



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 June 09

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #16-13
AMENDMENT BYLAW NO. 37, 2019; BYLAW #14083
High-Rise Apartment Building
Final Adoption

ADDRESS: 4960 Bennett Street and Portion of Lane

LEGAL: Lot A (Explanatory Plan 29292), DL 152, Group 1, NWD Plan 4955

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "The Bennett" prepared by IBI Group)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2019 November 04;
- b) Public Hearing held on 2019 November 19;
- c) Second Reading given on 2020 April 20; and,
- d) Third Reading given on 2020 November 09.

The prerequisite conditions have been completely satisfied as follows:

- a) The submission of a suitable plan of development.
 - *The applicant has submitted a complete suitable plan of development.*
- 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 the necessary funds including 4% inspection fees to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and

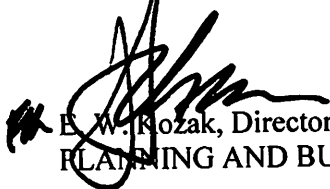
transformer/service boxes in Town Centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.

- *The applicant has agreed to this prerequisite in a letter dated 2020 November 03.*
- d) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of the Public Hearing report.
 - *An amenity bonus value has been approved by Council, and the applicant will deposit the funds prior to issuance of Preliminary Plan Approval. A Section 219 Covenant to guarantee this provision has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.11 of this report.
 - *The necessary statutory rights-of-way, easements, and/or covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f) The registration of a Housing Covenant and Housing Agreement.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 03. A Housing Covenant and Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit. A Section 219 Covenant guaranteeing this provision has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The execution of a Tenant Assistance Plan, to the approval of the Director Planning and Building.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 03. A Tenant Assistance Plan in accordance with the Burnaby Tenant Assistance Policy has been approved, and the required funds to guarantee this provision have been deposited.*
- h) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 03.*
- i) The submission of stormwater and ground water management plan, 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.
 - *A suitable on-site stormwater management system has been approved by the Director Engineering, the required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and the required funds to guarantee this provision have been deposited.*

- j) 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 2020 November 03 committing to implement the solid waste and recycling provisions.*
- k) The design and provision of units adaptable to persons with disabilities, with the provision of customized hardware and cabinet work being subject to the renting of the unit to a disabled person.
- *The applicant has agreed to this prerequisite in a letter dated 2020 November 03. The necessary provisions have been indicated on the development plans, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- l) The provision of covered car wash stalls and 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 submitted a letter dated 2020 November 03 agreeing to meet this prerequisite.*
- m) The review of on-site residential loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2020 November 03, and the necessary provisions are indicated on the development plans.*
- n) The submission of a Public Art Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2020 November 03, and the required Public Art Plan has been submitted.*
- o) Compliance with the Council-adopted sound criteria
- *The applicant has agreed to this prerequisite in a letter dated 2020 November 03, and the necessary Section 219 Covenant to guarantee the provisions of the acoustical report, has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- p) The provision of facilities for cyclists in accordance with this report.
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 November 03 agreeing to meet this prerequisite.*
- q) The undergrounding of existing overhead wiring abutting the site.

- *The applicant has agreed to this prerequisite in a letter dated 2020 November 03 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- r) Compliance with the guidelines for underground parking for visitors.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 November 03 agreeing to meet this prerequisite.*
- s) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- t) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- u) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- v) The deposit of the applicable Regional Transportation Charge.
 - *The required deposits have been made to meet this prerequisite.*
- 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 agreed to this prerequisite in a letter dated 2020 November 03 and the area plan notification signs are in place.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on 2021 June 14.


E. W. Kozak, Director
PLANNING AND BUILDING

JBS:tn
cc: Acting City Manager