



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 August 25

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-50**
AMENDMENT BYLAW NO. 22, 2019 - BYLAW NO. 14041
Multiple-Family Infill Development
Third Reading

ADDRESS: 3980 Pender Street

LEGAL: Lot 9, Block 14, DL 116, Group 1, NWD Plan 1236

FROM: RM6 Multiple Family Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Hastings Street Area Plan as guidelines, and in accordance with the development plan entitled "3980 Pender Street, Burnaby BC" prepared by Matthew Cheng Architect Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2019 July 08;
- b) Public Hearing held on 2019 July 30; and,
- c) Second Reading given on 2019 September 09.

The prerequisite condition has 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 the Engineering design drawings for review and has agreed in a letter dated 2021 July 05 to deposit the necessary funds, including 4% inspection fee 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 2021 July 05.*

- d. The submission of an undertaking to remove all existing improvements from the site 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 Third Reading and/or Final Adoption of the Rezoning Bylaw.

- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05.*

- e. The granting of any necessary statutory rights-of-way, easements and/or covenants including, but not necessarily limited to, the granting of Section 219 Covenants restricting enclosure of balconies and ensuring any individual secured vehicle parking spaces allocated to a specific residential unit cannot be utilized for any other purpose.

- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05 and the required rights-of-way, easements and/or covenants will be deposited in the Land Title Office 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 2021 July 05.*

- g. The pursuance of Storm Water Management Best Practices in line with established guidelines.

- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05.*

- h. The provision of facilities for cyclists in accordance with Section 5.7 of the rezoning public hearing report.

- *This provision is indicated on the development plans and the applicant has submitted a letter dated 2021 July 05 agreeing to meet this prerequisite.*

- i. The deposit of the applicable charge Parkland Acquisition Charge.

- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05.*

- j. The deposit of the applicable GVS & DD Sewerage Charge.

- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05.*
- k. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05.*
- l. The deposit of the applicable Regional Transportation Development Cost Charge.
- *The applicant has agreed to this prerequisite in a letter dated 2021 July 05.*
- m. 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 develop 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 2021 July 05 and the area plan notification on-site sign is 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 2021 August 30, 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

DP:spf
Attachment

cc: Acting City Manager

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 14041- BYLAW NO. 22, 2019**

Rez. #15-50

3980 Pender Street

From: RM6 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Hastings Street Area Plan as guidelines, and in accordance with the development plan entitled "3980 Pender Street, Burnaby BC" prepared by Matthew Cheng Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-unit multiple-family residential development.

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

1. Kam M. Wu, 1201-3920 Hastings Street, Burnaby
2. Stephen Wu, 1201-3920 Hastings Street, Burnaby

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

Joel Gibbs, 7777 12th Avenue, Burnaby, appeared before Council and spoke in support of the proposed rezoning applications #15-41 and #15-50. The speaker noted the two projects are close to transit but he would like to see six-unit developments to allow for extra affordability.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR JORDAN

THAT this Public Hearing for Rez. #15-50, Bylaw #14041 be terminated.

CARRIED UNANIMOUSLY