



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2016 May 25

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 12-17**
BYLAW 13148, AMENDMENT BYLAW NO. 43/12,
Two-Lot, Single-Family Residential Development
Third Reading and Final Adoption

ADDRESS: Portion of 2801 Ellerslie Avenue

LEGAL: That portion of the common property of NWS3294, DL 59 and 78, Group 1, NWD, located north of Ellerslie Avenue

FROM: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

TO: R2 Residential District

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2012 November 05;
- b) Public Hearing held on 2012 November 27; and,
- c) Second Reading given on 2012 December 03.

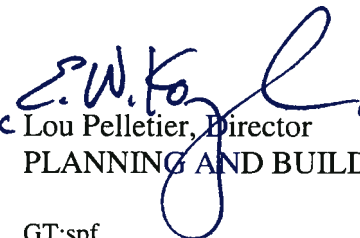
The prerequisite conditions have been completely satisfied as follows:

- a. The submission of a suitable plan of development.
 - *A complete suitable plan of development has been submitted.*
- b. The completion of the necessary subdivision to create 2 lots.
 - *The requisite subdivision plan has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- c. 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.*

- d. The granting of any necessary statutory rights-of-way, easements and/or covenants deemed requisite.
 - *The requisite covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e. The retention of the existing watercourse in an open condition over the subject site in its existing alignment, to the approval of the Acting Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 March 01 and the required funds to guarantee the completion of the enhancement works have been deposited. The requisite easement plan has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f. The owner enter into a covenant restricting vehicular access to Mawhinney Close.
 - *The required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposit has been made to meet this prerequisite.*
- h. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposit has been made to meet this prerequisite.*
- i. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposit has been made to meet this prerequisite.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Consideration and Third Reading and Reconsideration and Final Adoption on 2016 May 30.

A copy of the Public Hearing minutes for this rezoning application is **attached** for information.


c Lou Pelletier, Director
PLANNING AND BUILDING

GT:spf
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 43, 2012 - BYLAW NO. 13148**

Rez. #12-17

Portion of 2801 Ellerslie Avenue

That portion of the common property of NWS3294, DL 59 and 78, Group 1, NWD, located north of Ellerslie Ave.

From: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

To: R2 Residential District

The purpose of the proposed zoning bylaw amendment is to permit a two-lot R2 Residential District single-family subdivision.

The Advisory Planning Commission advised it supports the rezoning application.

An email letter dated 2012 November 16 was received from Veronica Hoffman, 2709 Ellerslie Avenue, Burnaby expressing concern regarding the rezoning application. The writer requested that drainage and cleaning of sewage be appropriately handled during construction of the proposed development.

An email dated 2012 November 19 was received from Hongju He, 2801 Ellerslie Avenue, Burnaby supporting the rezoning application.

A letter dated 2012 November 22 was received from Shirley Turnbull, 7056 Mawhinney Close, expressing a variety of concerns regarding the rezoning application including destruction of trees and wildlife as well as traffic and parking congestion.

Henry Geant, 7039 Mawhinney Close, Burnaby appeared before Council supporting the rezoning application subject to provision of a 15-metre setback from the top of the creek bank.

There were no further submissions received regarding Rezoning #12-17, Bylaw No. 13148.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-17, Bylaw No. 13148 be terminated.”

CARRIED UNANIMOUSLY