



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2016 October 12

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #14-31
AMENDMENT BYLAW NO. 07, 2016; BYLAW #13579
Riverbend Business Park: Phase 1
Big Bend Development Plan Area
Third Reading**

ADDRESS: Portion of 8255/8360 Wiggins Street and 5279 Riverbend Drive

LEGAL: Portion of Lot 48 Except: Firstly: Parcel "A" (Bylaw Plan 70015); Secondly: Part Subdivided by Plan 72187; DL 167, Group 1, NWD Plan 48061; Portion of Lot 49, DL 167, Group 1, NWD Plan 48061; Lot 1, DL 167, Group 1, NWD Plan 18016

FROM: CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District)

TO: Amended CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District, C2 Community Commercial District and Big Bend Development Plan guidelines, and in accordance with the development plan entitled "Riverbend Business Park" prepared by Christopher Bozyk Architects Ltd.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 March 07;
- b) Public Hearing held on 2016 March 29; and,
- c) Second Reading given on 2016 April 04.

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 October 12 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*
- c) The consolidation/subdivision of the net project site into 4 lots.
- *The requisite subdivision plan has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- d) The dedication of any rights-of-way deemed requisite.
- *A subdivision plan dedicating the requisite rights-of-way has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The granting of any necessary easements, covenants, and Statutory Rights-of-Way including, but not necessarily limited to:
- Section 219 Covenant for the retention of identifying existing trees within the riparian setback areas;
 - Section 219 Covenant and Statutory Right-of-Way for the protection and ongoing maintenance of the Fraser River Foreshore streamside protection and enhancement areas (SPEA);
 - Section 219 Covenant respecting floodproofing requirements;
 - Section 219 Covenant respecting the submitted geotechnical report;
 - Statutory Rights-of-Way guaranteeing vehicular, pedestrian and cycling access across private driveways;
 - Statutory Rights-of-Way guaranteeing pedestrian and cycling access across on-site pathways;
 - Easement guaranteeing reciprocal access for vehicles across property lines;
 - Section 219 Covenant restricting uses to those permitted within the Conceptual Development Plan;
 - Section 219 Covenant (no build) on future phases until a Certificate of Compliance has been achieved on the current phase;

- Section 219 Covenant ensuring Leadership in Energy and Environmental Design (LEED) certification; and,
 - Section 219 Covenant restricting uses on the portion of the site for a restaurant use only for a period of three years.
- *The requisite covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- f) 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.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 12. A suitable on-site stormwater management system will require approval of the Director Engineering, the required covenant will be deposited in the Land Title Office and the required funds to guarantee this provision will be deposited prior to Final Adoption.*
- g) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 12 and the funds will be deposited prior to Final Adoption.*
- h) The provision of facilities for cyclists in accordance with Section 4.8 of the rezoning report.
- *This provision is indicated on the development plans and the applicant has agreed to this prerequisite in a letter dated 2016 October 12.*
- i) The submission of a detailed comprehensive sign plan in accordance with the guidelines of the Master Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 12.*
- j) The submission of a Site Profile and resolution of any arising requirements.
- *The applicant has submitted the required Site Profile which is being processed to determine if remediation measures are required.*
- k) Completion of the Highway Closure Bylaw.
- *The Highway Closure Bylaw appears elsewhere on Council's agenda. The adopted bylaw plans will be deposited in the Land Title Office prior to Final Adoption.*

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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 October 17, 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

DR:spf
Attachment

cc: City Manager

P:\REZONING\Applications\2014\14-31(Riverbend Phase 1)\Rezoning Reference 14-31 Third Reading 2016\017.doc

BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 7, 2016 – BYLAW NO. 13579

Rez. #14-31

Portion of 8255/8360 Wiggins Street and 5279 Riverbend Drive

From: CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District, C2 Community Commercial District and Big Bend Development Plan guidelines, and in accordance with the development plan entitled "Riverbend Business Park" prepared by Christopher Bozyk Architects Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of the first phase of the Riverbend Business Park Conceptual Development Plan.

The Advisory Planning Commission advised it supports the rezoning application.

No letters were received in response to the proposed zoning bylaw amendment.

No speakers appeared before Council in support or opposition to the proposed zoning bylaw amendment.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR JORDAN

THAT this Public Hearing for Rez. #14-31, Bylaw #13579 be terminated.

CARRIED UNANIMOUSLY