



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2017 October 11

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #16-25**  
**AMENDMENT BYLAW NO. 19/17 ; BYLAW #13753**  
**Two High Rise Apartment Towers**  
**Third Reading**

**ADDRESS:** 4828, 4874 Lougheed Highway and 2099 Delta Avenue

**LEGAL:** Lot 124, DL 124, Group 1, NWD Plan 36610; Lot 8, Block 84, DL 124, Group 1, NWD Plan 1543; That Part of DL 124, Group 1, NWD Shown on Plan EPP56449 as Parcel 2

**FROM:** CD Comprehensive Development District (based on RM4s and RM5s Multiple Family District)

**TO:** Amended CD Comprehensive Development District (based on RM4s and RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Concord Brentwood Phase 1B" prepared by Franc Architecture)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 May 15;
- b) Public Hearing held on 2017 May 30; and,
- c) Second Reading given on 2017 June 12.

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 October 11 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 October 11.*
- d. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.3 of this report.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 October 11, and will deposit the necessary funds prior to Final Adoption.*
- e. 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.*
- f. 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.*
- g. The consolidation and re-subdivision of the site into two legal lots.
  - *The requisite subdivision plan of consolidation has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- h. The granting of any necessary covenants, including, but not necessarily limited to, Section 219 Covenants:
  - restricting enclosure of balconies;
  - indicating that project surface driveway access will not be restricted by gates;
  - guaranteeing provision and maintenance of public art;
  - guaranteeing the provision and continued operation of stormwater management facilities;
  - ensuring compliance with the approved acoustical study;
  - for the provision and ongoing maintenance of the Stickleback Creek Streamside Protection and Enhancement Area;

- 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 the provision and ongoing maintenance of EV cars and EV plug-in stations;
  - for the provision and ongoing maintenance of on-site car share vehicles and parking stalls;
  - ensuring the protection of suitable trees on-site during construction; and,
  - ensuring that the site can be used safely in accordance with the approved geotechnical report, and that the project does not draw down the water table.
- *The applicant has agreed to this prerequisite in a letter dated 2017 October 11, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- i. 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 applicant has agreed to this prerequisite in a letter dated 2017 October 11.*
- j. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 October 11, and the necessary provisions are indicated on the development plans.*
- k. 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.*
- l. The 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 deposited in the Land Title Office.*

- m. 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 2017 October 11 committing to implement the recycling provisions.*
- n. 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 2017 October 11. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*
- o. The review of on-site residential loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2017 October 11. An on-site residential loading plan has been submitted to the Engineering Department – Traffic Division for approval prior to Final Adoption.*
- p. The provision of facilities for cyclists in accordance with this report.
- *The applicant has agreed to this prerequisite in a letter dated 2017 October 11, and the necessary provisions are indicated on the development plans.*
- q. The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2017 October 11. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- r. Compliance with the guidelines for underground parking for visitors.
- *The applicant has agreed to this prerequisite in a letter dated 2017 October 11, and the necessary provisions are indicated on the development plans.*
- s. 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.
- *The applicant has agreed to this prerequisite in a letter dated 2017 October 11. A suitable on-site stormwater management system has been submitted for the approval of the Director Engineering. 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.*

- t. The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed in a letter dated 2017 October 11 to make the necessary deposits prior to Final Adoption.*
- u. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The applicant has agreed in a letter dated 2017 October 11 to make the necessary deposits prior to Final Adoption.*
- v. The deposit of the applicable School Site Acquisition Charge.
  - *The applicant has agreed in a letter dated 2017 October 11 to make the necessary deposits prior to Final Adoption.*
- w. 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 October 11 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 October 16, 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

IW/JBS:eb  
**Attachment**

cc: City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO.19,2017- BYLAW NO.13753**

**Rez. #16-25**

**4828, 4874 Lougheed Highway and 2099 Delta Avenue**

**From: CD Comprehensive Development District (based on RM4s and RM5s Multiple Family District)**

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**The purpose of the proposed zoning bylaw amendment is to permit the development of two high-rise buildings atop underground and structured parking.**

**No letters were received in response to the proposed rezoning application.**

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

**MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR JORDAN**

**THAT this Public Hearing for Rez. #16-25, Bylaw #13753 be terminated.**

**CARRIED UNANIMOUSLY**