



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2016 November 02

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-15**
AMENDMENT BYLAW NO. 17/16; BYLAW #13599
Two High Rise Apartment Buildings with Low Rise Commercial Podium
Third Reading

ADDRESS: 2085 and 2088 Skyline Court

LEGAL: Lot C and D, Block 6, DL 119, NWD Plan BCP51027

FROM: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and C3 General Commercial)

TO: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C3 General Commercial District, and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "SOLO Phase 3 and 4 Amendment" prepared by Chris Dikeakos Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 May 09;
- b) Public Hearing held on 2016 May 31; and,
- c) Second Reading given on 2016 June 13.

The prerequisite conditions have been partially satisfied as follows:

- a. Compliance with the prerequisites established under Rezoning Reference #06-47.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 October 19.*
- b. 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.*
- 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 engineering design drawings for review and has agreed in a letter dated 2016 October 19 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*
- d. 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 October 19.*
- e. 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 and vandalism.
 - *The applicant has requested in a letter dated 2016 October 19 that a portion of the building accommodating the current sales centre on 2088 Skyline Court be retained until 2019 July, or until marketing ceases for Phase 4, whichever is earlier. 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.*
- f. The utilization of an amenity bonus in accordance with Section 3.4 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and will deposit the necessary funds for Phase III prior to Final Adoption and Phase IV prior to issuance of Preliminary Plan Approval. It is noted that in addition to the amenity bonus contribution for Phases III and IV, as part of the Phase I contribution an approximate 4,570 sq.ft. City-owned community flex space will be provided within the Phase III commercial component.*
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h. The granting of any necessary Covenants, including but not necessary limited to, Section 219 Covenants:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;

- ensuring development densities are appropriately allocated across the development sites;
 - guaranteeing the provision and maintenance of public art;
 - ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - ensuring compliance with the approved acoustic study;
 - ensuring the provision and ongoing maintenance of electric vehicles and EV plug-in stations, and to ensure that they remain common property; and,
 - restricting the use of guest rooms.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- i. The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 19. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- j. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 19. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*
- k. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person.
- *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and the necessary provisions are indicated on the development plans.*
- l. The provision of covered car wash stalls 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 2016 October 19 committing to implement the recycling provisions.*

- m. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 October 19, and the necessary provisions are indicated on the development plans.*
- n. 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 2016 October 19. An on-site residential loading plan has been submitted to the Engineering Department – Traffic Division for approval prior to Final Adoption.*
- o. The submission of an acoustic study to ensure compliance with the Council-adopted sound criteria.
 - *An acoustic study has been submitted for review by the Engineering Environmental Services Division, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- p. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2016 October 19 to make the necessary deposits prior to Final Adoption.*
- q. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2016 October 19 to make the necessary deposits prior to Final Adoption.*
- r. The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2016 October 19 to make the necessary deposits prior to Final Adoption.*
- s. 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 2016 October 19 and the area plan notification signs are in place.*

t. Approval of the Ministry of Transportation to the rezoning application.

- *The preliminary approval of the Ministry of Transportation to the subject rezoning proposal has been obtained. Final approval of the rezoning bylaw will be obtained prior to Final Adoption.*

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 November 07, 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

JBS/spf
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 17, 2016 – BYLAW NO. 13599**

Rez. #15-15

2085 and 2088 Skyline Court

From: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and C3 General Commercial District as guidelines)

To: Amended Comprehensive Development District (based on RM5s Multiple Family Residential District, C3 General Commercial District, and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "SOLO Phase 3 and 4 Amendment" prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit changes to the approved CD Zoning for the final two phases of the SOLO District Development at 2085 and 2088 Skyline Court.

The Advisory Planning Commission advised it supports the rezoning application.

One letter was received in response to the proposed zoning bylaw amendment.

Lili Wang & HongBin Liu, 706-2077 Rosser Avenue, Burnaby

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

**MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR DHALIWAL**

THAT this Public Hearing for Rez. #15-15, Bylaw #13599 be terminated.

CARRIED UNANIMOUSLY