



**CITY OF BURNABY**  
**ZONING BYLAW AMENDMENTS**  
**PUBLIC HEARING**

The Council of the City of Burnaby hereby gives notice that it will hold a public hearing

**TUESDAY, 2015 JANUARY 27 AT 7:00 PM**

in the Council Chamber, Main Floor, City Hall to receive representations in connection with the following proposed amendments to "Burnaby Zoning Bylaw 1965".

**A G E N D A**

**CALL TO ORDER**

**PAGE**

**ZONING BYLAW AMENDMENTS**

- 1) **BURNABY ZONING BYLAW 1965,**  
**AMENDMENT BYLAW NO. 43, 2014 – BYLAW NO. 13431**

1

Rez. #14-42

3605 Gilmore Way

Lot 2, D.L. 71, Group 1, NWD Plan LMP41517

From: CD Comprehensive Development District (based on M8 Advanced Technology District use and density and Discovery Place Community Plan guidelines, and in accordance with the development plan entitled "Discovery Place Multi-Tenant Facility" prepared by Hancock Bruckner Eng + Wright Architects)

To: Amended CD Comprehensive Development District (based on M8a Advanced Technology District and Discovery Place Community Plan guidelines)

The purpose of the proposed zoning bylaw amendment is to permit general business and professional office uses in an existing three storey high technology/office building.

2) **BURNABY ZONING BYLAW 1965,** 13  
**AMENDMENT BYLAW NO. 44, 2014 – BYLAW NO. 13432**

Rez. #14-03  
4295 Hastings Street

From: C8 Urban Village Commercial District (Hastings)

To: CD Comprehensive Development District (C8 Urban Village Commercial District and in accordance with the development plan entitled, “Mixed-Use Commercial and Residential Development – 4295 Hastings Street, Burnaby, BC” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a five-storey mixed-use development, with commercial/retail at grade, and residential uses above.

3) **BURNABY ZONING BYLAW 1965,** 43  
**AMENDMENT BYLAW NO. 45, 2014 – BYLAW NO. 13433**

Rez. #13-14  
6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Metrotown Town Centre Development Plan as guidelines, and in accordance with the development plan entitled “Dunblane” prepared by DYS Architecture)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 37 storey apartment building with ground oriented townhouses and full underground parking.

All persons who believe that their interest in property is affected by a proposed bylaw shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw. Written submissions may be presented at the Public Hearing or for those not attending the Public Hearing must be submitted to the Office of the City Clerk prior to 4:45 p.m. the day of the Public Hearing. Please note all submissions must contain name and address which will become a part of the public record.

The Director Planning and Building's reports and related information respecting the zoning bylaw amendments are available for public examination at the offices of the Planning Department, 3rd floor, in Burnaby City Hall.

Copies of the proposed bylaws may be inspected at the Office of the City Clerk at 4949 Canada Way, Burnaby, B.C., V5G 1M2 from 8:00 a.m. to 4:45 p.m. weekdays from Wednesday, 2015 March 18 to Tuesday, 2014 March 31.

**NO PRESENTATIONS WILL BE RECEIVED BY COUNCIL  
AFTER THE CONCLUSION OF THE PUBLIC HEARING**

D. Back  
CITY CLERK

CITY OF BURNABY  
**ADVISORY PLANNING COMMISSION**

*HIS WORSHIP, THE MAYOR  
AND COUNCILLORS*

**RE: PROPOSED ZONING BYLAW AMENDMENTS**

The Advisory Planning Commission met on Thursday, 2015 January 15 to review the proposed Zoning Bylaw Amendments which appear on the agenda for the Public Hearing (Zoning) scheduled for 2015 January 27 at 7:00 p.m.

The Advisory Planning Commission wishes to advise that it SUPPORTS the following Zoning Bylaw Amendments, namely:

“Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2014”  
Bylaw No. 13431 - Rez. #14-42

“Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 2014”  
Bylaw No. 13432 - Rez. #14-03

“Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 2014”  
Bylaw No. 13433 - Rez. #13-14

Respectfully submitted,

Valentin Ivancic  
Chair





Item .....
Meeting .....2014 December 08

## COUNCIL REPORT

**TO:** CITY MANAGER 2014 December 03

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #14-42**  
**Change of use to permit business and professional office uses**

**ADDRESS:** 3605 Gilmore Way (see *attached* Sketches #1 and #2)

**LEGAL:** Lot 2, D.L. 71, Group 1, NWD Plan LMP41517

**FROM:** CD Comprehensive Development District (based on M8 Advanced Technology District use and density and Discovery Place Community Plan guidelines, and in accordance with the development plan entitled "Discovery Place Multi-Tenant Facility" prepared by Hancock Bruckner Eng + Wright Architects)

**TO:** Amended CD Comprehensive Development District (based on M8a Advanced Technology District and Discovery Place Community Plan guidelines)

**APPLICANT:** Brook Pooni Associates  
 410 – 535 Thurlow Street  
 Vancouver, BC V6E 3L2  
 (Attn: Sophie Perndl)

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2015 January 27.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 December 08 and to a Public Hearing on 2015 January 27 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a. The submission of a suitable plan of development.
  - b. The granting of any necessary covenants to amend the uses permitted on the subject property.
  - c. The approval of the Ministry of Transportation for the rezoning application.

To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #14-42  
 2014 December 03..... Page 2

## REPORT

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit general business and professional office uses in an existing three storey high technology/office building.

### 2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site is located in the Discovery Place Community Plan Area, an approximately 32.3 ha (80 acre) area characterized by low and mid-rise high technology/office development in a park-like setting. The site is located near the Canada Way entrance to Discovery Place, in the northern portion of the plan area. This portion of the plan area contains three properties that are zoned for general business and professional office uses under the M8a District, and three properties, including the subject site and adjacent properties at 3500 and 3575 Gilmore Way, that are zoned for M8 District uses only, which include a range of scientific or technological research related uses as well as accessory office, manufacturing, printing, display, storage, retail sales, and caretaker accommodation uses. An open space area surrounding Sumner Creek is located to the immediate south and to the east of the subject site. A public trail providing access between Gilmore Way and Avondale Street runs along the northern boundary of the property. Vehicular access to the site is from Gilmore Way (see *attached* Sketch #1 and #2).

### 3.0 BACKGROUND INFORMATION

- 3.1 The Discovery Place Community Plan was adopted in 1980 with the intent of attracting capital intensive high technology research and development firms. In 1996, the plan was revised to clarify the uses, scope, and scale of new development and the Zoning Bylaw was amended to add the M8 and M8a Districts. At the same time, the plan area was rezoned to include the M8 District and, to a more limited extent, the M8a District or the pre-existing M5 District as the basis for the CD zoning of each property.
- 3.2 On 1999 July 26, Council granted Final Adoption to Rezoning Reference #61-97 for the development of a three storey, approximately 4,457.25 m<sup>2</sup> (47,960.00 ft<sup>2</sup>) multi-tenant office building for M8 District uses on the subject site. The subject building has since contained a variety of tenants, primarily smaller software and telecommunications oriented businesses. According to Licence Office records, the building currently contains an engineering consulting and research firm, a telecommunications research and development company, three software research and development firms, and an accessory cafe. The building also contains a number of vacant units.
- 3.3 On 2012 March 12, Council enacted a Zoning Bylaw text amendment to clarify the permitted scale, size and nature of accessory business and professional office uses in the M8 District in relation to principal research and development uses. In the associated report to Council, adopted by the Community Development Committee on 2012 January 26, it was advised that specific proposals for general business and professional office uses

To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #14-42  
 2014 December 03... Page 3

associated with high technology firms be accommodated on a site-by-site basis. The latter recommendation acknowledged that Discovery Place is already anchored by a number of high technology research and development firms (e.g., Electronic Arts, Kodak, Xenon Pharmaceuticals) and that opportunities for high technology research uses exist in other zoning districts. These additional zoning districts include the B1 Suburban Office District and the B2 Urban Office District, which were established in 2000 and permit high technology research uses; and the M1 through M5 Industrial Districts, which permit laboratories and specialized manufacturing uses.

- 3.4 The applicant seeks to expand the range of permitted uses to include general business or professional offices in order to reduce vacancy rates in the subject building. The applicant has submitted a market analysis of vacancy rates in Class A office buildings in the M8 District that indicates that vacancy rates for M8 District properties have increased significantly between 2012 and mid-2014, rising from 7% to just under 35%.

#### **4.0 GENERAL INFORMATION**

- 4.1 The applicant proposes to rezone the subject property from CD Comprehensive Development District (based on the M8 Advanced Technology Research District) to Amended CD Comprehensive Development District (based on the M8a Advanced Technology Research District) in order to permit general business and professional office uses in an existing three storey office building. No improvements to the property are proposed.
- 4.2 The M8 District permits a range of scientific or technological research related principle uses as well as accessory office, manufacturing, printing, display, storage, retail sales, and caretaker accommodation uses. The M8a District permits these uses, as well as business or professional offices as a principal permitted use. Otherwise, the permitted uses, conditions of use, and all other Zoning Bylaw provisions are the same as in the M8 District.
- 4.3 The subject property includes a total of 129 off-street parking spaces, which exceeds the number of parking spaces required for business and professional office use of the approximately 4,457.25 m<sup>2</sup> (47,960.00 ft<sup>2</sup>) gross floor area of the building.
- 4.4 Servicing requirements would include, but not necessarily be limited to:
- widening of the existing concrete pedestrian pathway to 3 m, subject to tree protection requirements;
  - replacement of the existing stairway at the west end of the pedestrian pathway with an accessible option, such as a switchback or parallel ramp, as feasible;
  - construction of a new 1.5 m wide sidewalk connection from the top of the existing staircase on the east side of the lane, through the public ROW directly south of

To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #14-42  
 2014 December 03..... Page 4

4097 Avondale Street and to the existing sidewalk on the east side of Kalyk Avenue;

- reconstruction of the existing driveway letdown to accommodate the existing urban trail; and,
- replacement of existing bollards on the north and south side of the driveway with new bollards consistent with City standards.

4.5 Given that no additional gross floor area is proposed as part of the subject rezoning application, the GVS&DD Sewerage Charge of \$0.443 per ft<sup>2</sup> (\$4.77 per m<sup>2</sup>) is not required in conjunction with this rezoning application.

