



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2017 May 10

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 15-36**
BYLAW 13625, AMENDMENT BYLAW NO. 25/16,
Four Unit Multiple Family Residential Development
Third Reading

ADDRESS: 5177 Sidley Street

LEGAL: Lot 63, DL 98, Group 1, NWD Plan 24504

FROM: R5 Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Royal Oak Community Plan as guidelines, and in accordance with the development plan entitled "Multiple Family Residential Building, 5177 Sidley St., Burnaby" prepared by Wilson Chang Architect)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 July 11;
- b) Public Hearing held on 2016 July 26; and,
- c) Second Reading given on 2016 August 29.

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 25 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 25.*
- 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 and vandalism.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 April 25.*
- e. 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.*
- f. 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 25. A detailed Sediment Control System plan has been submitted to the Engineering Department - Environmental Services for approval prior to Final Adoption.*
- g. 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 25.*
- h. Compliance with the guidelines for surface parking for residential visitors.

- *The applicant has agreed to this prerequisite in a letter dated 2017 April 25 and the necessary provisions are indicated on the development plans.*
- i. The granting of any necessary statutory rights-of-way, easements and/or covenants including the granting of Section 219 Covenants including:
 - restricting enclosure of balconies; and,
 - assuring that any individually secured vehicular and bicycle parking spaces allocated to a specific residential unit cannot be utilized for any other purpose.
- *The requisite easement and covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- 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 necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2017 April 25 committing to implement the recycling provisions.*
- k. 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 25 agreeing to meet this prerequisite.*
- l. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2017 April 25 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 2017 April 25 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 2017 April 25 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 provided a letter of undertaking dated 2017 April 25 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 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

GT:spf
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 25, 2016 – BYLAW NO. 13625**

Rez. #15-36

5177 Sidley Street

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Royal Oak Community Plan as guidelines, and in accordance with the development plan entitled "Multiple Family Residential Building, 5177 Sidley St., Burnaby" prepared by Wilson Chang Architect)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four unit multiple-family townhouse 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 rezoning application:

Liang Quin Chen and Yan Rong Xie, 213-7227 Royal Oak Avenue, Burnaby

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

THAT this Public Hearing for Rez. #15-36, Bylaw #13625 be terminated.

CARRIED UNANIMOUSLY