; Lot 3 Except Part in Parcel "A" (Explanatory Plan 9664), DL 120, Group 1, NWD Plan 3482; Lot "C", DL 120, Group 1, NWD Plan 13545

FROM: M1 Manufacturing District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Aviara II" prepared by Integra Architecture Inc. and IBI Group Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 March 09;
- b) Public Hearing held on 2015 March 31; and,
- c) Second Reading given on 2015 April 13.

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 November 09 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 November 09.*
- d. 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. If requested, demolition may be delayed to more closely coincide with approval of building permits.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09 and the site is currently vacant.*
- e. The utilization of an amenity bonus through the provision of a \$11,027,161 cash in-lieu contribution in accordance with Section 3.2 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and will deposit the necessary funds prior to Final Adoption.*
- f. The consolidation of the net project site into one legal parcel.
 - *The requisite subdivision plan of consolidation has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; indicating that project surface driveway access will not be restricted by gates; guaranteeing the provision and maintenance of public art; ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development; ensuring the provision and ongoing maintenance of co-op cars; ensuring the provision and on-going maintenance of EV plug-in stations; providing that all disabled parking to remain as common property, restricting the use of guest rooms; and ensuring compliance with the submitted acoustical analysis.

- *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h. The dedication of any easements or rights-of-way deemed requisite.
- *A subdivision plan dedicating the requisite rights-of-way has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- i. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
- *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and the necessary provisions are indicated on the development plans.*
- j. The undergrounding of existing overhead wiring abutting the site.
- *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and will deposit the necessary funds prior to Final Adoption.*
- k. Compliance with the Council-adopted sound criteria.
- *An acoustic study has been submitted for review by the Engineering Environmental Services Division, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- l. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space 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 November 09 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 applicant has agreed to this prerequisite in a letter dated 2015 November 09. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*

- n. The review of on-site residential loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09. An on-site residential loading plan has been submitted to the Engineering Department – Traffic Division for approval prior to Final Adoption.*
- 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 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 November 09 agreeing to meet this prerequisite.*
- 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 November 09. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- r. Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09, and the necessary provisions are indicated on the development plans.*
- s. 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.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 November 09. A suitable on-site stormwater management system has been submitted for the approval of the Director Engineering. The required Covenant will be deposited in the Land Title Office and the required funds to guarantee this provision will be deposited prior to Final Adoption.*
- t. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2015 November 09 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 November 09 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 November 09 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 November 09 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 November 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

JBS/spf
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 09, 2015 - BYLAW NO. 13455**

Rez. #12-07

1735, 1763 Douglas Road and 1710 Gilmore Avenue

From: M1 Manufacturing District

To: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Aviara II" prepared by Integra Architecture Inc. and IBI Group Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 42 storey apartment building and two 4-6 storey low rise apartment buildings.

The Advisory Planning Commission advised it supports the rezoning application.

John O'Donell, Senior Vice President of Development, Ledingham McAllister, 300-1285 West Pender Street, Vancouver, the rezoning applicant, appeared before Council advising that members of the development team were in attendance at this evening's Public Hearing to answer any questions Council may have.

There were no further submissions received regarding Rezoning #12-07, Bylaw No. 13455.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

THAT this Public Hearing for Rez. #12-07, Bylaw #13455 be terminated.

CARRIED UNANIMOUSLY