



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK **DATE:** 2015 December 09

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE # 06-22**  
**BYLAW 13214, AMENDMENT BYLAW NO. 17/13**  
**Low-Rise Apartment Project**  
**Third Reading**

**ADDRESS:** 3812, 3826, 3842, 3854 & 3862 Norfolk Street

**LEGAL:** Lots 1, 2 & 3, West Half of Lot 4 and East Half of Lot 4, Blk 45, D.L. 69, Group 1, NWD Plan 1321

**FROM:** R5 Residential District

**TO:** CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Community Plan Eight guidelines and in accordance with the development plan entitled "Proposed Townhouse Development Norfolk Street, Burnaby, B.C." prepared by Chris Dikeakos Architects Inc.)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2013 May 06;
- b) Public Hearing held on 2013 May 28; and,
- c) Second Reading given on 2013 June 10.

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 December 07 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*

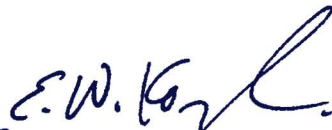
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- *The applicant has agreed to this prerequisite in a letter dated 2015 December 07.*
- d) The dedication of any 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.*
- e) The consolidation of the net 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.*
- f) The granting of any necessary statutory rights-of-way, easements and/or covenants, including, but not limited to, a statutory right-of-way for the relocation of the on-site sanitary sewer.
- *The requisite statutory right-of-way, easement and/or covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The granting of any necessary Section 219 Covenants including:
- indicating that project driveway access will not be restricted by gates;
  - restricting enclosure of balconies;
  - providing that all disabled parking is to remain as common property; and,
  - assuring that any individually secured parking spaces and/or tandem spaces allocated to a specific residential unit cannot be utilized for any other purpose.
- *The applicant has agreed to this prerequisite in a letter dated 2015 December 07 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h) The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2015 December 07. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval, prior to Final Adoption.*
- i) 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 December 07.*
- j) The submission of a suitable Solid Waste Recycling plan to the approval of the Director Engineering.
  - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2015 December 07 committing to implement the recycling provisions.*
- k) 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 December 07 committing to implement the recycling provisions.*
- l) Compliance with the guidelines for surface parking for residential visitors.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 December 07 and the necessary provisions are indicated on the development plans.*
- m) The provision of facilities for cyclists in accordance with Section 4.6 of the rezoning report.
  - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2015 December 07 agreeing to meet this prerequisite.*
- n) In light of the proximity to Canada Way and the Trans Canada Highway, a noise study is required to ensure 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 acoustic study will be achieved prior to Final Adoption.*
- o) The approval of 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.*
- p) The undergrounding of existing overhead wiring abutting the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2015 December 07 and will deposit the necessary funds prior to Final Adoption.*

- q) The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2015 December 07 to make the necessary deposits prior to Final Adoption.*
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2015 December 07 to make the necessary deposits prior to Final Adoption.*
- s) The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2015 December 07 to make the necessary deposits prior to Final Adoption.*
- t) 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 December 07 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 December 14, 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

GT:spf  
**Attachment**

cc: City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 17, 2013 - BYLAW NO. 13214**

Rez. #06-22

3812, 3826, 3842, 3854 & 3862 Norfolk Street

Lots 1, 2 and 3, West Half of Lot 4 and East Half of Lot 4, Blk 45, D.L. 69, Group 1, NWD Plan 1321

From: R5 Residential District

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The purpose of the proposed zoning bylaw amendment is to permit construction of a three storey 16 unit townhouse development with garage and surface parking.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #06-22, Bylaw No. 13214.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing for Rez. #06-22, Bylaw #13214 be terminated."

CARRIED UNANIMOUSLY