



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2018 July 04

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-55**
BYLAW #13804; AMENDMENT BYLAW NO. 36/17
Multi-tenant light industrial/warehouse development
Third Reading

ADDRESS: 5495 Regent Street

LEGAL: Lot 1, DL 74, Group 1, NWD Plan 77777

FROM: M2 General Industrial District and M6 Truck Terminal District

TO: CD Comprehensive Development District (based on M2 General Industrial District as guidelines and in accordance with the development plan entitled "Intraurban - Brentwood, 5495 Regent Street, Burnaby, BC" prepared by Christopher Bozyk Architects Ltd.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 November 06;
- b) Public Hearing held on 2017 November 28; and,
- c) Second Reading given on 2017 December 04.

The prerequisite conditions have been partially satisfied as follows:

1. The submission of a suitable plan of development.
 - *The applicant has submitted a virtually complete suitable plan of development. A few remaining details will be resolved prior to Final Adoption.*
2. 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 2018 May 29 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*
3. 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 2018 May 29.*
4. The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption of the Bylaw. Demolition of any improvements will be permitted at any time, provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Second Reading, Third Reading and/or Final Adoption of the Rezoning Bylaw.
- *The applicant has requested permission to demolish existing improvements after Final Adoption, but not later than six months after approval of the related Subdivision Application. Accordingly, the applicant has agreed in a letter dated 2018 May 29 to register a demolition covenant with a six month timeline and to provide a bond to cover the demolition costs. The required covenant will be deposited in the Land Title Office and the required funds will be deposited prior to Final Adoption.*
5. The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2018 May 29.*
6. The granting of any necessary statutory rights-of-way and/or easements.
- *The requisite documents have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
7. The granting of any necessary Section 219 Covenants are to be provided, including, but not necessarily limited to:
- Section 219 Covenant to ensure the provision, operation and continuing operation of stormwater management facilities; and,
 - Section 219 Covenant ensuring protection and restoration of the riparian area on the site adjacent to Still Creek, in accordance with the approved streamside protection and enhancement area plan

- *The applicant has agreed to this prerequisite in a letter dated 2018 May 29 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*
8. The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2018 May 29 to make the necessary deposits prior to Final Adoption.*
9. The provision of facilities for cyclists in accordance with this Section 4.8 of the rezoning report.
- *The provision is indicated on the development plans and the applicant has agreed to this prerequisite in a letter dated 2018 May 29.*
10. 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 agreed to this prerequisite in a letter dated 2018 May 29.*
11. The submission of a detailed comprehensive sign plan.
- *The applicant has agreed to this prerequisite in a letter dated 2018 May 29.*
12. Submission of a Site Profile and resolution of any arising requirements.
- *The applicant has submitted the required Site Profile and a Certificate of Compliance has been provided to the Engineering Department.*
13. 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 2018 May 29. A suitable on-site stormwater management system will require 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.*

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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 2018 July 9, 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

LS:tn
Attachment

cc: City Manager

P:\49500 Rezoning\20 Applications\2016\16-55 5495 Regent Street\Rezoning Reference #16-55 Third Reading 2018-07-09.doc

**Burnaby Zoning Bylaw 1965,
Amendment Bylaw No. 36, 2017 - Bylaw No. 13804**

Rez. #16-55

5495 Regent Street

From: M2 General Industrial District and M6 Truck Terminal District

To: CD Comprehensive Development District (based on M2 General Industrial District as guidelines and in accordance with the development plan entitled "Intraurban - Brentwood, 5495 Regent Street, Burnaby, BC" prepared by Christopher Bozyk Architects Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a multi-tenant light industrial/warehouse development.

Seven letters were received in response to the proposed rezoning application:

Brian Kerzner, Rocky Mountain Chocolate Factory, 5284 Still Creek Street, Burnaby

Piero Ferronato, 2853 Douglas Holdings Ltd., 2853 Douglas Road, Burnaby

Ryan Davis, 1130799 BC Ltd., 5371 Regent Street, Burnaby

Daryl Ee, Rolls-Right Trucking and Transport, 2864 Norland Avenue, Burnaby

Rodney Palmieri, Palmieri Bros. Paving Ltd., 2876 Norland Avenue, Burnaby

Steven Bruk, Bruk & Co. Investments/Highbank Properties, A5/A6-5279 Stillcreek Avenue, Burnaby

Brad Halco, Dieseltech Truck Repair & Fleet Maintenance, 3196 Norland Avenue, Burnaby

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. #16-55, Bylaw #13804 be terminated.

CARRIED UNANIMOUSLY