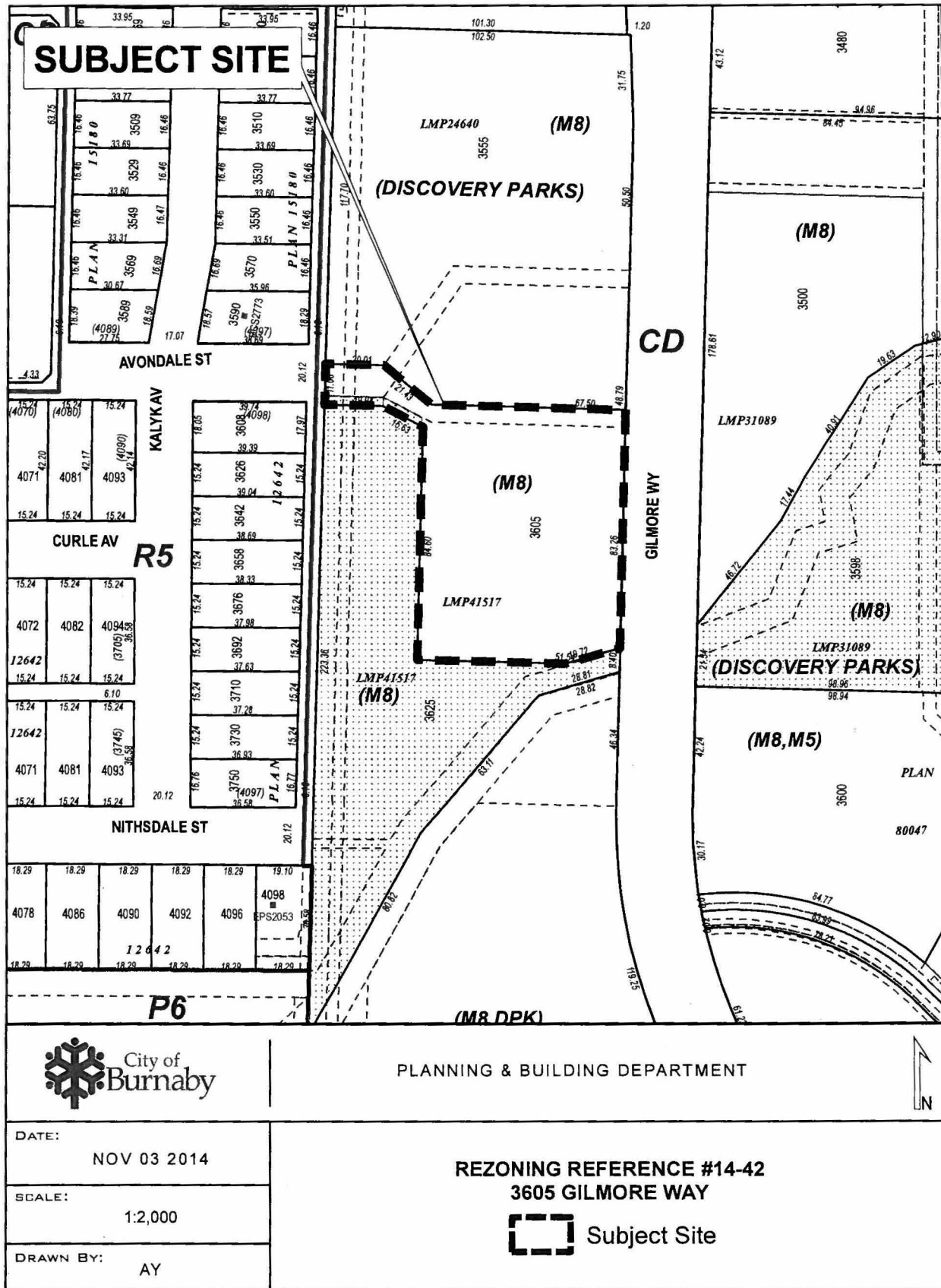
## 5.0 DEVELOPMENT PROPOSAL

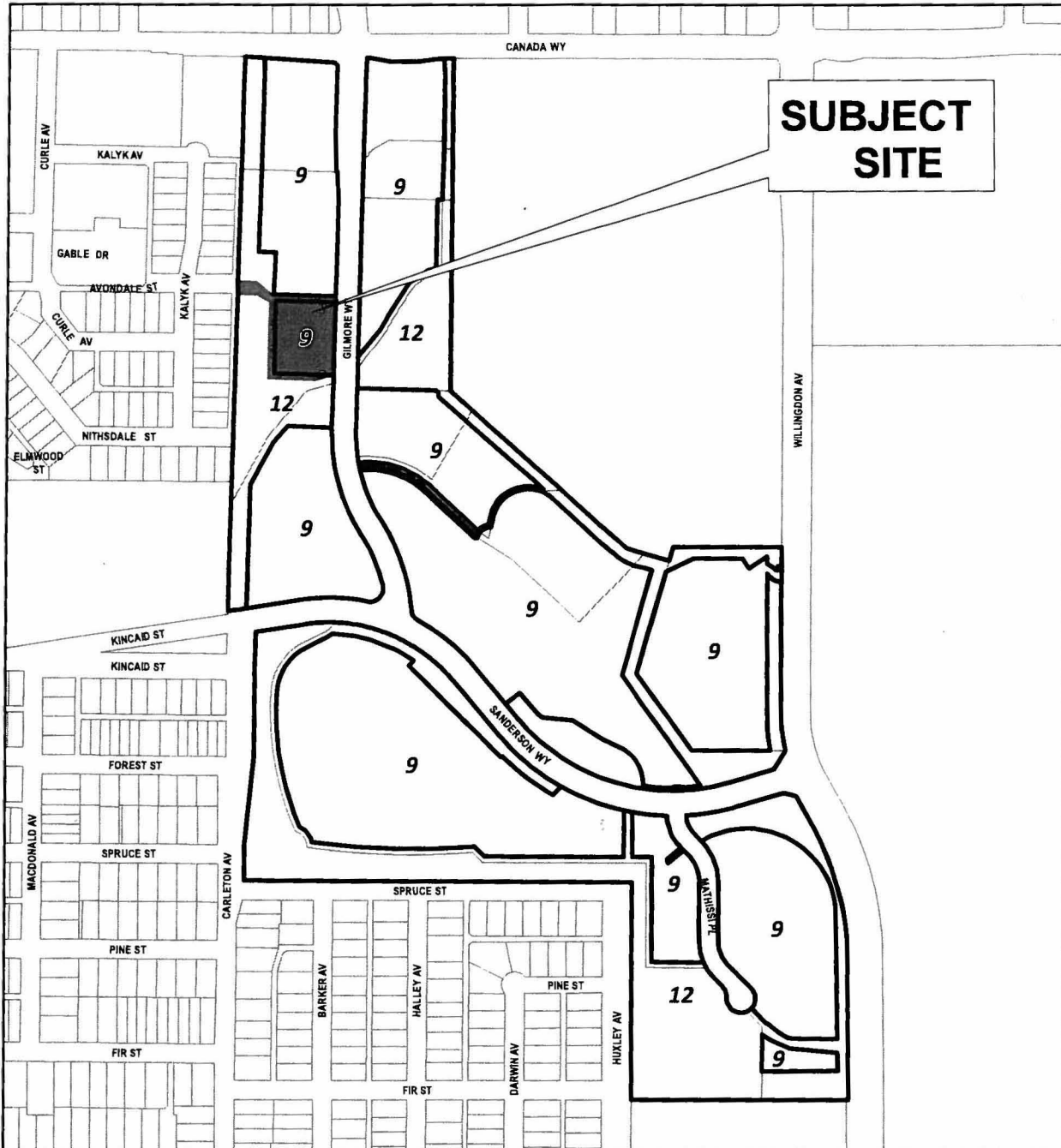
5.1	<u>Site Area:</u>	-	6,570 m <sup>2</sup> (70,719 ft <sup>2</sup> )	(unchanged)
5.2	<u>Site Coverage:</u>	-	22.57%	(unchanged)
5.3	<u>Floor Area:</u>	-	4,457.25 m <sup>2</sup> (47,960.00 ft <sup>2</sup> )	(unchanged)
5.4	<u>Height:</u>	-	13.29 m (43.6 ft.)	(unchanged)
5.5	<u>Parking:</u>			(unchanged)
	Required (for office use)	-	110 spaces	(unchanged)
	Provided	-	129 spaces	(unchanged)
5.6	<u>Loading:</u>	-	2 bays required/provided	(unchanged)
5.7	<u>Bicycle Parking:</u>	-	13 spaces required/provided	(unchanged)

  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

LF:spf  
 Attachment

cc: Director Engineering  
 City Solicitor  
 City Clerk





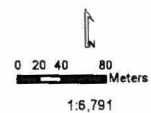
**General Land Use Designations**

- 9** Industrial
- 12** Park and Public Open Space



Planning and Building Dept

**Discovery Place Community Plan**



Printed on November 4, 2014

Sketch #2



Brook Pooni Associates Inc.  
Suite 410 – 535 Thurlow Street  
Vancouver, BC V6E 3L2  
www.brookpooni.com  
T 604.731.9053 | F 604.731.9075

October 28, 2014

City of Burnaby  
Planning and Building Department  
4949 Canada Way  
Burnaby, BC V5G 1M2

**Attention:** Lou Pelletier  
Director, Planning and Building Department

**Re:** Rezoning Application at 3605 Gilmore Way, Burnaby

Brook Pooni Associates, on behalf of Sun Life Investment Management, is pleased to submit this letter and rezoning application for 3605 Gilmore Way, Burnaby. **Sun Life is applying to rezone the subject site from CD based on M8 to CD based on M8a to permit more general office uses.**

#### **SUBJECT SITE**

The subject site is located at 3605 Gilmore Way, within the Discovery Place Community Plan Area. The 1.62-acre (6,570 square meter) site is improved with a three-storey, 4,014 square meter (43,000 square feet) building built in 2000.

#### **REZONING INTENT**

As indicated in the Letter of Inquiry submitted to the City on September 25, 2014, Sun Life has experienced considerable obstacles in finding and retaining tenants for 3605 Gilmore Way who comply with the uses permitted under the current M8 zoning. Market analysis demonstrates that other buildings under the M8 District also experience considerably higher vacancies than Burnaby's Class A commercial space.

As such, Sun Life is submitting a rezoning application for 3605 Gilmore Way to rezone the property from CD based on M8 to CD based on M8a to allow for business and professional office uses within the existing three-storey building. The application is for a change of use only; the existing physical structures on site will not be altered in anyway.

In response to the Letter of Inquiry, the City's letter dated October 20, 2014, notes the following in addition to market analysis:

- The M8a District was included in the Zoning Bylaw to permit offices as a primary use in Discovery Place;
- The subject site is one of the smallest in terms of lot area and gross floor area in Discovery Place – making it difficult to attract larger research and development companies; and
- The surrounding context includes three properties already zoned for M8a District uses.

Staff therefore would support rezoning of the subject site to Amended Comprehensive Development (CD) District (based on M8a District).





To facilitate this Rezoning Application attached please find the documents noted below. We look forward to working with staff on this application.

If you have any questions regarding the proposed rezoning application, please do not hesitate to contact the undersigned.

Sincerely,

**Brook Pooni Associates Inc.**

**Gary Pooni**  
President  
t: 604.731.9053 x108  
e: [gpooni@brookpooni.com](mailto:gpooni@brookpooni.com)

**Sophie Perndl**  
Associate  
t: 604.731.9053 x114  
e: [sperndl@brookpooni.com](mailto:sperndl@brookpooni.com)

Att: Application for Rezoning  
Agent Authorization  
Sun Life Identification Letter – signed by Scott Sharples, Senior Director  
Title Search and all relevant Covenant and Right of Way documents/plans  
**Application Fee of \$2,639**

Cc: Scott Sharples, Sun Life  
Senior Director Real Estate Investments

Lily Ford, City of Burnaby  
Zoning Planner



**The following items of correspondence were received in support of Rezoning Reference #14-42.**

**OMNIMAR ENTERPRISES INC.**  
**3600 GILMORE WAY**  
**BURNABY, BC V5G 4R8**

Jan 22, 2015

City of Burnaby  
 4949 Canada Way  
 Burnaby BC V5G 1M2

Rez Ref # 14-42  
 Bylaw # 13431

**Subject: Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2014**  
**Bylaw NO. 13431, Rezoning Reference #14-42**

As owners of the PMC multi-tenant building at 3600-3602 Gilmore Way we want to give our support to the zoning change.

Having a building in Discovery Place for more than 20 years we understand the extra challenges presented by M8 zoning.

- With less than 1% of business meeting the M8 requirements it is difficult to find qualified tenants.
- Many of the R&D startups that could use our space and would qualify are often financially limited (Even with our below Discovery Place market rates).
- BC Assessment does not have a Property Class for M8 zoning and will not take into account the restrictive financial nature of M8 zoning. The result is their calculations are for higher revenue than is achieved and you pay Property Tax as if the property had a less resistive zoning.

The flexibility provided by M8a zoning to rent a portion of the space to tenants for general business / professional office use provides a balance between space for R&D company in Burnaby and helping occupy the buildings.

It seems unfair that only some Discovery Place buildings have M8a zoning, while the earlier buildings are financially restricted by the M8 zoning.

As owners of the PMC multi tenant building at 3600-3602 Gilmore Way, a change from M8 to M8a would greatly increase our ability to reach full occupancy. If this option were available we would pursue this to help make our building a better business.

Regards,  
 JB Bjorknas



Omnimar Enterprises

**Stewart, Gillian**

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**From:** Roger Leggatt  
**Sent:** January-23-15 8:40 AM  
**To:** Clerks  
**Subject:** Burnaby Zoning Amendment - Rezoning Reference #14-42

**Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2014**  
**Bylaw No. 13431, Rezoning Reference #14-42.**

I just wanted to share my support for the proposed zoning amendment for the property located at 3605 Gilmore Way. I have been a commercial office leasing agent in the City of Burnaby for the past 12 years and have dealt with the existing zoning at 3605 Gilmore many times. It has often deterred tenants who may fit the zoning but do not wish to take the chance of being rejected down the road. I'm certain this re-zoning to M8a will have a positive impact on the building and surrounding office park by the increased occupancy levels that will result.

Should you have any questions. Please feel free to contact me.

Regards,

Roger

**Roger Leggatt**  
 Personal Real Estate Corporation  
 Vice President | Office Leasing  
 Brokerage

Rez Ref # 14-42  
 Bylaw # 13431



Cushman & Wakefield Ltd.  
 700 West Georgia St, Suite 700 Vancouver, BC, V7Y 1A1



[Perspective: C&W's 2012/2013 Annual Review: now available online](#)

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Vancouver, BC V6E 3P3  
Canada

January 26, 2015

avisonyoung.com



Office of the City Clerk  
City of Burnaby  
4949 Canada Way  
Burnaby BC V5G 1M2

Rez Ref # 14-42  
Bylaw # 13431

To Whom It May Concern,

RE: Burnaby Zoning Bylaw 1965, Amendment Bylaw No.43, 2014 Bylaw No.13431, Rezoning Reference #14-42

I am writing as a Principal of my company Avison Young (Canada) Inc., a Commercial Real Estate firm that has operated in the Burnaby office market for more than 20 years.

I have personally been active as a commercial broker for almost 30 years and specialize in office leasing, notably in Burnaby and include as my clients, Ivanhoe Cambridge (Metrotower Complex), Investors Group (Canada Way Business Park), and BOSA Developments (Solo District) to name a few.

In addition, I have represented hundreds of clients whose firms have sought commercial leases in Burnaby, including the Discovery Parks Area and to which I can confirm that many tenants have been unable to conclude leases within the buildings as a result of current zoning designation. The proposed change to the broader use designation would be a benefit to Burnaby and strengthen the Canada Way corridor area, in particular Discovery Parks as a result of this change.

We have been advocating for this change for many years and see it as being an extremely positive initiative and are in full support of it.

Regards,

Darrell L Hurst  
Principal



Item .....
Meeting ..... 2014 December 08

## COUNCIL REPORT

**TO:** CITY MANAGER 2014 December 03

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #14-03**  
**Five-Storey Mixed-Use Development**  
**Hastings Street Area Plan**

**ADDRESS:** 4295 Hastings Street (see *attached* Sketches #1 and #2)

**LEGAL:** Parcel "A", DL 121, Group 1, NWD Reference Plan 79414

**FROM:** C8 Urban Village Commercial District (Hastings)

**TO:** CD Comprehensive Development District (C8 Urban Village Commercial District and in accordance with the development plan entitled, "Mixed-Use Commercial and Residential Development – 4295 Hastings Street, Burnaby, BC" prepared by Chris Dikeakos Architects Inc.)

