



INTER-OFFICE MEMORANDUM

TO: DIRECTOR LEGISLATIVE SERVICES April 04, 2024

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: REZ #21-31
BYLAW 14449, AMENDMENT BYLAW NO. 15/2022
Phase 3 of the Concord Brentwood Site
Reconsideration and Final Adoption

ADDRESS: 4818, 4828 Dawson Street, 2285, 2311 Delta Avenue and 2316 Beta Avenue

LEGAL: **Attachment** -Schedule A

FROM: CD Comprehensive Development District (based on RM4s, RM5s Multiple Family Residential District and P2 Administration and Assembly District) and P3 Park and Public Use District

TO: CD Comprehensive Development District (based on RM4s Multiple Family Residential District, RM4r Multiple Family Residential District, C1 Neighbourhood Commercial District, P2 Administration and Assembly District and the Brentwood Town Centre Development Plan as guidelines and in accordance with the development plan entitled "Concord Brentwood 3" prepared by GBL Architects Inc.) and P3 Park and Public Use District

The following information applies to the subject rezoning bylaw:

- a) First Reading given on May 09, 2022;
- b) Public Hearing held on May 31, 2022;
- c) Second Reading given on June 20, 2022; and,
- d) Third Reading given on December 04, 2023.

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 Administration 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% Administrations 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 has agreed to this prerequisite in a letter dated October 18, 2023.*
- d) The undergrounding of existing overhead wiring abutting the site.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023.*
- e) 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.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023. The applicant has elected to defer the negotiation of their bonus density value in accordance with City policy. A Section 219 Covenant restricting issuance of Preliminary Plan Approval (PPA) and/or Building Permit (BP), and the marketing and sales of all residential units within Phase 3, until such time that a density bonus value has been negotiated with the City of Burnaby Realty and Lands Division and payment has been submitted in full to the City of Burnaby, has been deposited in the Land Title Office.*
- f) The consolidation and re-subdivision of the site into three lots.
- *The requisite subdivision plan to facilitate four lots has been submitted in a registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The dedication of any rights-of-way deemed requisite.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023 and and the requisite plans will be submitted in registerable form to be deposited in the Land Title Office prior to Final Adoption.*
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.12 of the Public Hearing report.

- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023, and the requisite plans will be submitted in registerable form to be deposited in the Land Title Office prior to Final Adoption.*
- i) The registration of a Housing Covenant and Housing Agreement.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023. 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.*
- j) The submission of a suitable on-site Stormwater Management System, the deposit of sufficient monies for its provision, 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 October 18, 2023. Section 219 Covenants, restricting issuance of Preliminary Plan Approval (PPA) and/or Building Permit (BP) for Phase 3 until such time that a storm and ground water management system and required bonding has been accepted by the General Manager of Engineering, have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- k) Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023.*
- l) Submission of a SPEA Enhancement Plan for Stickleback Creek in accordance with the Master SPEA Plan.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023, the required plan and covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption, and the required security to guarantee this provision has been submitted.*
- m) The submission of a geotechnical and groundwater study.
- *The applicant has agreed to this prerequisite in a letter dated October 18, 2023. Section 219 Covenants, restricting issuance of Preliminary Plan Approval (PPA) and/or Building Permit (BP) for Phase 3 until such time that a geotechnical and groundwater study has been accepted by the General Manager of Engineering, have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

- n) The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development.
 - *The applicant has agreed to this prerequisite in a letter dated October 18, 2023. Section 219 Covenants, restricting issuance of Preliminary Plan Approval (PPA) and/or Building Permit (BP) for Phase 3 until such time that an indemnification agreement has been accepted by the General Manager of Engineering, have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*

- o) The submission of a suitable Solid Waste and Recycling plan.
 - *The applicant has submitted a letter of undertaking dated October 18, 2023 committing to implement the solid waste and recycling provisions, and the necessary provisions are indicated on the development plans.*

- p) The review of on-site loading facilities.
 - *The applicant has agreed to this prerequisite in a letter dated October 18, 2023 and the provisions are indicated on the development plans.*

- q) The provision of car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
 - *The applicant has submitted a letter dated October 18, 2023, agreeing to meet this prerequisite, and the provisions are indicated on the development plans.*

- r) The provision of facilities for cyclists in accordance with this report.
 - *The applicant has submitted a letter dated October 18, 2023, agreeing to meet this prerequisite, and the facilities are indicated on the development plans.*

- s) 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 person.
 - *The applicant has submitted a letter dated October 18, 2023 agreeing to meet this prerequisite, and the provisions are indicated on the development plans.*

- t) The approval of the Ministry of Transportation and Infrastructure.
 - *Approval from the Ministry of Transportation and Infrastructure to the rezoning bylaw was received on December 01, 2022.*
- u) Compliance with the Council-adopted sound criteria.
 - *The applicant has submitted an acoustic study which has been accepted by the Climate Action and Energy Division, 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.*
- v) Compliance with the guidelines for underground parking for visitors.
 - *The applicant has submitted a letter dated October 18, 2023, agreeing to meet this prerequisite, and the necessary provisions are indicated on the development plans.*
- w) The submission of a detailed Public Art Plan.
 - *The applicant has agreed to this prerequisite in a letter dated October 18, 2023. Section 219 Covenants, restricting issuance of Preliminary Plan Approval (PPA) and/or Building Permit (BP) for Phase 3 until such time that a final public art plan has been accepted by the General Manager of Planning and Development, have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- x) The submission of a Green Building Plan and Energy Benchmarking.
 - *A suitable Green Building Strategy and the required covenant have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- y) The submission of a Comprehensive Sign Plan.
 - *A suitable Comprehensive Sign Plan has been submitted.*
- z) The submission of a Site Disclosure Statement and resolution of any resultant conditions.
 - *An Approval in Principle for the development site has been issued by the Ministry of Environment. A copy has been submitted to the Planning and Development Department for the subject application.*

- aa) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- bb) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- cc) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- dd) The deposit of the applicable Regional Transportation Development Cost Charge.
 - *The required deposits have been made to meet this prerequisite.*
- ee) 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 October 18, 2023, and the area plan notification signage is 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 April 15, 2024.

E. W. Kozak, GENERAL Manager
PLANNING AND DEVELOPMENT

Attachment – Schedule A

**REZONING REFERENCE 21-31
SCHEDULE A**

ADDRESS	PID	LEGAL DESCRIPTION
2316 Beta Avenue	001-506-986	Parcel "E" (Reference Plan 5276) District Lot 124 Group 1 New Westminster District Except Parcel 1 (Explanatory Plan 13194) and Plan EPP101140
4818 Dawson Street	026-480-077	Lot 4 District Lot 124 Group 1 New Westminster District Plan BCP20675
4828 Dawson Street	025-313-266	Block 86 District Lot 124 Group 1 New Westminster District Plan 3348 Except Plans 13192, BCP20675 and EPP101140
2285 Delta Avenue	010-995-889	Lot "D", Except Part In Plan BCP20675 District Lot 124 Group 1 New Westminster District Plan 3348 Except Plan EPP101140
2311 Delta Avenue	007-313-039	Parcel "One" (Explanatory Plan 13194) of Parcel "E" (Reference Plan 5276) District Lot 124 Group 1 New Westminster District Except Plan EPP101140