



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2017 May 10

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #15-37**  
**AMENDMENT BYLAW NO. 10/16; BYLAW #13586**  
**Townhouse Development with Underground Parking**  
**Edmonds Town Centre, Sub-Area 2**  
**Third Reading**

**ADDRESS:** 7141 and 7145 Seventeenth Avenue (*attached* Sketches #1 and #2)

**LEGAL:** Lot 54, DL 95, Group 1, NWD Plan 1152, Strata Lots 1 and 2, DL 95, Group 1, NWD Strata Plan NW2078 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lots As Shown On Form 1

**FROM:** R5 Residential District

**TO:** CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled "17<sup>th</sup> and Leaside" prepared by Cornerstone Architecture)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 April 04;
- b) Public Hearing held on 2016 April 26; and,
- c) Second Reading given on 2016 May 09.

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 2017 April 05 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 05.*
- d) The removal of all existing improvements from the site prior to Final Adoption but not prior to Third Reading of the Bylaw. Demolition 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 2017 April 05.*
- e) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.2 of this report.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 05. The required covenant has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- f) The completion of the Highway Closure Bylaw.
  - *A Highway Closure Bylaw is no longer required as the piece of roadway to be sold and included in the development has been determined to be titled land.*
- g) 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.*
- h) The consolidation of the net 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.*
- i) The review of a detailed Sediment Control System by the Director Engineering.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 05.*
- j) The pursuance of Stormwater Management Best Practices in line with established guidelines.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 05.*
- k) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
  - a Section 219 Covenant restricting the enclosure of balconies; and,
  - a Section 219 Covenant ensuring that all disabled parking remain as common property.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 05 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*
- 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 05 committing to implement the recycling provisions.*
- m) The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 05 to make the necessary deposits prior to Final Adoption.*
- n) The deposit of the applicable GVS & DD Sewerage Charge.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 April 05 to make the necessary deposits prior to Final Adoption.*
- o) The deposit of the applicable School Site Acquisition Charge.

- *The applicant has agreed to this prerequisite in a letter dated 2017 April 05 to make the necessary deposits prior to Final Adoption.*
- p) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
  - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2017 April 07 agreeing to meet this prerequisite*
- q) 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 05 and the on-site area plan notification 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 2017 May 15, 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

**BURNABY ZONING BYLAW 1965,  
AMENDMENT BYLAW NO. 10, 2016 – BYLAW NO. 13586**

Rez. #15-37

7141 and 7145 Seventeenth Avenue

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled "17th and Leaside" prepared by Cornerstone Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a three-storey (23 unit) stacked townhouse development with underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

Two letters were received, one in opposition and one with concerns, in response to the proposed bylaw amendment:

Janice & Gregory Smelser, 7551 Davies Street, Burnaby  
Dani Ryan, 17-7136 18<sup>th</sup> Avenue, Burnaby

The following speaker appeared before Council and spoke to the proposed zoning bylaw amendment:

Scott Kennedy, Partner, Cornerstone Architecture, 3283 Flemming Street, Vancouver,  
appeared before Council to answer any questions regarding the rezoning application.

**MOVED BY COUNCILLOR JOHNSTON**  
**SECONDED BY COUNCILLOR VOLKOW**

THAT this Public Hearing for Rez. #15-37, Bylaw #13586 be terminated.

**CARRIED UNANIMOUSLY**