**APPLICANT:** Citimark-Omicron Madison Project Ltd.  
 2248 – 13353 Commerce Parkway  
 Richmond, BC V6V 3A1  
 (Attention: Jacky Chan)

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2015 January 27.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 December 08 and to a Public Hearing on 2015 January 27 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The submission of a 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.

To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #14-03  
 Five Storey Mixed Use Development

2014 December 03..... Page 2

- 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.
- d) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
  - a Section 219 Covenant restricting enclosure of balconies;
  - a Section 219 Covenant ensuring all disabled parking spaces remain as common property;
  - a Section 219 Covenant ensuring compliance with the approved acoustic study;
  - a 3x3 m corner truncation; and,
  - a 1.3 m Statutory Right of Way on Hastings Street.
- e) The pursuance of Storm Water Management Best Practices in line with established guidelines, and the granting of a Section 219 Covenant to ensure continued maintenance.
- f) The review of a detailed Sediment Control System by the Director Engineering.
- g) The submission of a Site Profile and resolution of any arising requirements.
- h) 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.
- i) Compliance with the guidelines for surface and underground parking for residential visitors and commercial patrons.
- j) Compliance with Council-adopted sound criteria.
- k) The undergrounding of existing overhead wiring abutting the site.
- l) The submission of a detailed comprehensive sign plan.
- m) The deposit of the applicable Parkland Acquisition Charge.
- n) The deposit of the applicable GVS & DD Sewerage Charge.
- o) The deposit of the applicable School Site Acquisition Charge.

To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #14-03  
 Five Storey Mixed Use Development

2014 December 03..... Page 3

- p) 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.

## R E P O R T

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a five-storey mixed-use development, with commercial/retail at grade, and residential uses above.

### 2.0 BACKGROUND

- 2.1 The subject site is located at 4295 Hastings Street. It is currently vacant, but was previously occupied by a gasoline service station. A City-owned public surface parking lot and three and four storey multiple-family residential dwellings are located to the north across the lane. To the east, across Madison Avenue, is a site currently under construction for a four-storey mixed-use development (Rezoning Reference #10-43). To the southeast across Hastings Street and Madison Avenue is the Vancity Branch 6 mixed-use development, which was completed in 2011. One and two-storey commercial buildings are located to the south and west of the subject site.
- 2.2 On 2014 March 24, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to work with the applicant in preparing a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

### 3.0 GENERAL COMMENTS

- 3.1 The development proposal is for a five-storey mixed use project. The proposed form of development involves one level of retail/commercial, oriented towards Hastings Street, which includes a residential mezzanine facing the rear lane, and three storeys of residential above. Though the building height is five-storeys by virtue of the residential mezzanine within the first storey commercial component, the height of the proposed development is within the 16 m (52.5 ft.) dimensional height limit of the C8a District with the exception of access to a proposed rooftop patio. Vehicular access is proposed from the rear lane and all required on-site parking is proposed to be located underground. Although not required, a lighted pedestrian walkway within a statutory right-of-way linking Hastings Street with the lane to the north is provided. This walkway will provide a convenient, alternate access for residents along Albert Street to the shops and services along Hastings Street during business hours.



To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #14-03  
 Five Storey Mixed Use Development

2014 December 03..... Page 4

3.2 The proposed building projects into the upper storey 45 degree incline plane setback requirement of the Zoning Bylaw. Rather than terracing the upper storeys, the applicant is proposing standardized setbacks for all three upper residential floors which front Hastings Street. Based on adopted Council policy, this setback may be adjusted subject to CD Comprehensive Development rezoning. The proposed projection is considered supportable through CD zoning as it also contributes to a stronger street wall and a more urban Hastings Street interface. The design provides for modulated building massing with setbacks ranging from 2 m to 3.8 m (6.6 ft. to 12.5 ft.) as well as street fronting balconies on all residential floors. Finally, it is noted that the projection will not generate any shadowing impact on the public realm, given its location on the north side of Hastings Street.

3.3 As approved by Council on 2013 October 29, all developments that are subject to the Comprehensive Development (CD) rezoning process are required to supply 20% of the single-level units as adaptable in new market and non-market, multi-family developments which employ interior corridors or exterior passageways to access the dwelling units. A 1.85 square metres (20 square feet) floor area exemption is available, under the Burnaby Zoning Bylaw, for every adaptable housing unit provided in both market and non-market housing developments.

In line with this policy, the subject development has provided six adaptable units, reflective of the twenty-eight single level units in the development, with a corresponding F.A.R exemption of 11.1 square meters (120 square feet).

3.4 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to the following:

- standard requirements for water main, sanitary sewers, and storm sewers;
- provision of a new separated sidewalk on Hastings Street abutting the site, including boulevard treatment; and,
- provision of new pedestrian lighting in the lane abutting the site.

3.5 An approximate 1.3 m statutory right-of-way along the Hastings Street frontage is required for sidewalk and boulevard improvements, as well as a 3x3 m corner truncation.

3.6 A statutory right-of-way for the lighted pedestrian walkway linking Hastings Street with the lane to the north is required.

3.7 Section 219 Covenants are required to restrict the enclosure of balconies and to ensure all disabled parking spaces remain as common property.



To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #14-03  
 Five Storey Mixed Use Development

2014 December 03 .....Page 5

- 3.8 Stormwater best management practices (BMPs) in line with established guidelines are required. A detailed list of the BMPs with their stormwater control, treatment, maintenance and performance must be approved by the Environmental Services Division and the document will be required to be registered under a Section 219 Covenant to ensure continued maintenance.
- 3.9 Detailed plans for an engineered Sediment Control System for review by the Director Engineering will be required.
- 3.10 A Site Profile and resolution of any arising requirements will be required.
- 3.11 As the site is influenced by traffic noise from Hastings Street, an acoustical report will need to be undertaken to ensure compliance with Council-adopted sound criteria.
- 3.12 Undergrounding of overhead wiring in the lane abutting the site will be required. If undergrounding is determined to be unfeasible, preducting and a cash deposit for future undergrounding will be required.
- 3.13 The submission of a comprehensive sign plan detailing sign numbers, locations, sizes, and attachment details will be required.
- 3.14 The following Development Cost Charges apply:
- Parkland Acquisition Charge of \$3.84 per sq.ft. of gross floor area for residential units;
  - School Site Acquisition Charge of \$700.00 per residential unit; and
  - GVS & DD Sewerage Development Cost Charge of \$590.00 per apartment unit and \$0.443 per sq.ft. of commercial gross floor area.

#### 4.0 DEVELOPMENT PROPOSAL

4.1	<u>Site Area:</u>			
	Gross Site Area	-	1,393.0 m <sup>2</sup>	(14,994 sq.ft.)
	Dedication	-	4.5 m <sup>2</sup>	(48 sq.ft.)
	Net Site Area	-	1,388.5 m <sup>2</sup>	(14,946 sq.ft.)
4.2	<u>Density:</u>			
	Commercial Uses	-	0.46 FAR	635.4 m <sup>2</sup> (6,840 sq.ft.)
	Residential Uses	-	2.18 FAR	3,206.9 m <sup>2</sup> (32,581 sq.ft.)
	<u>Accessible Unit Exemption</u>	-		11.1 m <sup>2</sup> (120 sq.ft.)
	Total	-	2.63 FAR	3,651.2 m <sup>2</sup> (39,301 sq.ft.)
	Site Coverage	-	72%	

To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #14-03  
 Five Storey Mixed Use Development

2014 December 03..... Page 6

4.3 Height: - 5 Storeys

4.4 Residential Unit Mix:

8 – One bedroom units	- 61.5 m <sup>2</sup> to 80.0 m <sup>2</sup> (662 to 861 sq.ft.) per unit
20 – Two bedroom units	- 79.3 m <sup>2</sup> to 125.6 m <sup>2</sup> (854 to 1352 sq.ft.) per unit
<b>28 units total</b>	

4.5 Parking:

Required	- <b>42 spaces</b>
- Commercial: 635.5 m <sup>2</sup> @ 1 space per 46 m <sup>2</sup>	- 14 spaces
- Residential 28 @ 1.0 spaces per unit	- 28 spaces
Provided	- <b>60 spaces</b>
- Commercial	- 16 spaces (including 1 accessible stall)
- Residential	- 44 spaces (including 3 visitor and 2 accessible stalls)

4.6 Bicycle Parking: - **41 spaces**

Total Required and Provided	
- Residential Uses	- 28 secure spaces
- Commercial Spaces	- 6 secure spaces
- Visitor (All uses)	- 7 spaces in racks

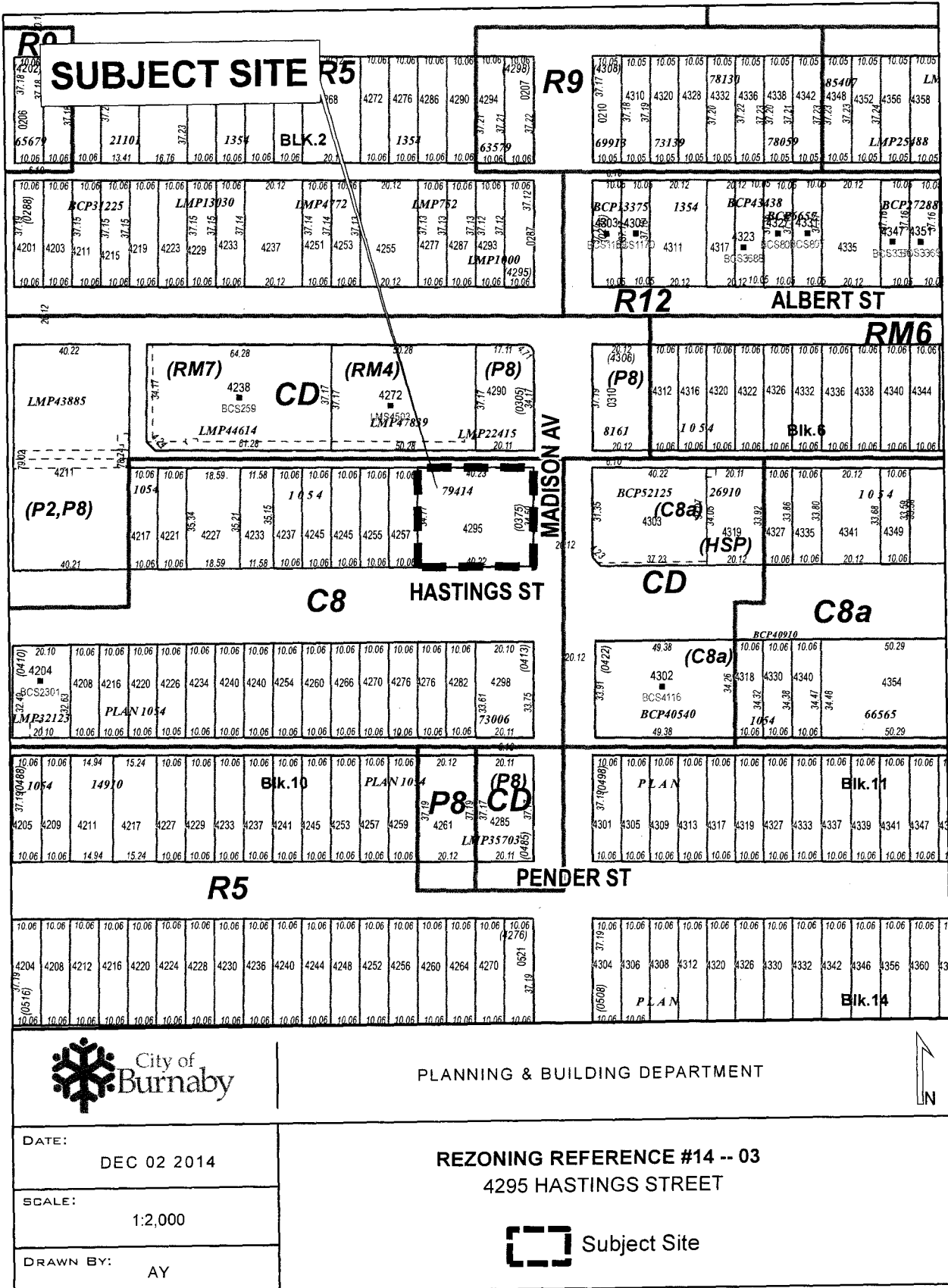
4.7 Loading: – Total Required & Provided - **1 space**

