



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 June 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-31**
BYLAW #13577; AMENDMENT BYLAW NO. 05/16
Three apartment towers with street-oriented townhouses
Brentwood Town Centre Plan
Final Adoption

ADDRESS: 2425 Beta Avenue

LEGAL: Lot 126, DL 124, Group 1, NWD Plan 48051

FROM: M2 General Industrial District

TO: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District, Brentwood Town Centre Plan as guidelines, and in accordance with the development plan entitled "The Residences at Brentwood Park South" prepared by Chris Dikeakos Architects Inc.)

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;
- c) Second Reading given on 2016 April 04; and,
- d) Third Reading given on 2016 December 12.

The prerequisite conditions have been satisfied as follows:

- a. The submission of a suitable plan of development.
 - *A complete suitable plan of development has been submitted.*
- 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 the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*


- 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 2016 November 29.*
- 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. If requested, demolition may be delayed to more closely coincide with approval of building permits.
- *All improvements to the site have been demolished with the exception of one building which will be retained for use as a sales center for the development site. As the building occupies land dedicated to the City for road purposes, a licence agreement and trespass agreement have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.4 of this report.
- *The required deposits have been made to meet this prerequisite.*
- f. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; guaranteeing the provision and maintenance of public art; indicating that project surface driveway accesses will not be restricted by gates; guaranteeing the continued operation and maintenance of stormwater management facilities; to ensure the site can be used safely in accordance with the approved geotechnical report; to ensure that the project does not draw down the water table, providing that all disabled parking to remain as common property; and ensuring compliance with the submitted acoustical analysis.
- *The requisite covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development.
- *The requisite indemnity agreement has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

- h. The approval of the Ministry of Transportation to the rezoning application.
 - *The approval of the Ministry of Transportation to the rezoning bylaw has been obtained.*
- i. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2016 November 29 agreeing to meet this prerequisite.*
- j. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 November 29 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- k. Compliance with the Council-adopted sound criteria
 - *The applicant has submitted an acoustic study which has been accepted by Engineering Environmental Services Division and submitted a letter dated 2016 November 29 agreeing to comply with the Council-adopted sound criteria.*
- l. Submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile for the development site, and has committed to obtaining an appropriate instrument from the Ministry of Environment prior to release of any Occupancy Permits. The required Covenant governing this arrangement has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- m. Consolidation of the net site into one legal parcel.
 - *The requisite subdivision plan of consolidation has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- n. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space 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 November 29 committing to implement the recycling provisions.*
- o. The dedication of any rights-of-way deemed requisite.

- *A subdivision plan dedicating the requisite rights-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- p. 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 2016 November 29 committing to implement the solid waste and recycling provisions.*
- q. The completion of the Highway Closure Bylaw.
 - *The Bylaw plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- r. The review of on-site residential loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2016 November 29.*
- s. 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 2016 November 29 agreeing to meet this prerequisite.*
- t. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has submitted the required Sediment Control System plans for review by the Engineering Environmental Services Division.*
- u. Compliance with the guidelines for underground parking for visitors.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2016 November 29 agreeing to meet this prerequisite.*
- v. 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.
 - *A suitable on-site stormwater management system has been approved by the Director Engineering, the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption and the required funds to guarantee this provision have been deposited.*
- w. The deposit of the applicable Parkland Acquisition Charge.

- *The required deposits have been made to meet this prerequisite.*
- x. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- y. The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- z. 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 November 29 and the area plan notification sign is in place.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2017 June 26.


Lou Pellerier, Director
PLANNING AND BUILDING

DR:eb
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 5, 2016 – BYLAW NO. 13577**

Rez. #15-31

2425 Beta Avenue

From: M2 General Industrial District

To: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District, Brentwood Town Centre Plan as guidelines, and in accordance with the development plan entitled "The Residences at Brentwood Park South" prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit three residential apartment buildings ranging in height from 28-storeys to 39-storeys with ground oriented townhouses and underground and above grade structured parking.

The Advisory Planning Commission advised it supports the rezoning application.

One letter was received in support of the proposed zoning bylaw amendment.

John Hadley, (Equities Consultants Ltd.), 2421 Alpha Street, 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. #15-31, Bylaw #13577 be terminated.

CARRIED UNANIMOUSLY