



## INTER-OFFICE MEMORANDUM

**TO:** CITY CLERK **DATE:** 2020 March 18

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #18-09**  
**BYLAW 14061, AMENDMENT BYLAW NO. 27/19**  
**Townhouse Development with Underground Parking**  
**Edmonds Town Centre, Sub-Area 3**  
**Third Reading**

**ADDRESS:** 6438 Byrnpark Drive

**LEGAL:** Lot 8 District Lot 155a Group 1 New Westminster District Plan LMP30202

**FROM:** CD Comprehensive Development District (based on RM2 Multiple Family Residential District as guidelines)

**TO:** Amended CD Comprehensive Development District (based on RM2 Multiple Family Residential District, RM3 Multiple Family Residential District, RM3r Multiple Family Residential District, and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "Proposed Multi-Family Development" prepared by Integra Architecture Inc.)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2019 October 07;
- b) Public Hearing held on 2019 October 29; and,
- c) Second Reading given on 2019 November 04.

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 2020 March 16 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 2020 March 16.*
- d) 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.*
- 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 review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2020 March 16.*
- g) The submission of a suitable on-site stormwater management system to the approval of the Director Engineering 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 2020 March 16. A suitable on-site stormwater management system will require 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.*
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
- a Section 219 Covenant restricting the enclosure of balconies;
  - a Section 219 Covenant ensuring that all disabled parking remain as common property;
  - a Section 219 Covenant preventing stratification of the rental units and that they are guaranteed as rental in perpetuity;
  - a Section 219 Covenant to guarantee the provision and continuing operation of methane gas monitoring;
  - a Section 219 Covenant allocating density from the subject site to the site at 5900 Olive Avenue;

- a Section 219 Covenant protecting the streamside protection and enhancement areas (SPEA); and,
  - a statutory right-of-way for pedestrian access across the site.
- *The applicant has agreed to this prerequisite in a letter dated 2020 March 16, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- i) The registration of a housing agreement.
- *The applicant has agreed to this prerequisite in a letter dated 2020 March 16 and the requisite housing agreement bylaw will be advanced to Council for approval prior to Final Adoption.*
- j) The provision of a covered car wash stall and 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 applicant has agreed to this prerequisite in a letter dated 2020 March 16, 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 geotechnical review regarding the stability of the site to accommodate the proposed development, to the approval of the Chief Building Inspector and granting of a Section 219 Covenant respecting the approved report.
- *A geotechnical review report has been submitted for review by the Chief Building Inspector, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- m) Installation of protective chain link fencing along the property line adjacent to Byrne Woods Park.
- *The applicant has agreed to this prerequisite in a letter dated 2020 March 16 and the necessary provisions have been indicated on the development plans.*
- n) The submission of a Green Building Strategy.
- *The applicant has agreed to this prerequisite in a letter dated 2020 March 16. The submission of the requisite Green Building Strategy is required prior to Final Adoption.*

- o) The completion of an environmental assessment.
  - *The applicant has agreed to this prerequisite in a letter dated 2020 March 16 and has submitted the required environmental assessment and Streamside Protection and Enhancement Area (SPEA) survey plan for review. The requisite survey plan and covenant will be deposited in the Land Title Office, and the required funds to guarantee this provision will be deposited prior to Final Adoption.*
- p) 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.*
- q) Compliance with the guidelines for surface and underground parking for residential visitors.
  - *The applicant has agreed to this prerequisite in a letter dated 2020 March 16, and the necessary provisions are indicated on the development plans.*
- r) The submission of a Transportation Study.
  - *The applicant has agreed to this prerequisite in a letter dated 2020 March 16. The submission of the requisite Transportation Study is required prior to Final Adoption.*
- s) The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed in a letter dated 2020 March 16 to make the necessary deposits prior to Final Adoption. It is noted that an application for the allocation of Housing Funds to offset fees and charges as they relate to the non-market housing portion of the development may be made by the applicant.*
- t) The deposit of the applicable GVS & DD Sewerage Charge.
  - *The applicant has agreed in a letter dated 2020 March 16 to make the necessary deposits prior to Final Adoption.*
- u) The deposit of the applicable School Site Acquisition Charge.
  - *The applicant has agreed in a letter dated 2020 March 16 to make the necessary deposits prior to Final Adoption.*
- v) The deposit of the applicable per unit Edmonds Town Centre South Grade-separated Crossing Cost Charge.

- *The applicant has agreed in a letter dated 2020 March 16 to make the necessary deposits prior to Final Adoption. It is noted that an application for the allocation of Housing Funds to offset fees and charges as they relate to the non-market housing portion of the development may be made by the applicant.*
- w) The provision of facilities for cyclists in accordance with Section 6.5 of the rezoning report.
- *The applicant has agreed to this prerequisite in a letter dated 2020 March 16, and the necessary provisions are indicated on the development plans.*
- x) 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 2020 March 16, 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 2020 March 23, 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

KL:tn  
***Attachment***

cc: City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 27, 2019- BYLAW NO. 14061**

**Rez. #18-09**

**6438 Byrnepark Drive**

**From: CD Comprehensive Development District (based on RM2 Multiple Family Residential District as guidelines)**

**To: Amended CD Comprehensive Development District (based on RM2 Multiple Family Residential District, RM3 Multiple Family Residential District, RM3r Multiple Family Residential District, and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "Proposed Multi-Family Development" prepared by Integra Architecture Inc.)**

**The purpose of the proposed zoning bylaw amendment is to permit the construction of a five-storey apartment building with underground parking, as well as townhouses with surface parking.**

**Twelve (12) letters were received in response to the proposed rezoning application:**

- 1. Cathy Griffin, 21-8400 Forest Grove Drive, Burnaby**
- 2. Martin Arnesen, 3015 Vega Court, Burnaby**
- 3. Joe Sulmona, 5504 Union Street, Burnaby**
- 4. Stan Grishin, 9300 University Crescent, Burnaby**
- 5. Tamsin Spooner, 6692 Napier Street, Burnaby**
- 6. Thom Armstrong, Co-operative Housing Federation of British Columbia, 220-1651 Commercial Drive, Vancouver**
- 7. Chris Marsh, 115-7478 Byrnepark Walk, Burnaby**
- 8. Frank Mesich, 6088 12<sup>th</sup> Avenue, Burnaby**
- 9. Joel Gibbs, 7777 12<sup>th</sup> Avenue, Burnaby**
- 10. Louise Hazemi, 4144 Cambridge Street, Burnaby**
- 11. Sabrina and Steve Foldi, 6837 Station Hill Drive, Burnaby**
- 12. Allen Hutton, 7304 14<sup>th</sup> Avenue, Burnaby**

**The following speakers appeared before Council in response to the proposed zoning bylaw amendment:**

**Joel Gibbs, 7777 12<sup>th</sup> Avenue, Burnaby, appeared before Council expressing concerns with the proposed rezoning application as a large amount of parking spaces and the number of rental units does not really benefit the City. The speaker is also in opposition to the sale of public lands.**

**PUBLIC HEARING MINUTES  
HELD ON: 2019 OCT 29  
REZ. REF. NO. 18-09  
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Teresa Rossiello, 9756 Still Creek Avenue, Burnaby, appeared before Council and noted that more townhouses should be added to the development as families with children have a hard time finding suitable accommodation in Burnaby. The speaker also suggested leasing the land for 50 to 60 years, instead of selling it, and offering electrified parking spots to car share companies to utilize the EV spaces.

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR CALENDINO

THAT this Public Hearing for Rez. #18-09, Bylaw #14061 be terminated.

CARRIED UNANIMOUSLY