



INTER-OFFICE COMMUNICATION

TO: CITY CLERK DATE: 2016 June 15

FROM: DIRECTOR PLANNING AND BUILDING

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

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.)

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;
- c) Second Reading given on 2013 June 10; and,
- d) Third Reading given on 2015 December 14.

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 December 07.*
- d) The dedication of any rights-of-way deemed requisite.
- *A subdivision plan dedicating the requisite rights-of-way has been submitted in registerable form 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 in registerable form 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 and covenant plans have been submitted in registerable form 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 required covenants have been submitted in registerable form and 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 submitted the required Sediment Control System plans for approval by the Engineering Environmental Services Division and has agreed in a letter dated 2015 December 07 to install the system as approved prior to commencing construction.*

- 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 and the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- 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.
 - *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division and submitted a letter dated 2015 December 07 agreeing to comply with the Council-adopted sound criteria.*
- o) The approval of the Ministry of Transportation to the rezoning application.
 - *The approval of the Ministry of Transportation to the rezoning bylaw has been obtained.*

- 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 has deposited the necessary funds to guarantee the completion of this prerequisite.*
- q) The deposit of the applicable Parkland Acquisition Charge.
- *The required deposits have been made to meet this prerequisite.*
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- *The required deposits have been made to meet this prerequisite.*
- s) The deposit of the applicable School Site Acquisition Charge.
- *The required deposits have been made to meet this prerequisite.*
- 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 complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2016 June 20.


Lou Pelletier, Director
PLANNING AND BUILDING

GT:spf