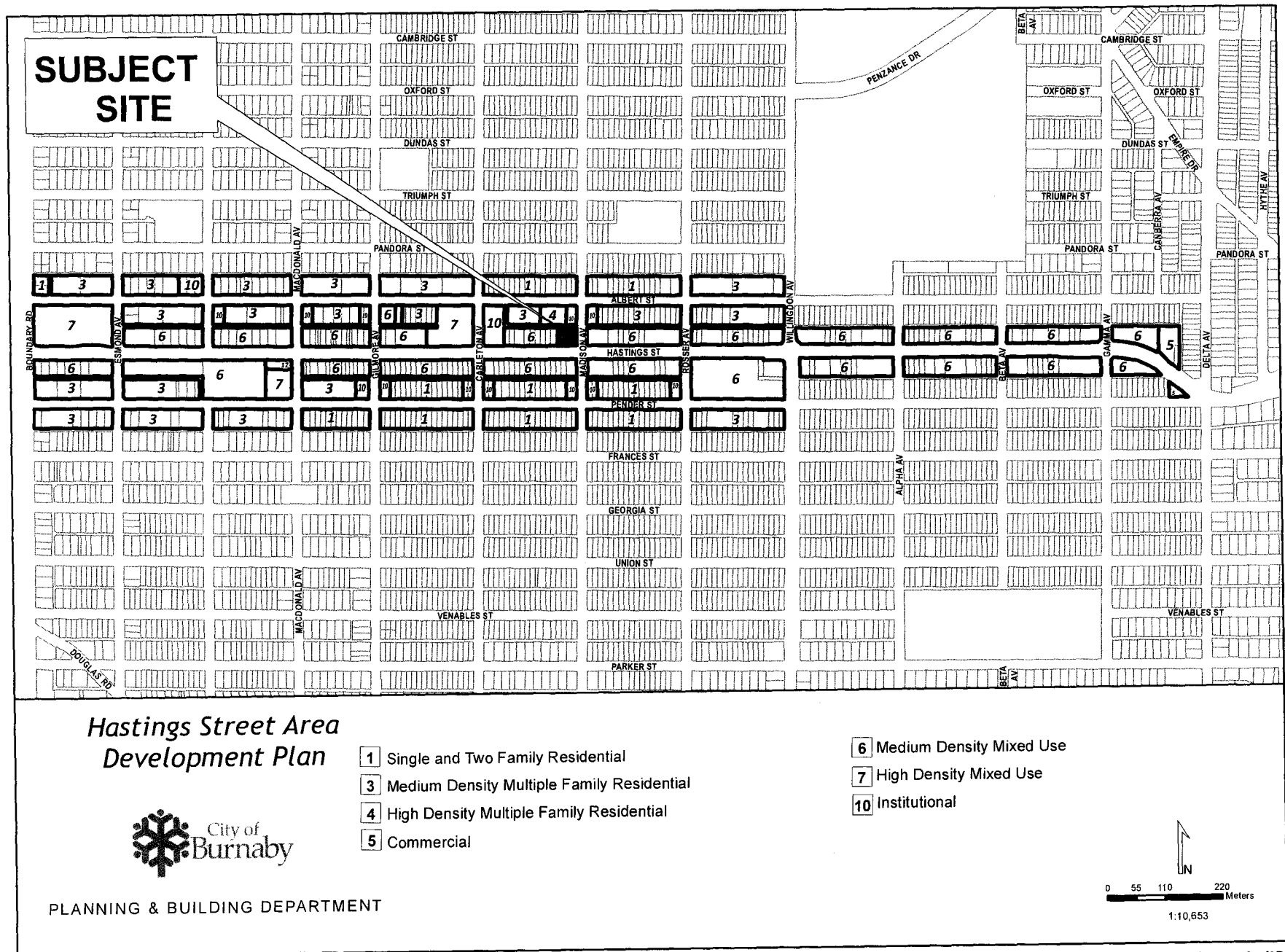
  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

DR:spf  
*Attachments*

cc: Director Engineering  
 City Solicitor  
 City Clerk

P:\REZONING\Applications\2014\14-03 4295 Hastings\Rezoning Reference 14-03 PH Report 20141208.doc





Printed on December 2, 2014

**The following items of correspondence were received expressing concern regarding Rezoning Reference #14-03.**

Katy Weston  
 107 – 4272 Albert Street  
 Burnaby, BC V5C 2E8  
 January 25, 2015

City of Burnaby  
 Office of the City Clerk  
 4949 Canada Way,  
 Burnaby, BC V5G 1M2

Rez Ref # 14-03  
 Bylaw # 13432

To: Mayor and Council

Re: Burnaby Rezoning Bylaw 1965, Ammendment BylawNo. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03

I am writing to comment and express some concern with regards to the impacts of the proposed rezoning of 4295 Hastings Street from C8 to CD Comprehensive Development District in accordance with the mixed-use commercial and residential development plan prepared by Chris Dikeakos Architects Inc.. My desire is to *provide constructive information and propose modest shifts* in what is allowed within the rezoning to strike a balance between the many competing interests at play.

I recognize and support the general trend towards fostering an enhanced urban village along Hastings Street in Burnaby Heights.

I am not opposed to allowing a mixed use development at 4295 Hastings Street (despite the disruption and noise that ongoing construction will have upon my family and the potential land value impacts upon my home). *My concern is primarily in regards to the allowed height along the back lane of the proposed development and the shadowing impacts it will have upon me and my neighbours.* It is surprising to me that no shadowing models were undertaken in the preparation of this proposal, signalling to me that the shadowing impacts upon the families living north of the Hastings Street were not considered.

In particular I would ask that you consider:

- The shadowing of this development does not just affect a handful of single family homes who enjoy access to natural light from many sides but instead it will immediately *impact twenty two families for many of whom the southern aspect is by far the primary source of natural light* and significantly compromise the long-term liveability of many homes.
- Not only will shadowing of the proposed and future additional developments impact the liveability of the homes in our community, they also compromise our ability to grow food in our shared garden space just off the lane and our ability to maintain vibrant landscaping in our courtyard (also key to the liveability of our homes).
- The urban design trend established in this development will ultimately influence future development along Hastings with similar impacts on the multi-family developments all along Albert Street. These multi-family developments form a key component of the urban village you are creating through your decisions and the liveability of the large number of households living in these developments must be taken into consideration.

[Recipient Name]

January 25, 2015

Page 2

- Shadowing from developments like the new Vancity building on the *south* side of Hastings are mitigated by the wide open space provided by the street right-of-way. The height of developments along the *north* side of Hastings is much more significant as there is only a narrow lane separating new buildings from existing homes in their shadows.

I am sure you are aware that you are not required to approve this application and that in changing zoning, you can not only provide new benefit and options for the developer but you are also free to change or establish new requirements on the development (including height) to maximize the liveability of the citizens impacted by the changes.

I strongly request that you require a shadowing study be conducted prior to approving this to inform recommendations to minimize these impacts. In the absence of a shadowing study, I feel the best way to maximize the success of the urban village (including both the dynamic high street along Hastings along with the liveability of the multi-family homes along Albert) would be to limit the maximum height of new mixed use development on the north side of Hastings (a lower maximum height allowing only 4 stories of development). If a shadowing study was conducted and revealed that five stories directly fronting Hastings with a generous set-back for the fifth story from the back lane would have the same shading impact as a four story development, then that would be a good balance of interests.

I hope you will seriously consider the impacts of the many homes along the lane to the north of Hastings that this and future developments will have and seek to establish an urban form that is consistent with the vision of the urban village while at the same time minimizing shadowing and liveability impacts in the residents to the north.

Very sincerely,

Katy Weston

Barbara Grant  
 303 – 4272 Albert Street  
 Burnaby, BC V5C 2E8  
 January 25, 2015

City of Burnaby  
 Office of the City Clerk  
 4949 Canada Way,  
 Burnaby, BC V5G 1M2

Rez Ref # 14-03  
 Bylaw # 13432

To: Mayor and Council

Re: Burnaby Rezoning Bylaw 1965, Amendment Bylaw No. 44, 2014 Bylaw No. 13432,  
 Rezoning Reference #14-03

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I recognize and support the general trend towards fostering an enhanced urban village along Hastings Street in Burnaby Heights. Having lived in the neighbourhood since 2001 I have been enjoying the gradual shifts and increased vibrancy of the neighbourhood that result from careful planning and gradual changes in development.

In that regard, I recognize it would be hypocritical to oppose any form of new development that directly impacts me personally. So in general I am not opposed to allowing a mixed use development at 4295 Hastings Street (despite the disruption and noise that ongoing construction will have upon myself and the potential land value impacts upon my home). *My concern is primarily in regards to the allowed height along the back lane of the proposed development and the shadowing impacts it will have upon me and my neighbours.* It is surprising to me that no shadowing models were undertaken in the preparation of this proposal, signalling to me that the shadowing impacts upon the families living north of the Hastings Street were not considered.

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Not only will shadowing of the proposed and future additional developments impact the liveability of the homes in our community, they also compromise our ability to grow food in our shared garden space just off the lane and our ability to maintain vibrant landscaping in our courtyard (also key to the liveability of our homes).

The urban design trend established in this development will ultimately influence future development along Hastings with similar impacts on the multi-family developments all along Albert Street. These multi-family developments form a key component of the urban village you are creating through your decisions and the liveability of the large number of households living in these developments must be taken into consideration.

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I strongly request that you require a shadowing study be conducted prior to approving this to inform recommendations to minimize these impacts. In the absence of a shadowing study, I feel the best way to maximize the success of the urban village (including both the dynamic high street along Hastings along with the liveability of the multi-family homes along Albert) would be to limit the maximum height of new mixed use development on the north side of Hastings (a lower maximum height allowing only 4 stories of development). If a shadowing study was conducted and revealed that five stories directly fronting Hastings with a generous set-back for the fifth story from the back lane would have the same shading impact as a four story development, then that would be a good balance of interests.

I hope you will seriously consider the impacts of the many homes along the lane to the north of Hastings that this and future developments will have and seek to establish an urban form that is consistent with the vision of the urban village while at the same time minimizing shadowing and liveability impacts in the residents to the north.

Very sincerely,

Barbara Grant

From: Sunita Romeder  
202 – 4272 Albert Street  
Burnaby, BC V5C 2E8

January 25, 2015

To: City of Burnaby  
Office of the City Clerk  
4949 Canada Way,  
Burnaby, BC V5G 1M2

Rez Ref # 14-03  
Bylaw # 13432

To: Mayor and Council

Re: Burnaby Rezoning Bylaw 1965, Ammendment BylawNo. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03

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- Shadowing from developments like the new Vancity building on the *south* side of Hastings are mitigated by the wide open space provided by the street right-of-way. The height of developments along the *north* side of Hastings is much more significant as there is only a narrow lane separating new buildings from existing homes in their shadows.

I am sure you are aware that you are not required to approve this application and that in changing zoning, you can not only provide new benefit and options for the developer but you are also free to change or establish new requirements on the development (including height) to maximize the liveability of the citizens impacted by the changes.

I strongly request that you require a shadowing study be conducted prior to approving this to inform recommendations to minimize these impacts. In the absence of a shadowing study, I feel the best way to maximize the success of the urban village (including both the dynamic high street along Hastings along with the liveability of the multi-family homes along Albert) would be to limit the maximum height of new mixed use development on the north side of Hastings (a lower maximum height allowing only 4 stories of development). If a shadowing study was conducted and revealed that five stories directly fronting Hastings with a generous set-back for the fifth story from the back lane would have the same shading impact as a four story development, then that would be a good balance of interests.

I hope you will seriously consider the impacts of the many homes along the lane to the north of Hastings that this and future developments will have and seek to establish an urban form that is consistent with the vision of the urban village while at the same time minimizing shadowing and liveability impacts in the residents to the north.

Very sincerely,

Sunita Romeder

Barbara Henn-Pander  
111 – 4272 Albert Street  
Burnaby, BC V5C 2E8  
January 26, 2015

Rez Ref # 14-03  
Bylaw # 13432

City of Burnaby  
Office of the City Clerk  
4949 Canada Way,  
Burnaby, BC V5G 1M2

To: Mayor and Council

**Re: Burnaby Rezoning Bylaw 1965, Amendment Bylaw No. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03**

I am writing to offer some feedback with regard to the proposed rezoning of 4295 Hastings Street from C8 to CD Comprehensive Development District in accordance with the mixed-use commercial and residential development plan prepared by Chris Dikeakos Architects Inc.. *I think of this rezoning as a seminal work* for the 4200 block and hope that my comments will allow for modest changes which will keep the whole block “alive” with people who experience a positive living space, and thus thrive and support the other people and businesses in the vicinity.

The high walkability score, access to convenient bus routes and the previous developments in this area have led to a very nice sense of “a good place to raise my kids” without having to be car dependent or seek escape for experiences that sustain me. Much of this has been due to your conscious urban development principles, sensitivity to the business needs of the area, placement of public amenities and it is with these in view that I make the following suggestions for your consideration.

Working from the aspects of the development that would impact my south facing unit most directly to the larger picture, my concerns and suggestions are as follows:

- **Enliven the alley further.** My south facing garden is of very modest proportions, but nurtures an apple tree, a lilac, and various other bird and (nice) bug attracting plants chosen over the years. I and my children spend time in this space, enjoying the greenery and the sunshine which reaches it during the year. The trees spill over the fence, and offer beauty to passersby. People stop and smell the lavender and watch the bees. The proposed 4295 Hastings corner building, if built in a standard “box”, were to be built, there would be no morning sun visible from the back yard or from my living room. If the “high box” trend continued westward, my “green space” would literally become a dead zone. However, *creating a terracing from the alley (the south face could be five stories, with the lower floors becoming progressively lower toward the north, “stairwise”) would lessen the loss of sun and the “fish bowl” feeling of having people almost directly overhead when I am outside. This would also allow for some green space for the residents of the new building to have for themselves on the terraces. Green on both sides as you wander home.*
- **Enliven the pass-through with pedestrian crossings and community in the corridor.** Regarding the pedestrian pass-through allowance on the ground floor, I am concerned that this will be a dead, utilitarian, and unsafe space which will never provide an opportunity for connection with others. (e.g. The pass through in 4365 Hastings, Tramonto, which had the same architect, is a dead space.) *I hope that the pass-through-space can be enlivened by: the businesses offering corner orientation, side entrances into the pass-through, seating or spillover tables in the space; a childcare exit or education*

*facility to bring energy; place for buskers; and safe access over the alley with speed bumps and a pedestrian crossing. (With increased traffic from residents and the businesses, there is a much higher potential for auto-pedestrian accidents in this area.).*

I hope that this letter contributes to the discussion and is successful in making some minor changes to this overall building plan and those of future developments. I am disappointed that we had such a short time frame in which to consider this proposal and hope that future developments in this area are proposed with more lead time. We would have liked to conduct our own studies and offer more developed practical ideas.

