



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2019 March 20

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-58**
BYLAW 13914, AMENDMENT BYLAW NO. 26/18
New Childcare and Non-Market Rental Housing Uses
Third Reading

ADDRESS: 3755 Banff Avenue

LEGAL: Lot 133, DL 74, Group 1, NWD Plan 39624

FROM: P5 Community Institutional District

TO: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and P5 Community Institutional District as guidelines, and in accordance with the development plan entitled "3755 Banff Avenue" prepared by Boni Maddison Architects)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2018 July 09;
- b) Public Hearing held on 2018 July 24; and,
- c) Second Reading given on 2018 August 27.

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 2019 January 10 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.

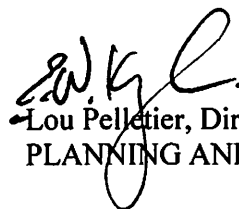
- *The applicant has agreed to this prerequisite in a letter dated 2019 January 10.*
- d) The demolition of the existing child care building from the site prior to Final Adoption but not prior to Third Reading of the Bylaw.
 - *The applicant has agreed to this prerequisite in a letter dated 2019 January 10.*
- 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 granting of any necessary statutory rights-of-way, easements and/or covenants, including restricting enclosure of balconies and ensuring compliance with the accepted acoustical study.
 - *The requisite statutory rights-of-way, easement and covenant plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2019 January 10.*
- h) 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 2019 January 10. 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.*
- i) The registration of a new Lease Agreement, as outlined in Section 3.3 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2019 January 10.*
- j) Compliance with 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.*
- k) 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 2019 January 10 agreeing to meet this prerequisite.

- l) The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the lease of the unit to a disabled person and with allocated disabled parking spaces.
- *The applicant has agreed to this prerequisite in a letter dated 2019 January 10 and the necessary provisions are indicated on the development plans.*
- m) The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2019 January 10 to make the necessary deposits prior to Final Adoption.*
- n) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2019 January 10 to make the necessary deposits prior to Final Adoption.*

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 2019 March 25, 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

ZT:sla
Attachment

cc: City Manager

**PUBLIC HEARING MINUTES
HELD ON: 2018 JULY 24
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**BURNABY ZONING BYLAW 1965
AMENDMENT BYLAW NO. 26, 2018 - BYLAW NO. 13914**

Rez. #16-58

3755 Banff Avenue

From: P5 Community Institutional District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and P5 Community Institutional District as guidelines, and the development plan entitled "3755 Banff Avenue" prepared by Boni Maddison Architects)

The purpose of the proposed zoning bylaw amendment is to permit the redevelopment of a portion of the site to accommodate additional non-market rental housing units and replace the existing child care centre.

One letter was received in response to the proposed rezoning application:

1. **Greg Austin**, 436 Seventh Street, New Westminster

The following speakers appeared before Council in support or opposition to the proposed zoning bylaw amendment:

Fred Grimman, 5339 Woodsworth Street, Burnaby, appeared before Council and stated concerns with the proposed rezoning application. The speaker is not opposed to the childcare centre, but expressed concerns with increased traffic and safety issues for the children and families that frequent the location. Mr. Grimman suggested moving the entrance to the site as an extension of Banff Avenue, and inquired regarding the market rental units residents.

Glenn Helmlinger, 1503-4194 Maywood Street, Burnaby, appeared before Council and spoke in support to the proposed rezoning application. The speaker supports the expansion of non-market rental housing without impacting the neighbourhood.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

THAT this Public Hearing for Rez. #16-58, Bylaw #13914 be terminated.

CARRIED UNANIMOUSLY

**PUBLIC HEARING MINUTES
HELD ON: 2018 JULY 24
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MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR CALENDINO

THAT staff report back to Council on the issues raised by the delegations at the Public Hearing for Rezoning Reference #16-58 prior to second reading of the bylaw; and

THAT a copy of the report be forwarded to the individuals that spoke at the Public Hearing.

CARRIED UNANIMOUSLY