



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK DATE: 2022 September 28

**FROM:** GENERAL MANAGER  
PLANNING AND DEVELOPMENT

**SUBJECT:** **REZONING REFERENCE # 20-16**  
**BYLAW 14252 AMENDMENT BYLAW NO. 52/2020**  
**Six-Storey, Non-Market Rental Building**  
**Final Adoption**

**ADDRESS:** 6488 Byrnegpark Drive

**LEGAL:** Lot 7, District Lots 171 and 155a, Group 1, New Westminster District Plan LMP30202

**FROM:** CD Comprehensive Development District (based on RM2, RM2r Multiple Family Residential District and Edmonds Town Centre Plan as guidelines and in accordance with the development guidelines prepared by the City)

**TO:** Amended CD Comprehensive Development District (based on RM2, RM2r Multiple Family Residential District and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "Byrne Park – Site 3 - Building" prepared by IBI Group)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2020 November 23;
- b) Public Hearing held on 2020 December 15; and,
- c) Second Reading given on 2020 December 17; and,
- d) Third Reading given on 2022 January 24.

The prerequisite conditions have been fully satisfied as follows:

- a) The submission of a suitable plan of development.
  - *A complete suitable plan of development has been submitted.*
- 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.

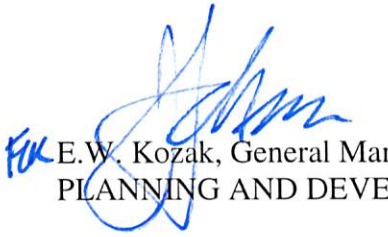
- *The applicant has submitted the necessary funds including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground 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 (M'akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30.*
- d) The dedication of any rights-of-way deemed requisite.
- *A subdivision plan dedicating the requisite rights-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The registration of a Lease Agreement, as outlined in Section 6.2 of this report.
- *The applicant (M'akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30. The Lease 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.*
- f) The registration of a Housing Agreement.
- *The terms and conditions of housing tenure and affordability will be outlined in the required Lease Agreement. As such, a Housing Agreement is not required for this City property.*
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants, as detailed in Section 6.3 of this report.
- *The requisite statutory right-of-way, easement and/or covenant plan(s) have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- h) The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant (M'akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30 and the required Sediment Control System plans have been submitted.*

- i) Compliance with the City’s Groundwater Management for Multi-Family Development guidelines is required.
  - *A suitable on-site Groundwater Management system has been approved by the General Manager Engineering, the requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office, and the required funds to guarantee this provision have been deposited.*
  
- j) Compliance with the Council-adopted sound criteria.
  - *The applicant (M’akola Development Services) has submitted an acoustic study which has been accepted by the City, and a Section 219 Covenant, to ensure compliance with the submitted study, has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
  
- k) The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled persons.
  - *The applicant (M’akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30, the necessary provisions are indicated on the development plans and the requisite covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
  
- l) The provision of covered car wash stalls 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 (M’akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30 and the necessary provisions are indicated on the development plans.*
  
- m) The provision of facilities for cyclists in accordance with Section 7.6 of the rezoning report.
  - *The applicant (M’akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30 and the necessary provisions are indicated on the development plans.*
  
- n) Compliance with the guidelines for underground parking for visitors.
  - *The applicant (M’akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30 and the necessary provisions are indicated on the development plans.*

- o) The review of on-site residential loading facilities by the Director Engineering.
  - *The applicant (M'akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30 and the necessary provisions are indicated on the development plans.*
  
- p) The submission of a Green Building Strategy.
  - *The applicant (M'akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30 and the required Green Building Strategy has been submitted.*
  
- q) A tree survey and arborist report of the site will be required to determine whether any existing trees are suitable for retention. If trees measuring 20 cm (8 in.) in diameter are required to be removed due to the site's development, then a tree removal permit will be required.
  - *The applicant (City of Burnaby) has agreed to this prerequisite in a letter dated 2022 January 14.*
  
- r) 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 approved by the Chief Building Inspector. A Section 219 Covenant to ensure compliance with the approved report has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
  
- s) 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 and deposit of sufficient monies to guarantee its provision and continuing operation.
  - *The applicant (M'akola Development Services) has agreed to this prerequisite in a letter dated 2021 November 30. The on-site stormwater management system will require approval of the General Manager Engineering and be registered on title prior to the issuance of a Building Permit/PPA. 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 and the required funds to guarantee this provision have been deposited.*
  
- t) The deposit of the applicable Parkland Acquisition Charge.
  - *The required deposits have been made to meet this prerequisite.*

- u) The deposit of the applicable per unit Edmonds Town Centre South Grade-Separated Crossings Charge.
  - *The required deposits have been made to meet this prerequisite.*

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 2022 October 03.

  
E.W. Kozak, General Manager  
PLANNING AND DEVELOPMENT

KL:spf

cc: Chief Administrative Officer