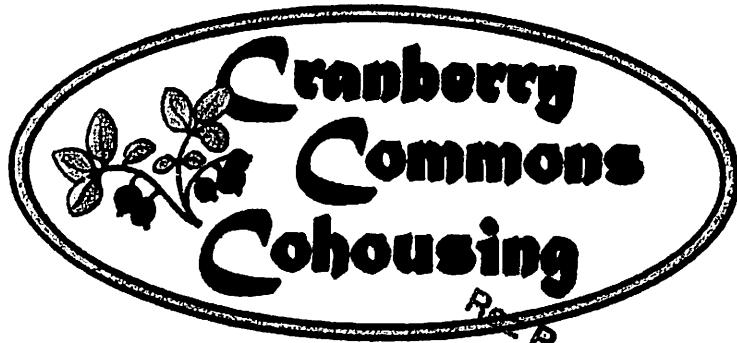
Thank you for your diligence in creating a great community.

With best regards,

Barbara Henn-Pander

Ronaye Matthew  
102 – 4272 Albert Street  
Burnaby, BC V5C 2E8  
January 26, 2015

City of Burnaby  
Office of the City Clerk  
4949 Canada Way,  
Burnaby, BC V5G 1M2



Re: Ref # 14-03  
Bylaw # 13432

To: Mayor and Council

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I live in the multi-family community immediately north of the subject property. We will share the lane with the new proposed development.

The name of our community is Cranberry Commons. We were co-winner of the 2002 Burnaby Environmental Award for Planning and Development, setting the trend in the areas of social, ecological and economic sustainability.

Three important elements contribute to the sustainability of our community:

- Solar panels located on the roof of our buildings, which augment the heating of our domestic hot water
- A common courtyard that functions as a gathering place for residents, which enhances and supports social connection and provides a safe play space for the children in the community
- Edible landscaping throughout our common and private outdoor areas as well as a community vegetable garden

I recognize and support the general trend towards fostering an enhanced urban village along Hastings Street in Burnaby Heights. Having lived in the neighbourhood since 2001 I have been enjoying the gradual shifts and increased vibrancy of the neighbourhood that result from careful planning and gradual changes in development.

*My concern is primarily in regards to the allowed height along the back lane of the proposed development and the shadowing impacts it will have upon me and my neighbours. It is surprising to me that no shadowing models were undertaken in the preparation of this proposal, signalling to me that the shadowing impacts upon the families living north of the Hastings Street were not considered.*

It is unknown to us how the proposed development will impact our ability to access sunshine for our solar panels, gardens and common courtyard, as well as how it will impact the quality of light in our homes.

I strongly request that you require a shadowing study be conducted prior to approving this to inform recommendations to minimize these impacts, which could mean adjusting the building heights in order to support the long term sustainability of this neighbourhood.

I hope you will seriously consider the impacts on the many homes along the lane to the north of Hastings that this and future developments will have and seek to establish an urban form that is consistent with the vision of the urban village while at the same time minimizing shadowing, liveability, and long term sustainability impacts on the residents to the north.

I thank you in advance for your consideration.

Regards,

A handwritten signature in black ink, appearing to read "Ronaye Matthew". The signature is fluid and cursive, with a large initial "R" and a trailing flourish.

Ronaye Matthew

**Stewart, Gillian**

---

**From:** Lili Deng  
**Sent:** January-26-15 8:22 PM  
**To:** Clerks  
**Subject:** Burnaby Rezoning Reference #14-03

Lili Deng  
 112 – 4272 Albert Street  
 Burnaby, BC V5C 2E8  
 January 26, 2015

City of Burnaby  
 Office of the City Clerk  
 4949 Canada Way,  
 Burnaby, BC V5G 1M2

Rez Ref # 14-03  
 Bylaw # 13432

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Sincerely,

Lili Deng

**Stewart, Gillian**

---

**From:** Allan Davison  
**Sent:** January-26-15 11:02 PM  
**To:** Clerks  
**Subject:** Re: Attn Mayor and Council re Rezoning Reference #14-03

**From:** Allan Davison  
**Sent:** January-26-15 3:59 PM  
**To:** Clerks  
**Subject:** Attn Mayor and Council re Rezoning Reference #14-03

Rez Ref # 14-03  
 Bylaw # 13432

Dear Mayor and Council,

I'm writing to express concern and apprehension regarding the outcome of this rezoning request.

- (1) The decision will affect the immediate and future well-being of a considerable handful of residents in the immediate vicinity.
- (2) More importantly, it will establish, for all residents of areas of Burnaby undergoing welcome commercial development, a precedent. That is an important precedent that maintains or alters the current balance between the legitimate interests of residents in a liveable suburban home, and the (equally legitimate) need of commerce, and the business we support, to make a profit.
- (3) Burnaby Mayor and Council, have not always been perceived in the media as favourable to individuals and smallholders. However your opposition to pipeline development has been widely lauded, both by media and persons in the street. Appropriately your approval rating has risen visibly. Like others I have talked to, I hope that you will continue to be on our side in the pipeline issue.

In the smaller issue that is before you now, I hope you can decide in a way that maintains and even increases the popularity that you currently enjoy.

For these reasons I would ask that Mayor and Council be careful, in any variance of current regulations, to make a judgement on the side of caution.

Allan Davison

4272 Albert St #401  
 Burnaby BC V5C2E8

Resident of Burnaby. taxpayer, and voter since 1971

**Ian Mothersill**

108 – 4272 Albert Street Burnaby, BC V5C 2E8

January 27, 2015

City of Burnaby  
Office of the City Clerk  
4949 Canada Way,  
Burnaby, BC V5G 1M2

Rez Ref # 14-03  
Bylaw # 13432

To: Mayor and Council

**Re: Burnaby Rezoning Bylaw 1965, Amendment Bylaw No. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03**

I have a few questions I would like to ask about the laneway behind and sidewalk around this proposed development, assuming it goes ahead.

In the last few years there have been some excavations and repairs in the laneway and on the sidewalk where the lane enters Madison Street. These were done for soil testing for the lot at 4295 Hastings. The repairs to the lane surface and sidewalk were of a temporary nature, or at least that is how they have turned out, as they have degraded since the repair works was done. This has resulted in 'potholes' and loose gravel in the lane. The potholes make it difficult for some cars, especially newer model smaller cars which have lower ground clearance for the front bumper, to enter the lane without scraping. One such vehicle is our family's 2012 Hyundai Accent, which is unmodified. If I don't enter the lane on a particular angle, the front will scrape. The loose gravel is also a hazard for bicycles which must use the laneway to access the underground parking.

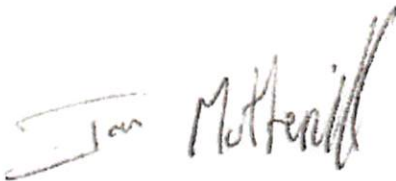
My questions are:

- Will the laneway be repaved by the developer from the sidewalk at Madison Ave west to behind the Cafe Classico at 4263 Hastings street with a road-quality, durable surface? This would recover / repair the areas damaged by excavations that were done for soil testing and remediation on the lot at 4295 Hastings. Repaving like this is what Cranberry Commons did (or paid to have done) after our building was built in 2001.
- Will the developer or the city reconstruct the sidewalk at the entrance of the laneway to Madison Avenue, to a standard similar to the laneway opening onto Rosser Street behind the Tramonto building in the 4300 block of Hastings Street?

My guess is that completion of these works would be standard practice, but I would like to ask to be sure.

I hope to be at the Council meeting this evening. I wanted to send these questions in advance so they can be answered at the meeting. My hope is that they will be short and positive answers.

Yours,



Ian Mothersill

**Ian Mothersill**

108 – 4272 Albert Street Burnaby, BC V5C 2E8

January 27, 2015

City of Burnaby  
Office of the City Clerk  
4949 Canada Way,  
Burnaby, BC V5G 1M2

To: Mayor and Council

Rez Ref # 14-03  
Bylaw # 13432

**Re: Burnaby Rezoning Bylaw 1965, Ammendment BylawNo. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03**

I am writing to comment and express some concern with regards to the impacts of the proposed rezoning of 4295 Hastings Street from C8 to CD Comprehensive Development District in accordance with the mixed-use commercial and residential development plan prepared by Chris Dikeakos Architects Inc.. My desire is to provide constructive input and propose modest shifts in building massing for this proposed development, which I expect will influence other future developments on the North side of the 4200 block of Hastings. I hope that this input will be considered in the deliberations for what is allowed within the rezoning to strike a balance between the many competing interests at play.

I recognize and support the general trend towards fostering an enhanced urban village along Hastings Street in Burnaby Heights. Having lived in the neighbourhood since 2001, I have appreciated the gradual shifts and increased vibrancy of the neighbourhood that result from careful planning and gradual changes in development. I think the City's planning has supported the evolution of a walkable street retail environment for Burnaby Heights that stretches from approximately Ingleton Ave in the west to Beta Ave in the east. I have always felt that a big part of what makes the area attractive is the variety of building heights, shapes and styles in these blocks.

I recognize it would be hypocritical to oppose any form of new development that directly impacts me personally. So in general I am not opposed to allowing a mixed use development at 4295 Hastings Street, despite the disruption and noise of a second construction project (likely coming soon after completion of construction at 4305 Hastings) will have upon my family and the potential land value impacts upon my home. *My concern is primarily in regards to the allowed height along the back lane of the proposed development and the shadowing impacts it will have upon me and my neighbours.*

In particular I would ask that you consider:

- The shadowing of this development and future developments on the north side of the 4200 block of Hastings does not just affect a handful of single family homes who enjoy access to natural light from all sides but instead it will directly impact 15 units in Cranberry Commons (4272 Albert St) and Villagio (4234 Albert St) which face onto the back lane and significantly compromise the long-term liveability of these homes.
- The urban design trend established in this development will ultimately influence future development along Hastings with similar impacts on the multi-family developments all along Albert Street. These multi-family developments form a key component of the urban village you are creating through your decisions and the liveability of the large number of households living in these developments must be taken into consideration.

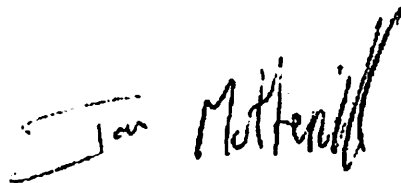
- Not only will shadowing of the proposed and one assumes future developments impact the liveability of the homes in our community, this shadowing will also compromise our ability to grow food and maintain the landscaping in our garden spaces on the north side of the lane and our ability to maintain vibrant landscaping in this area.
- Shadowing from developments like the new Vancity building on the *south* side of Hastings are mitigated by the wide open space provided by the street right-of-way. The height of developments along the *north* side of Hastings is much more significant as there is only a narrow lane separating new buildings from existing homes in their shadows.
- The setback of the multi-family residences from the back lane is less than the setback for detached homes, and many of these units are taller than detached residential homes in the area. This means that if four and five storey buildings are built on the north side of 4200 block Hastings with the back of the building at maximum allowed height with about a 20 foot setback from the property line in back lane, a "tunnel effect" where the back lane will rarely see direct daylight will be created. This back lane will need to support significant residential and business traffic for vehicles and pedestrians, but with limited direct sunlight it will tend to accumulate moisture and in wintertime snow, ice and frost. This will negatively impact the safety and livability of the laneway. Over the 14 years I have lived at 4272 Albert St, I have seen a small version of this effect in the back lanes behind the buildings on the north side of the 4200 and 4300 block of Hastings Street, including behind the four storey Tramonto building in the 4300 block.

I am sure you are aware that as the developer is requesting a change in zoning that there is an opportunity to create in a unique design that supports the vibrancy and variety of the Heights community. This could provide new benefit and options for the developer. You are also free to change or establish new requirements on the development (including height and massing) to maximize the liveability of the citizens impacted by the changes.

I strongly request that you require a shadowing study for this proposed building and potential similar future buildings on the North side of Hastings in the 4200 block. Hopefully this study will inform recommendations to minimize these impacts. In the absence of a shadowing study for the block, I would like to suggest that the Mayor and Council and planning department strongly consider allowing a one storey increase in building height along Hastings street, in exchange for a one story reduction in building height along the back lane. It should be possible to do this so that the amount of buildable / sellable space in the building is the same, while providing for improved views for residents of the new buildings, more interesting and varied architecture along Hasting Street, and a more open-air and safer feel in the back lane. I feel that there will be minimal if any impact difference between a four storey streetfront and a five storey streetfront on the north side of Hastings street.

I hope you will seriously consider the impacts of the many homes along the lane to the north of Hastings that this and future developments will have and seek to establish an urban form that is consistent with the vision of the urban village while at the same time minimizing shadowing and liveability impacts for the residents, workers, and customers on the north side of Hastings and the residents on the south side of Albert Street.

