



INTER-OFFICE COMMUNICATION

TO: CITY CLERK

DATE: 2019 May 13

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #16-46
BYLAW #13730; AMENDMENT BYLAW NO. 11/17,
Rezoning and Sixteen Lot Subdivision
Third Reading**

ADDRESS: 3550 Wayburne Drive

LEGAL: Lot 5, DL 73, Group 1, NWD Plan 29441

FROM: P2 Administration and Assembly District

TO: R3 Residential District

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 March 06;
- b) Public Hearing held on 2017 March 28; and,
- c) Second Reading given on 2017 April 03.

The prerequisite conditions have been partially satisfied as follows:

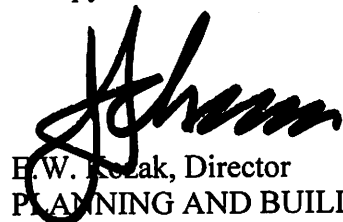
- a) The submission of a suitable plan of development.
 - *A virtually complete suitable plan of development has been submitted. Any remaining details will be resolved prior to Final Adoption.*
- b) The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services 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 April 24 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 April 24.*
- d) The submission of an undertaking to remove all existing improvements from the site prior to or within six months of the rezoning being effected. 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 agreed to this prerequisite in a further letter dated 2019 May 02, to remove all existing improvements prior to Final Adoption.*
- e) The completion of the necessary subdivision is required.
 - *A subdivision plan has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- f) The granting of any necessary dedications, statutory rights-of-way, easements and/or covenants deemed requisite.
 - *A subdivision plan dedicating the requisite statutory right-of-way has been submitted and will be deposited in the Land Title Office prior to Final Adoption. The required statutory rights-of-way, easements and covenants will be deposited in the Land Title Office prior to Final Adoption.*
- g) A tree survey and arborist's report for the site will be required to determine whether any existing trees are suitable for retention. The removal of trees over 20 cm (8 inches) in diameter will require a tree removal permit.
 - *A tree survey has been submitted to the City's Landscape Development Technician for review. The City's Landscape Development Technician has determined that no trees are recommended for protection by registration of a covenant.*
- h) The retention of identified existing trees on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.

- *The City's Landscape Development Technician has determined that no trees are recommended for protection by registration of a covenant.*
- i) The review of a detailed Sediment Control System by the Director Engineering.
 - *A detailed Sediment Control System plan has been submitted to Engineering Department – Environmental Services for approval prior to Final Adoption.*
- j) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2019 April 24 and the funds will be deposited prior to Final Adoption.*
- k) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2019 April 24 and the funds will be deposited prior to Final Adoption.*
- l) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2019 April 24 and the funds will be deposited 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 May 13, 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.


E.W. Kozak, Director
PLANNING AND BUILDING

PS:rh
Attachment

cc: Director Engineering
City Solicitor
City Clerk

**Burnaby Zoning Bylaw 1965,
Amendment Bylaw No. 11, 2017 - Bylaw No. 13730**

Rez. #16-46

3550 Wayburne Drive

From: P2 Administration and Assembly District

To: R3 Residential District

The purpose of the proposed zoning bylaw amendment is to facilitate subdivision of the subject property into 16 residential lots, and to allow for construction of one single-family dwelling on each created lot.

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

Chris Puzio, 3743 Garden Grove Drive, Burnaby
Kristina Preston, 4715 Laurelwood Place, Burnaby

The following speakers appeared before Council and spoke to the proposed bylaw amendment:

Gurdeep Kainth, 946 Mount Royal Boulevard, North Vancouver, appeared on behalf of the applicant and offered to answer any questions Council or the public may have in regard to the rezoning application.

Mary Yarwood, 4767 Cedarglen Place, Burnaby, appeared before Council and requested clarification on the size of the lots and homes to be built. The speaker also questioned whether the new homes would be affordable or market housing.

Rob Pope, 4840 Hickory Court, Burnaby, appeared before Council and requested information on the proposed development's parking requirements. The speaker stated concerns regarding the increased demand for street parking due to the new homes and secondary suites.

**MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR CALENDINO**

THAT this Public Hearing for Rez. #16-46, Bylaw #13730 be terminated.

CARRIED UNANIMOUSLY