

INTER-OFFICE COMMUNICATION

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

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 13-18**
BYLAW 13375, AMENDMENT BYLAW NO. 29/14,
Townhouse Project with Underground Parking
Third Reading

ADDRESS: 3526 Smith Avenue

LEGAL: Lot "A", Except: East 80 Feet, Block 6, D.L. 68, Group 1, NWD Plan 10962

FROM: RM2 Multiple Family Residential District

TO: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Broadview Community Plan guidelines and the development plan entitled "3526 Smith Avenue Townhouse Development" prepared by HNPA Architecture and Planning 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 August 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 August 13.*
- d. The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *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.*
- e. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 August 13 and will deposit the necessary funds prior to Final Adoption.*
- f. 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 applicant has agreed to this prerequisite in a letter dated 2015 August 13 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*
- g. Compliance with the guidelines for underground parking for residential visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 August 13 and the necessary provisions are indicated on the development plans.*
- h. 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 August 13.*
- i. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 August 13. A detailed Sediment Control System plan has been submitted to the Engineering Department - Environmental Services for approval, 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 acoustic study will be achieved prior to Final Adoption.*
- 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 August 13 committing to implement the recycling provisions.*
- l. The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2015 August 13 to make the necessary deposits prior to Final Adoption.*
- m. The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2015 August 13 to make the necessary deposits prior to Final Adoption.*
- n. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2015 August 13 to make the necessary deposits prior to Final Adoption.*
- o. 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 August 13 agreeing to meet this prerequisite.*
- p. 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 August 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 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

P:\REZONING\APPLICATIONS\2013\REZ 13-18 3526 SMITH AV\REZONING REFERENCE 13-18 THIRD READING 2015\1214.DOCX

**PUBLIC HEARING MINUTES
HELD ON: 2014 AUGUST 26
REZ. REF. NO. 13-18
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**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 29, 2014 - BYLAW NO. 13375**

Rez. #13-18

3526 Smith Avenue

Lot "A", Except: East 80 Feet, Block 6, DL 68, Group 1, NWD Plan 10962

From: RM2 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Broadview Community Plan guidelines and the development plan entitled "3526 Smith Avenue Townhouse Development" prepared by HNPA Architecture and Planning Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 3-storey stacked townhouse development (34 units) with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 August 17 was received from Mrs. Barker, 3912 Linwood Street, Burnaby opposing the rezoning application. The writer expressed concern regarding the density of the development and questioned the provision of underground parking given the high water table in the area.

A letter dated 2014 August 22 was received from Lenore Lecy, 201-3421 Curle Avenue, Burnaby requesting that the subject site be incorporated into Avondale Park.

A letter dated 2014 August 26 was received from Azam Sarangi opposing the rezoning application and the loss of rental space.

There were no further submissions received regarding Rezoning #13-18, Bylaw No. 13375.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing for Rez. #13-18, Bylaw No. 13375 be terminated."

CARRIED UNANIMOUSLY