Very sincerely,



Ian Mothersill

Fran and John  
109 – 4272 Albert Street  
Burnaby, BC V5C 2E8  
January 27, 2015

City of Burnaby  
Office of the City Clerk  
4949 Canada Way,  
Burnaby, BC V5G 1M2

27 January 2015

Rez Ref # 14-03  
Bylaw # 13432

To: Mayor and Council

Re: Burnaby Rezoning Bylaw 1965, Amendment Bylaw No. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03

I am writing to comment and express some concern with regards to the impacts of the proposed rezoning of 4295 Hastings Street from C8 to CD Comprehensive Development District in accordance with the mixed-use commercial and residential development plan prepared by Chris Dikeakos Architects Inc. My desire is to *provide constructive information and propose modest shifts* in what is allowed within the rezoning to strike a balance between the many competing interests at play.

I recognize and support the general trend towards fostering an enhanced urban village along Hastings Street in Burnaby Heights. Having lived in the neighbourhood since 2001 I have been enjoying the gradual shifts and increased vibrancy of the neighbourhood that result from careful planning and gradual changes in development.

In that regard, I recognize it would be hypocritical to oppose any form of new development that directly impacts me personally. So in general I am not opposed to allowing a mixed use development at 4295 Hastings Street (despite the disruption and noise that ongoing construction will have upon my family and the potential land value impacts upon my home). *My concern is primarily in regards to the allowed height along the back lane of the proposed development and the shadowing impacts it will have upon me and my neighbours.* It is surprising to me that no shadowing models were undertaken in the preparation of this proposal, signalling to me that the shadowing impacts upon the families living north of the Hastings Street were not considered.

In particular I would ask that you consider:

- The shadowing of this development does not just affect a handful of single family homes who enjoy access to natural light from many sides but instead it will immediately *impact twenty two families for many of whom the southern aspect is by far the primary source of natural light* and significantly compromise the long-term liveability of many homes.
- Not only will shadowing of the proposed and future additional developments impact the liveability of the homes in our community, they also compromise our ability to grow food in our shared garden space just off the lane and our ability to maintain vibrant landscaping in our courtyard (also key to the liveability of our homes).

[Recipient Name]

27 January 2015

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- The urban design trend established in this development will ultimately influence future development along Hastings with similar impacts on the multi-family developments all along Albert Street. These multi-family developments form a key component of the urban village you are creating through your decisions and the liveability of the large number of households living in these developments must be taken into consideration.
- Shadowing from developments like the new Vancity building on the *south* side of Hastings are mitigated by the wide open space provided by the street right-of-way. The height of developments along the *north* side of Hastings is much more significant as there is only a narrow lane separating new buildings from existing homes in their shadows.

I am sure you are aware that you are not required to approve this application and that in changing zoning, you can not only provide new benefit and options for the developer but you are also free to change or establish new requirements on the development (including height) to maximize the liveability of the citizens impacted by the changes.

I strongly request that you require a shadowing study be conducted prior to approving this to inform recommendations to minimize these impacts. In the absence of a shadowing study, I feel the best way to maximize the success of the urban village (including both the dynamic high street along Hastings along with the liveability of the multi-family homes along Albert) would be to limit the maximum height of new mixed use development on the north side of Hastings (a lower maximum height allowing only 4 stories of development). If a shadowing study was conducted and revealed that five stories directly fronting Hastings with a generous set-back for the fifth story from the back lane would have the same shading impact as a four story development, then that would be a good balance of interests.

I hope you will seriously consider the impacts of the many homes along the lane to the north of Hastings that this and future developments will have and seek to establish an urban form that is consistent with the vision of the urban village while at the same time minimizing shadowing and liveability impacts in the residents to the north.

Very sincerely,

Fran and John Tanner



Joyce Cameron  
 402 – 4272 Albert Street  
 Burnaby, BC V5C 2E8  
 January 27, 2015



City of Burnaby  
 Office of the City Clerk  
 4949 Canada Way,  
 Burnaby, BC V5G 1M2

To: Mayor and Council

Re: Burnaby Rezoning Bylaw 1965, Amendment Bylaw No. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03

I am writing to express my concern regarding the possibility of reduced sunlight which may result and impact the complex I live in if 4295 Hastings Street is rezoned from C8 to CD Comprehensive Development District in accordance with the plan prepared by Chris Dikeakos Architects Inc.

Cranberry Commons Cohousing Community is a multi-family community that will share the back lane with the proposed development. It is my understanding that no shadowing models were undertaken in the preparation of this proposal. In the absence of this information, we do not know how the proposed development will impact our access to sunshine for our solar panels, gardens and common courtyard, as well as how it will impact the quality of light in our homes.

Cranberry Commons was a co-winner of the 2002 Burnaby Environmental Award for Planning and Development. Our complex was built with consideration and care for social, ecological and economic sustainability.

I appreciate the City of Burnaby's concern for liveable, resilient communities that is expressed in the *Burnaby Social Sustainability Strategy*. The Heights is a great mix of residences and businesses and has become an increasingly vibrant neighbourhood in recent years. That vibrant mix will continue if carefully planning takes into consideration the liveability requirements of residents.

I strongly request that City Council require a shadowing study prior to approving this development. Such a study can inform recommendations to minimize these impacts, which may mean adjusting the heights of this and future developments in order to support the long-term sustainability of the Heights neighbourhood.

Yours truly,

Joyce Cameron



Stewart, Gillian

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**From:** Ian Mothersill  
**Sent:** January-27-15 8:55 AM  
**To:** Clerks  
**Subject:** January 27 Council Meeting - Rezoning Reference #14-03  
**Attachments:** Rezoning Reference #14-03 4295 Albert St.pdf

Rez Ref # 14-03  
Bylaw # 13432

Hello,

Attached is a letter to Mayor and Council outlining how I believe myself, my family and my neighbors will be affected by the proposed building at 4295 Hasting St, and suggesting an approach to mitigate these effects.

Thank you for processing this as appropriate, including passing this on to the Mayor and Council, planning and engineering departments.

Ian Mothersill  
#108 - 4272 Albert St  
Burnaby, BC V5C 2E8

**Stewart, Gillian**

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**From:** Marlene Leggatt  
**Sent:** January-27-15 11:55 AM  
**To:** Clerks  
**Subject:** Re: Burnaby Rezoning Bylaw 1965, Amendment Bylaw No. 44, 2014 Bylaw No. 13432, Rezoning Reference #14-03

To: Mayor and Council.....I am concerned regarding the height of the building along our back lane and the impact the shadowing will have on -

(1) our solar roof panels

(2) our community vegetable garden and other landscaping plants and trees in our lane way

area

Another concern I have is the future increase traffic in back lane. Presently, a number of cars now travel much too fast. I hope this new building has plans to install speed bumps in the lane way to slow any traffic to a reasonable level.

Thank you for your consideration,  
 Marlene Leggatt  
 101 4272 Albert Street  
 Cranberry Commons  
 Burnaby B.C.  
 V5C 2E8

Rez Ref # 14-03  
 Bylaw # 13432



Item .....
Meeting .....2014 December 08

## COUNCIL REPORT

**TO:** CITY MANAGER 2014 December 03

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #13-14**  
**High Rise Apartment Tower and Ground Oriented Townhouses**

**ADDRESS:** 6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue (see *attached* Sketches #1 and #2)

**LEGAL:** Lot 44, DL 152, Group 1, NWD Plan 27166; Lot 17, DL 152, Group 1, NWD Plan 1292; Lot 18, DL 152, Group 1, NWD Plan 1292; Lot 40, DL 152, Group 1, NWD Plan 25465; Lot 24, DL 152, Group 1, NWD Plan 24406

**FROM:** RM3 Multiple Family Residential District

**TO:** CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Metrotown Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Dunblane" prepared by DYS Architecture)

**APPLICANT:** Polygon Development 307 Ltd.  
 900 – 1333 West Broadway  
 Vancouver, BC V6H 4C2  
*(Attention: Brian Ellis)*

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2015 January 27.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 December 08 and to a Public Hearing on 2015 January 27 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a. The submission of a 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.

To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #13-14

2014 December 03 ..... Page 2

- 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.
- d. Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted 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. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism. If requested, demolition may be delayed to more closely coincide with approval of building permits.
- e. The utilization of an amenity bonus through the provision of a \$10,302,627 cash in-lieu contribution in accordance with Section 3.2 of this report.
- f. The consolidation of the net project site into one legal parcel.
- g. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; indicating that project surface driveway access will not be restricted by gates; guaranteeing the provision and maintenance of public art; ensuring the provision and ongoing maintenance of electric vehicles and EV plug-in stations; providing that all disabled parking to remain as common property; and ensuring compliance with the submitted acoustical analysis.
- h. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
- i. The undergrounding of existing overhead wiring abutting the site.
- j. Compliance with the Council-adopted sound criteria.
- k. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- l. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- m. The review of on-site residential loading facilities by the Director Engineering.

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 Re: Rezoning Reference #13-14  
 2014 December 03 ..... Page 3

- n. The provision of facilities for cyclists in accordance with this report.
- o. The review of a detailed Sediment Control System by the Director Engineering.
- p. Compliance with the guidelines for underground parking for visitors.
- q. 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.
- r. The deposit of the applicable Parkland Acquisition Charge.
- s. The deposit of the applicable GVS & DD Sewerage Charge.
- t. The deposit of the applicable School Site Acquisition Charge.
- u. 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.

## R E P O R T

### 1.0 REZONING PURPOSE

The purpose of this rezoning amendment is to permit the construction of a 37 storey apartment building with ground oriented townhouses and full underground parking.

### 2.0 BACKGROUND

- 2.1 On 2013 May 27, Council received the report of the Planning and Building Department regarding the rezoning of the subject site, and authorized the Department to work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date.
- 2.2 The site is comprised of five lots including 6592, 6650 Dunblane Avenue (two lots) and, 6579 and 6611 Marlborough Avenue (see *attached* Sketches #1 and #2), all of which are zoned RM3 Multiple Family Residential District. The site is currently occupied by four

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older apartment buildings, each 2 ½ storeys in height, constructed in the early 1960s, and in fair condition, but in need of repair. Directly to the north of the site are an older 2 ½ storey apartment building and a row of R6 zoned rowhouses fronting Grimmer Street, with Lobley Park and Fire Hall #3 beyond. To the east across Marlborough Avenue are older two-storey apartment buildings and an older single family dwelling. An older 2 ½ storey apartment building fronting Marlborough Avenue and a newer four-unit infill development fronting Dunblane Avenue are located directly to the south of the subject site. To the west across Dunblane Avenue are an older three-storey apartment building and the “Met I” development, a 35-storey apartment tower with townhouses fronting Nelson and Dunblane Avenues, which was approved under Rezoning Reference #10-29 and is currently under construction. To the northwest of the subject site and directly north of the “Met I” is the “Met II”, a proposed 38-storey apartment tower with townhouses fronting Nelson Avenue under Rezoning Reference #12-15, which is also currently under construction.

- 2.3 The Metrotown Town Centre Development Plan designates the subject site for high-density multiple-family development (RM5s). In accordance with the Council-adopted policy regarding application of ‘s’ category zoning, the development is subject to there being significant community benefits, a sustainable redevelopment approach, exceptional public realm improvements, a high quality urban design and superior architectural expression derived from the project. This site is also considered suitable for the proposed development given its strategic location in relation to the Expo SkyTrain line and the nearby Metrotown and Royal Oak SkyTrain stations.

In terms of the governing allowable density for the site, the maximum allowable floor area ratio would be 5.0 FAR applicable to the net site; this is inclusive of an available 1.6 FAR amenity bonus.

- 2.4 Burnaby has and continues to benefit from some very sound planning principles established early on in the City’s development. Key to these is the Official Community Plan’s designation of four Town Centres areas within the City which have and are intended to continue to accommodate a significant portion of the City’s population and job growth, and which provide locations for the provision of community amenities going forward.

The creation of Town Centres at Metrotown, Brentwood, Edmonds and Lougheed have served the City well in protecting single- and two-family residential neighbourhoods from pressures to accommodate new growth, and have also allowed the City to preserve a significant component of its land base for park and open space. At the same time, they contribute to Regional Planning objectives, established by Metro Vancouver in the Regional Growth Strategy, that are of benefit both locally and more broadly. Within Burnaby, and other neighbouring cities, Town Centres are helping to meet regional goals to reduce pressures for development of habitat and agricultural lands, to focus jobs,

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 Re: Rezoning Reference #13-14

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people and services in walkable neighbourhoods that are and can be efficiently served by transit, and to reduce overall demands for travel by car with direct benefits to the environment, economy and the quality of life in the Region.

Further, Burnaby's Economic Development and Social Sustainability Strategies, in addition to the Town Centre Plan, encourage: a varied range of housing options (including ground orientation); improved neighborhood livability, stability and accessibility; transit access and alternative forms of transportation; as well as green building policies. The subject rezoning application is consistent with these regional and municipal plans and policies.

- 2.5 The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

### 3.0 GENERAL COMMENTS

- 3.1 The proposed development concept is for a single 37-storey apartment tower above and adjacent to ground oriented townhousing fronting both Dunblane Avenue and Marlborough Avenue. The development form provides a strong street-oriented relationship to its two bounding street frontages, as well as a strong contextual relationship to surrounding, existing and planned development.

