



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK **DATE:** 2017 April 19

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE # 14-29**  
**BYLAW 13529, AMENDMENT BYLAW NO. 33/15,**  
Four-Storey Mixed-use Development  
Third Reading

**ADDRESS:** 6960 Royal Oak Avenue

**LEGAL:** Lot 106, D.L. 98, Group 1, NWD Plan 56012

**FROM:** M4 Special Industrial District

**TO:** CD Comprehensive Development District (based on C9 Urban Village Commercial District and Royal Oak Community Plan guidelines and the development plan entitled "Mix-Use Development, 6960-Royal Oak Avenue, Burnaby, B.C." prepared by DF Architecture Inc.)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 November 09;
- b) Public Hearing held on 2015 November 24; and,
- c) Second Reading given on 2015 December 07.

The prerequisite condition has 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 2017 April 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 2017 April 08.*
- d) 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 agreed to this prerequisite in a letter dated 2017 April 08.*
- 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 statutory rights-of-way, easements and/or covenants.
- *The requisite statutory right-of-way and covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The granting of any necessary Section 219 Covenants including:
- restricting enclosure of balconies;
  - indicating that project surface driveway access will not be restricted by gates;
  - ensuring compliance with the approved acoustical study; and,
  - ensuring that handicap accessible parking stalls be held in common property to be administered by the Strata Corporation.
  - *The requisite statutory right-of-way and covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- h) Compliance with the guidelines for surface and underground parking for residential visitors and commercial patrons.

- *The applicant has agreed to this prerequisite in a letter dated 2017 April 08 and the necessary provisions are indicated on the development plans.*
- i) The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter date 2017 April 08. 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 necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2017 April 08 committing to implement the solid waste and recycling provisions.*
- 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, with allocated disabled parking spaces protected by a Section 219 Covenant.
- *This provision is indicated on the development plans and the applicant has submitted a letter dated 2017 April 08 agreeing to meet this prerequisite.*
- l) 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 2017 April 08 committing to implement the recycling provisions.*
- m) The review of on-site residential/commercial loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2017 April 08.*
- n) 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.*
- o) The pursuance of Storm Water Management Best Practices in line with established guidelines.

- *The applicant has agreed to this prerequisite in a letter dated 2017 April 08.*
- p) The submission of a geotechnical review regarding stability confirming that the site may be used safely for both the intended use, for review by the Chief Building Inspector and granting of a Section 219 Covenant respecting the submitted report.
  - *The requisite geotechnical review has been submitted for review by the Chief Building Inspector and the requisite covenant will be submitted and deposited in the Land Title Office prior to Final Adoption.*
- q) The provision of facilities for cyclists in accordance with this report.
  - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2017 April 08 agreeing to meet this prerequisite.*
- r) Compliance with the Council-adopted sound criteria.
  - *An acoustic study has been submitted for review by the Engineering Environmental Services Division. Agreement by the applicant to comply with the Council-adopted sound criteria and an acceptable acoustic study will be achieved prior to Final Adoption.*
- s) The undergrounding of existing overhead wiring abutting the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 08 and will deposit the necessary funds prior to Final Adoption.*
- t) The submission of a detailed comprehensive sign plan.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 08.*
- u) The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed in a letter dated 2017 April 08 to make the necessary deposits prior to Final Adoption.*
- v) The deposit of the applicable GVS & DD Sewerage Charge.
  - *The applicant has agreed in a letter dated 2017 April 08 to make the necessary deposits prior to Final Adoption.*
- w) The deposit of the applicable School Site Acquisition Charge.

- *The applicant has agreed in a letter dated 2017 April 08 to make the necessary deposits prior to Final Adoption.*
- x) 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 2017 April 08 and the area plan notification signs are 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 2017 April 24, 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

GT:spf  
**Attachment**

cc: City Manager

**BURNABY ZONING BYLAW 1965,  
AMENDMENT BYLAW NO. 33, 2015 – BYLAW NO. 13529**

Rez. #14-29

6960 Royal Oak Avenue

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Royal Oak Community Plan guidelines and the development plan entitled "Mix-Use Development, 6960-Royal Oak Avenue, Burnaby, B.C." prepared by DF Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed-use development with full residential underground parking and at grade commercial parking, with ground level commercial fronting Royal Oak Avenue and residential uses (42 units) above.

The Advisory Planning Commission advised it supports the rezoning application.

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

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

MOVED BY COUNCILLOR S. DHALIWAL  
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Rez. #14-29, Bylaw #13529 be terminated.

**CARRIED UNANIMOUSLY**

**BURNABY ZONING BYLAW 1965,  
AMENDMENT BYLAW NO. 33, 2015 – BYLAW NO. 13529**

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