

INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2016 January 27

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 12-29**
BYLAW 13389, AMENDMENT BYLAW NO. 33/14
Four-Storey Mixed-use Development
Final Adoption

ADDRESS: 6205 Kingsway (formerly 6205 and 6255 Kingsway)

LEGAL: Lot 1, D.L. 97, Group 1, NWD Plan EPP49267 (formerly Lot "C", D.L. 97, Group 1, NWD Plan 15308; Lot A (X95792) Except: Part Dedicated Road on Plan 77668, D.L. 97, Group 1, NWD Plan 7570)

FROM: C4 Service Commerical District

TO: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Royal Oak Community Plan guidelines and the development plan entitled "6205/6255 Kingsway, Burnaby" prepared by Wilson Chang Architect Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 September 08;
- b) Public Hearing held on 2014 September 30;
- c) Second Reading given on 2014 October 06; and,
- d) Third Reading given on 2015 October 26.

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.

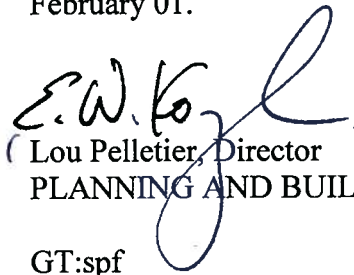
- *The applicant has submitted the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout 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 2015 October 14.*
- d) The submission of a letter of 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 October 14.*
- 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 along Kingsway abutting the site.

- *The applicant has agreed to this prerequisite in a letter dated 2015 October 14 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; restricting driveway gates; provision, access and maintenance of shared amenity areas; provision 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) In light of the proximity of the site to Kingsway, a noise study is required to ensure compliance with the Council-adopted sound criteria.
 - *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division and submitted a letter dated 2015 October 14 agreeing to comply with the Council-adopted sound criteria.*
- 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 October 14 and the necessary provisions are indicated on the development plans.*
- l) 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. The required funds to guarantee this provision have been deposited.*
- m) Due to the commercial 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 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.*
- n) 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 2015 October 14 to install the system as approved prior to commencing construction.*
- o) In light of the proximity of the site to Kingsway, a noise study is required to ensure compliance with the Council-adopted sound criteria.
- *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division and submitted a letter dated 2015 October 14 agreeing to comply with the Council-adopted sound criteria.*
- p) 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 October 14 committing to implement the recycling provisions.*
- q) The submission of a detailed Comprehensive Sign Plan.
- *An approvable detailed comprehensive sign plan has been achieved.*
- r) 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 applicant has submitted a letter of undertaking dated 2015 October 14 committing to implement the solid waste and recycling provisions.*
- 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 October 14.*
- t) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- u) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- v) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- w) 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 October 14 agreeing to meet this prerequisite.*
- x) 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 October 14 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 2016 February 01.


(Lou Pelletier, Director
PLANNING AND BUILDING
GT:spf