A total of 253 apartment units are proposed, with 245 units located within the high-rise apartment building (20% of which are adaptable units) and 8 townhouses. All required parking is proposed to be located underground, with some additional surface convenience stalls provided. Vehicular access is to be taken from a private lane connecting Dunblane Avenue and Marlborough Avenue. Overall, the subject proposal exemplifies exceptional urban design and architectural expression related to the building's siting, massing, pedestrian orientation and materiality; meeting the standard expected for 's' Category development in the City's Town Centre areas. The low-rise buildings engage adjacent streets and their public realm through individual unit accesses on the ground level, extensive use of brick and metal panel detailing and articulated rooflines, all of which also adds interest to the streetscape.

To complement the built form, a progressive landscape treatment is proposed for the interior courtyard and bounding streets, including broad separated sidewalks on Dunblane and Marlborough Avenues complete with Rainwater Management Amenities (RMAs) within curb bulges to help soften the urban environment. Substantial on-site landscaping is also proposed including a treed entry court with water features, an outdoor amenity area for leisure, outdoor fitness and children's play area. A significant public art piece will be provided along the Dunblane Avenue frontage, acting as a strong visual reference to the proposed development.



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The applicant has submitted a Transportation Study to support the proposed development. The construction of a private lane, protected by Statutory Right-of-Way for public access between Dunblane and Marlborough Avenues is consistent with the City's objectives for the site. Through the site's servicing, upgraded pedestrian and on-street parking facilities on Dunblane and Marlborough Avenues will be undertaken, including the provision 3.0m sidewalks, street trees and pedestrian lighting.

A parking ratio of 1.2 spaces per unit (0.1 of which is for visitor parking) is proposed, which exceeds the Burnaby Zoning Bylaw parking ratio of 1.1 spaces per unit (0.1 of which is for visitor parking). The developer has also provided for transportation alternatives. First, given the subject site's proximity to the Metrotown and Royal Oak SkyTrain stations, 39 (15% of total units provided) transit passes (two zones) will be provided for a minimum of two years, to be administered by the strata, and be made available to residents seeking an alternative to car use and ownership. Second, the proposed development is providing twice the required secured bicycle parking. The development will provide 3 electric vehicles (EV) and charging stations (1/100 units) for use and administration by the strata corporation. Finally, the development will provide an additional 34 Electric Vehicle (EV) plug-in stations (10% of the residential parking) including all necessary wiring, electrical transformer and mechanical ventilation modifications. This arrangement would provide greater access to alternative transportation for a greater number of residents. Moreover, by providing a significant number of EV plug-ins, electric vehicle ownership in a multi-family context is facilitated, thus further enabling sustainable transportation choices. A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision and ongoing maintenance of co-op cars and EV Plug-in stations

The developer has also agreed to pursue green building practices by committing to achieve a Silver (equivalency) rating under the Leadership in Energy and Environmental Design (LEED) program.

- 3.2 Given the site's Town Centre location, the applicant is proposing to utilize the allowable supplemental density provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 1.6 FAR in amenity bonus, which translates into 87,083 sq.ft. of bonused gross floor area (GFA) included in the development proposal. The Legal and Lands Department has established the value of the density bonus to be \$118 per sq.ft. buildable for a total value of \$10,302,627 (subject to legal survey). In accordance with Council's adopted Community Benefit Bonus Policy it is recommended that the community benefit funds be received as an undesignated cash contribution-in-lieu for the future use provision of a community benefit.



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Under the Priority Amenity Program, the community benefit funds received will be directed into the Metrotown Town Centre Account to be utilized in the future to achieve priority amenities, as established by Council, including a new Metrotown Performance / Events Centre. This centre would include facilities for the performing arts and a broad range of community events and occasions. It would be capable of hosting installations, performances and significant gatherings, and would be intended to be a local community and civic oriented centre that is highly accessible to citizens in Metrotown and Burnaby as a whole.

In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward the appropriate Town Centre Financial Account and 20% to the City-wide Housing Fund. Of the \$10,302,627 associated with the subject amenity bonus, \$8,242,102 (80%) would be allocated to the Metrotown Town Centre Financial Account. The remaining \$2,060,525 (20%) would be directed to the City-wide Housing Fund.

3.3 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:

- construction of Dunblane Avenue frontage to its final standard with concrete curb and gutter, separated sidewalks, street trees, enhanced boulevards, street and pedestrian lighting across the development frontage;
- construction of Marlborough Avenue frontage to its final standard with concrete curb and gutter on both sides, separated sidewalks, street trees, enhanced boulevards, street and pedestrian lighting across the development frontage;
- construction of the Dunblane Avenue – Marlborough Avenue through lane with sidewalks, street trees and pedestrian lighting on the north side;
- undergrounding of overhead lines across the development frontage on Dunblane Avenue; and,
- storm, sanitary sewer and water main upgrades as required.

3.4 In accordance with the City's policy for adaptable units, a total of 51 units (20% of the total number of residential units) have been provided meeting adaptable standards. As permitted under the adopted policy, 20 sq.ft. for each adaptable unit is exempt from F.A.R., resulting in a total adaptable unit F.A.R. exemption of 1,020 sq.ft. As required by the Burnaby Zoning Bylaw and BC Building Code, two accessible parking stalls are to be provided (one handicapped stall per 100 stalls). Accessible parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.

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- 3.5 Any necessary easements and covenants for the site are to be provided, including, but not necessarily limited to:
- Section 219 Covenant restricting enclosure of balconies;
  - Section 219 Covenant indicating that project surface driveway access will not be restricted by gates;
  - Section 219 Covenant guaranteeing the provision and maintenance of public art;
  - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
  - Section 219 Covenant ensuring compliance with the approved acoustical study;
  - Section 219 Covenant ensuring the provision and ongoing maintenance of 3 electric vehicles and 34 EV plug-in stations;
  - Section 219 Covenant ensuring the provision of a minimum of 3 handicap accessible parking stalls in the resident parking area for the sole use of the required 51 accessible units, and that these stalls, as well as any other handicap accessible parking provided in the residential component of the underground parking, be held in common property to be administered by the Strata Corporation; and,
  - Statutory Right-of-Way granting public access to the east west lane connecting Dunblane Avenue to Marlborough Avenue.
- 3.6 Due to the proximity of the subject site to Nelson Avenue, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.7 A very large portion of the site will be excavated for development. As such, an arborist's report and tree survey will be required prior to Final Adoption to identify trees to be removed. A detailed landscape and tree planting plan has been provided as part of the suitable plan of development. The applicant will be required to obtain a tree removal permit for all trees over 20 cm (8 inches) in diameter.
- 3.8 Provision of an adequately sized and sited garbage handling and recycling material holding space, as well, separate car wash stalls are required.
- 3.9 The developer is responsible for the undergrounding of the overhead wiring abutting the site on Dunblane Avenue.

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- 3.10 A suitable engineered design to the approval of the Director Engineering will be required for the on-site stormwater management system as well as a Section 219 Covenant to guarantee its provision and continuing operation. The deposit of sufficient monies to guarantee the provision of the stormwater drainage and landscape features will be required.
- 3.11 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 3.12 Bicycle storage space and surface parking racks are to be provided for the residential tenants and visitors of the development.
- 3.13 a) Parkland Acquisition Charge of \$3.55 per sq.ft. of residential gross floor area  
 b) School Site Acquisition Charge of \$600.00 per unit  
 c) GVS&DD Sewerage Charge of \$590.00 per apartment unit

#### 4.0 DEVELOPMENT PROPOSAL

##### 4.1 Site Area

Site Area:	-	5,059.78 m <sup>2</sup> (54,463 sq.ft.) (subject to detailed survey)
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##### 4.2 Density

FAR Permitted and Provided:	-	5.0 F.A.R (inclusive of 1.6 FAR amenity bonus)
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Gross Floor Area Permitted and Provided	-	25,298.80 m <sup>2</sup> (272,314 sq.ft.) (inclusive of 87,083 sq.ft. amenity bonus)
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Residential Amenity Space	-	(3,169 sq.ft. of residential amenity space exempted from FAR calculations)
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Adaptable Unit exemption (20 sq.ft./unit)	-	94.76 m <sup>2</sup> (1,020 sq.ft.)
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Site Coverage:	-	23%
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4.3 <u>Height</u> (all above grade)	-	3 storeys for ground-oriented townhouses fronting Dunblane Avenue
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- 3 storeys for ground-oriented townhouses fronting Marlborough Avenue
- 37 storeys for the high-rise apartments fronting Dunblane Avenue

#### 4.4 Residential Unit Mix

##### Unit Type

##### Unit Size

##### **Townhouse Units**

6 – Two Bedroom	136.3 - 139.2 m <sup>2</sup> (1,467 - 1,498 sq.ft.)
2 – Three Bedroom Units	157.7 - 163.9 m <sup>2</sup> (1,697 - 1,764 sq.ft.)

##### **High Rise Apartment Units**

245 – 2 Bedroom	77.2 - 108.5 m <sup>2</sup> (831 - 1,168 sq.ft.)
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**TOTAL UNITS: 253 UNITS**

#### 4.5 Parking

##### **Vehicle Parking**

##### Required

##### Provided Spaces

253 Units (Required 1.1 spaces/unit) (Provided 1.2 spaces/unit)	- 279 (inclusive of 26 visitor spaces and 34 EV plug-in stations)	339
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##### **Car Wash Stalls**

- 3	3
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##### **Electric Vehicles**

- 3	3
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##### **Residential Loading**

- 1	1
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##### **Bicycle Parking**

##### Required and Provided Spaces

Resident - 2/unit @ 595 units	- 253 in storage lockers
Visitor - 0.1/unit @ 595 units	- 28 in racks (throughout site)

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4.6 Communal Facilities  
 (Excluded from FAR Calculations)

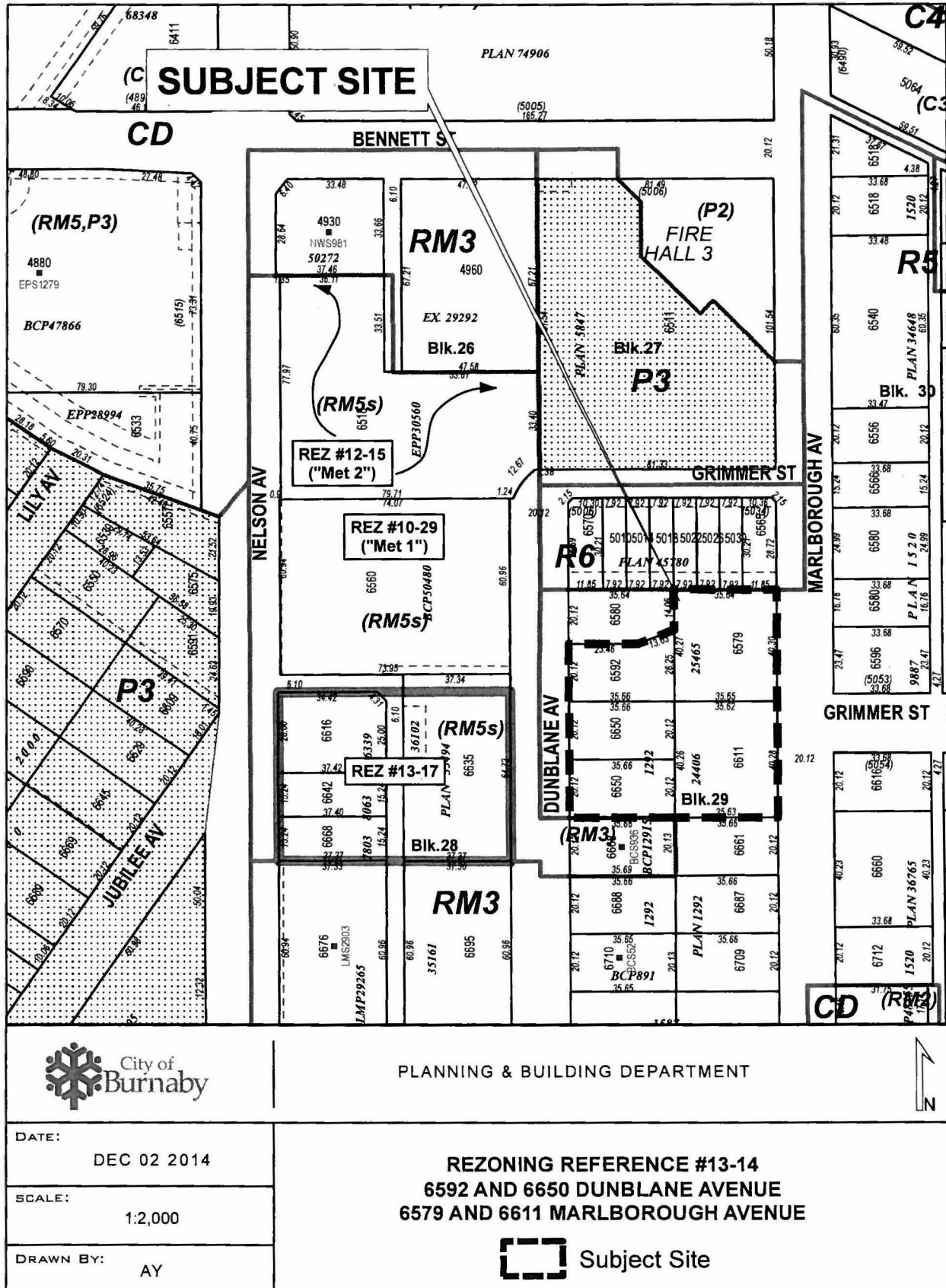
Primary communal facilities for residential tenants are located within the lower levels of the residential tower fronting Dunblane Avenue and the private lane, including an amenity lobby and lounge, multi-purpose meeting room, media room and fitness room. The amenity area amounts to 294.41 m<sup>2</sup> (3,169 sq.ft.), which is less than the permitted 5% (13,615 sq.ft.) exemption from Gross Floor Area permitted within the Zoning Bylaw. The applicant has also provided a central courtyard arrival court, water feature and landscape elements located throughout the site, as well as a signature public art installation to be located on the Dunblane Avenue frontage.

