

INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2016 September 14

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-13
AMENDMENT BYLAW NO. 40/15, BYLAW 13557
MULTIPLE FAMILY INFILL DEVELOPMENT
Hastings Street Area Plan
Third Reading

ADDRESS: 4350 and 4356 Albert Street

LEGAL: Lots 13 and 14, Block 6, DL 121, Group 1, NWD Plan 1054

FROM: RM6 Hastings Village Multiple Family Residential District

TO: CD Comprehensive Development District (based on RM6 Hastings Village Multiple Family Residential District and Hastings Street Area Plan guidelines, and in accordance with the development plan entitled "4350-4356 Albert Street, 4 Unit Residential Development" prepared by Hearth Architectural Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 December 14;
- b) Public Hearing held on 2016 January 26; and,
- c) Second Reading given on 2016 February 01.

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 2016 September 08 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 2016 September 08.*
- d. The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the bylaw. Demolition of any improvements 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 2016 September 08.*
- e. The completion of the sale of City property.
 - *Council has approved the sale and purchase price of City property to be acquired by the applicant. The sale will be completed prior to Final Adoption.*
- f. The consolidation of the net project 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.*
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants including the granting of Section 219 Covenants: restricting enclosure of balconies; and, assuring that any individually secured parking 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 2016 September 08 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 2016 September 08.*

- 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 2016 September 08.*
- j. The provision of 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 applicant has agreed to this prerequisite in a letter dated 2016 September 08.*
- k. The provision of facilities for cyclists in accordance with Section 4.7 of the rezoning report.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2015 September 08 agreeing to meet this prerequisite.*
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- l. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2016 September 08 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 2016 September 08 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 2016 September 08 to make the necessary deposits prior to Final Adoption.*
- o. 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 agreed to this prerequisite in a letter dated 2016 September 08 and the on-site sign is 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 2016 September 19, 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

LS:spf
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 40, 2015 – BYLAW NO. 13557**

Rez. #15-13

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The purpose of the proposed zoning bylaw amendment is to permit the construction of a four unit multiple-family development with enclosed parking at grade.

The Advisory Planning Commission advised it supports the rezoning application.

One letter was received in opposition to the proposed bylaw amendment.

David Paunonen, 4360 Albert Street, Burnaby

The following speakers appeared before Council and spoke in support of the proposed bylaw amendment.

Joe Muego, Principal Architect from Hearth Architectural spoke to the rezoning application and noted that the design of the building, specifically the duplex façade, was intentional to ensure conformity with the neighbourhood.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

THAT this Public Hearing for Rez. #15-13, Bylaw #13557 be terminated.

CARRIED UNANIMOUSLY