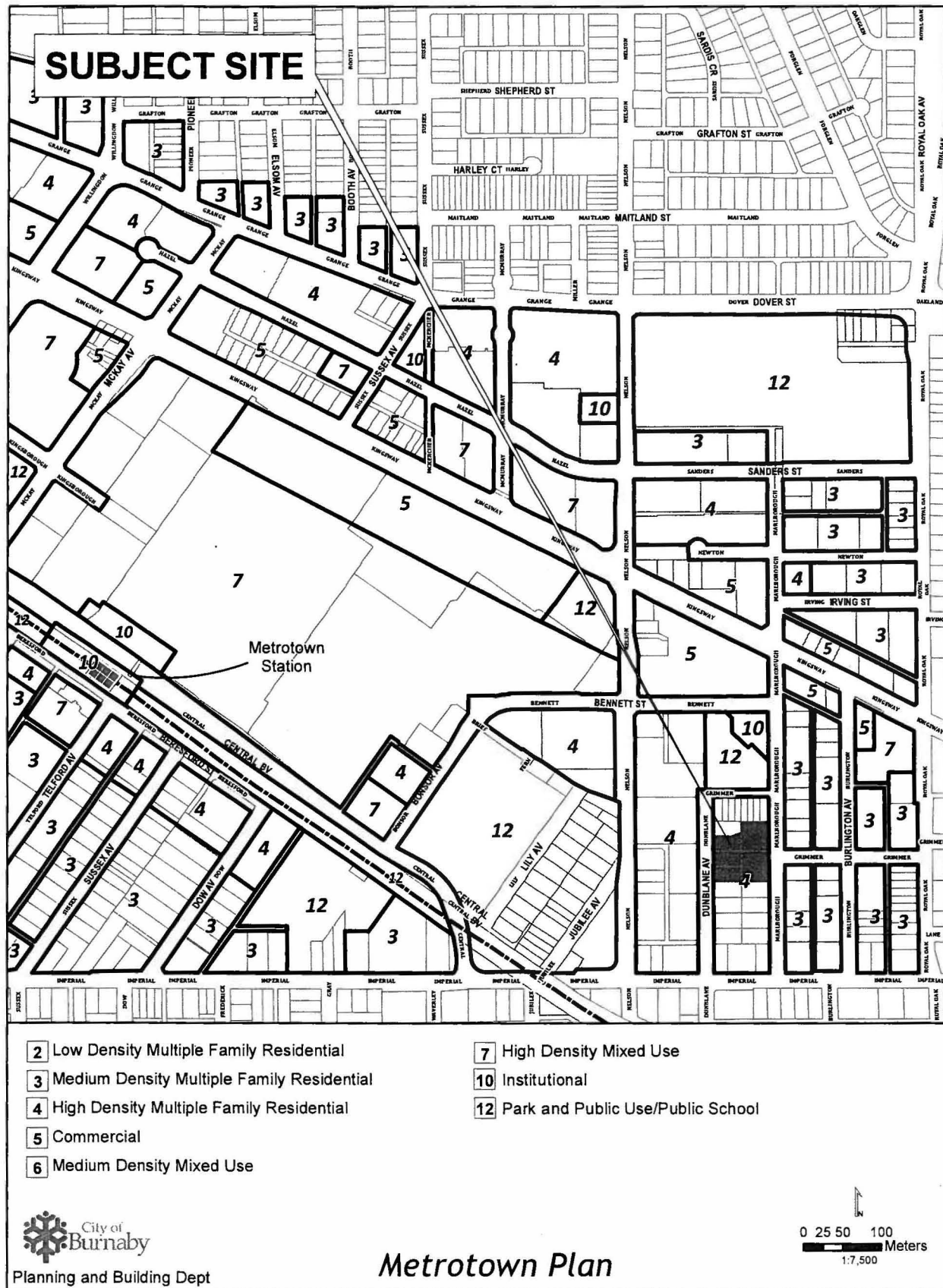
  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

JBS:spf  
 Attachment

cc: Director Finance  
 Director Parks, Recreation and Cultural Services  
 Director Engineering  
 City Solicitor  
 City Clerk

P:\REZONING\Applications\2013\Rez 13-14\_Dunblane Marlborough\Rezoning Reference 13-14 Public Hearing Report 20141208.Docx





**The following items of correspondence were received in opposition to Rezoning Reference #13-14.**



January 10, 2015

City of Burnaby Council,  
c/o Office of the City Clerk,  
4949 Canada Way,  
Burnaby, B.C. V5G 1M2

Rez Ref # 13-14  
Bylaw # 13433

Re: Rezoning Application 13-14 Public Hearing January 27<sup>th</sup>, 2015

Another 37 story residential tower. There is no question every area of Burnaby is growing. There are high density residential towers either planned, under construction or just completed in almost every corner of our city.

The only thing that isn't growing is the Burnaby Hospital. With all this growth and with our aging population, the Burnaby Hospital should be integral part of the plan for Burnaby.

While the plan for the Burnaby Hospital is not entirely the responsibility of our local City Government, it is our City Council's responsibility to ensure that the Burnaby Hospital can handle the population growth planned by the city.

Our city Government requires developers to pay fees for Schools, Parks, and for allowing increased density. Why not a fee for the Burnaby Hospital expansion/relocation?

At the very least a portion of the \$8.2 million dollar density bonus generated from this rezoning application should be going to the expansion/relocation of the Burnaby Hospital.

I'm sure that almost every Burnaby family has had some interaction with the Burnaby Hospital. We all deserve a facility that can provide the best possible timely care. We need to ensure that our Burnaby City Government does everything in their power to make it happen!

Yours Truly,

Ken Pett

402 - 6152 Kathleen Ave.  
Burnaby BC V5H4K8

PS I have taken the time to express my concerns regarding this rezoning application. My expectation from Council is the courtesy of a reply addressing my input. Thanks in advance.

**Stewart, Gillian**

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**From:** Frederick Boudrias  
**Sent:** January-18-15 5:36 PM  
**To:** Clerks  
**Subject:** Burnaby Rezoning Reference #13-14 6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue

Rez Ref # 13-14  
 Bylaw # 13433

City of Burnaby

Office of City Clerk

Attn: D. Back, City Clerk  
 S. Cleave, Deputy City Clerk

Re: Burnaby Rezoning Reference #13-14 6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue

Dear sirs,

I am writing because I have received a notice for a public hearing on this matter for January 27 at 7:00 pm, which I am unable to attend due to other commitments. However, as a resident of 6661 Marlborough, I would like to express my strong opposition to this project.

I have been living in this neighborhood with my wife for the past 4 years, we plan to continue living in the neighborhood as we both work near by; our lives are here.

This 37 story apartment construction will inconvenience our daily lives and routine as well as many other residents and families in the area.

Living next to a construction site will directly affect our quality of life due to the dust, dirt, and noise created from erecting a 37 story building. I suffer from severe asthma and an increase in any dust and dirt is an enormous health concern for myself.

I drive to work on a daily basis and any re-routing of traffic in the area throughout various stages of the project and having large construction vehicles and cement trucks will cause further disruptions and delays for myself and others.

Please note and consider my very strong opposition to this project on the public hearing on January 27th.

Sincerely,

Frederick Boudrias

Address:  
 6-6661 Marlborough Avenue  
 Burnaby, BC  
 V5H 3M2

**Stewart, Gillian**

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**From:** A Sepulveda  
**Sent:** January-18-15 4:35 PM  
**To:** Clerks  
**Subject:** Burnaby Rezoning Reference #13-14 6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue

City of Burnaby  
 Office of City Clerk  
 Attn: D. Back, City Clerk  
 S. Cleave, Deputy City Clerk

Rez Ref # 13-14  
 Bylaw # 13433

Re: Burnaby Rezoning Reference #13-14 6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue

Dear sirs,

I am writing because I have received a notice for a public hearing on this matter for January 27 at 7:00 pm, which I am unable to attend due to work commitments. However, as a resident of 6661 Marlborough, I would like to express my strong opposition to this project.

My Husband and I have been living in this neighborhood for the past 4 years, we plan to continue living in the neighborhood as we both work near by; our lives are here.

This 37 story apartment construction will inconvenience my daily life and routine as well as many other residents and families in the area.

Living next to a construction site will directly affect our quality of life due to the dust, dirt, and noise created from erecting a 37 story building. I would like to emphasize the major health concern that the dust and dirt is for my husband, who suffers from severe asthma.

As well as re-routing traffic throughout various stages of the project and having large construction vehicles and cement trucks will cause further disruptions and delays in our daily lives.

Please note and consider my very strong opposition to this project on the public hearing on January 27th.

Sincerely,

Alejandra Sepulveda  
 Address:  
 6-6661 Marlborough Avenue  
 Burnaby, BC  
 V5H 3M2

**Stewart, Gillian**

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**From:** Metroserv Vancouver  
**Sent:** January-21-15 9:19 PM  
**To:** Clerks  
**Subject:** tenants affected by proposed bylaw 6650/6592 dunblane Ave and 6579/6611 Marlborough ave

Dear Sir or Madam,

6592/6650 Dunblane Ave and 6579/6611 Marlborough Ave

We are the tenants currently living in unit 208- 6650 Dunblane Ave, Burnaby.

We received a notice from landlord this week and be informed that we will be evicted from this rented unit after landlord ( Polygon Development ) make application to City Burnaby.

As a tenant, we lived here for nearly Four years and all the tenants in this building are rent from landloard. Many of them rent and live here over years.

As a tenant, we don't have much power to say NO to landlord development plans. Since Polygon Development purchased the building with other nearby 3 building from previous landlord two year ago, we knew that we are going to be priced out from metrotown areas.

I personally have two childrens. My husband work very hard to gain income to home to bring up two childrens. After income tax and household expenses, we did not have enough money to buy a one bedrooom flat in this area.

Currently, I paid about 800 dollar per month for rent one bedroom flat in current building (number 6650). However, for same size one bedroom flat in new highrising building, it could cost me over \$2500 per month just for mortgage payment.

Moreover, there was very rare flat unit in those newly developed highrising building available for rent to public. Most people who purchased those new high rising building are foreign investors from Asian country. They were not necessary living here day to day in Metrotown. They purchased as a second home or for holiday vacation.

I gave you an example for the new high rising built by Polygon development ltd in 2012 in Metrotown. The building is just on Nelson Ave ( 4860 metrotown bikeway). In the night, when I pass by the building many times, I notice only half of the flat unit have lighting inside ( means it was truly occupied by people). Most time, only 50% of flat unit is occupied by day to day local residents. Those new high rising building priced at least 350,000, this price is out of reach by most of working class in Burnaby.

I also notice in recent years the previouly existing rent units in metrotown area became disappear to be available for public rent. Many of these building were taken over by new developers. The new developer are looking for profit and simply tear down the old building for high rise. The price of those high rise are very high, local working class can not afford to buy a decent place to live. plus, The new high rise are very rare to be available for public rent to local tenants.

Rez Ref # 13-14  
 Bylaw # 13433

Everyone is winning in this new development. However, only local tenants like us, humble local working class who can not afford to buy house and keep rent, will be evicted and priced out from this area.

I talked to several of my neighbour who have similar concerns about this new development trend in metrotown area. We feel angry but nothing can be done to address this problem. We need an affordable place to rent and live in Metrotown. After several years living here, we have social ties in metrotown, our family doctor, children's school, local bank are all in Metrotown. We don't want to move but have no choice. Plus, there is less and less flats to be available for rent in metrotown and nearby areas.

What can we do to address this house crisis - shortage of affordable rent units in Metrotown.

Sherry Yi Chen

A mother of two children

Stewart, Gillian

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**From:** annie cai  
**Sent:** January-23-15 2:07 PM  
**To:** Clerks  
**Subject:** by law no. 13433, rezoning reference #13-14

Rez Ref # 13-14  
Bylaw # 13433

dear sir or madam,

i am the resident of 208-6695 dunblane ave, bby, bc v5h 3k5

i oppose this rezoning plan because it will affect the living environment

thanks

yi qing cai

**Stewart, Gillian**

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**From:** Pauline Wallin  
**Sent:** January-27-15 3:07 PM  
**To:** Clerks  
**Cc:** Pauline Wallin  
**Subject:** Refining reference 13-14

re: the proposed 37 storey apartment proposal 6592/6650 Dunblaine avenue and 6579/6611 Marlborough, my property is 5030 Grimmer Street which is directly north of the proposed high rise. A 37 storey high rise would block most direct sunlight from my property and therefore would not only reduce the enjoyment of my living area but also would potentially devalue the property itself.

So I firmly oppose with development as is and would only support if the height was cut in half or more. I am a senior citizen and will not be attending the open house but would hope that the livability of the surrounding area would be better taken into consideration for such a project.

Sincerely,

Pauline Wallin,  
5030 Grimmer Street

Sent from my iPad

Rez Ref # 13-14  
Bylaw # 13433