



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2015 May 20

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #13-37**
AMENDMENT BYLAW NO. 32/14 ; BYLAW #13388
Non-Profit Seniors' Supportive Rental Housing Facility
Third Reading

ADDRESS: 7550 Cumberland Street

LEGAL: Lot 112, D.L. 11, Group 1, NWD Plan 72024

FROM: P5 Community Institutional District

TO: CD Comprehensive Development District (based on P5 Community Institutional District and George Derby Community Plan as guidelines and in accordance with the development plan entitled "Derby Manor 7550 Cumberland Street, Burnaby, BC, V3N 3X5" prepared by DYS Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 September 08;
- b) Public Hearing held on 2014 September 30; and,
- c) Second Reading given on 2014 October 27.

The prerequisite conditions have been partially satisfied as follows:

- a. The submission of a suitable plan of development.
 - *A virtually complete suitable plan of development has been submitted. A few remaining details will be resolved prior to Final Adoption.*
- b. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - *The applicant has submitted engineering design drawings for review and has agreed in a letter dated 2015 May 12 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*

- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 May 12.*
- d. The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 May 12, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- e. The granting of a Section 219 Covenant ensuring use and repayment of Community Benefit Housing Funds in accordance with the Council adopted policy.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 May 12, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- f. The retention of identified existing trees on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction works, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 May 12, and the existing trees to be retained are indicated on the development plans. The necessary funds to guarantee existing trees to be protected will be deposited and the Section 219 Covenant will be deposited in the Land Title Office prior to Final Adoption.*
- g. The approval to the Ministry of Transportation to the rezoning application.
 - *The preliminary approval of the Ministry of Transportation to the subject rezoning proposal has been obtained. Final approval of the rezoning bylaw will be obtained prior to Final Adoption.*
- h. The submission of an exterior lighting plan which meets the standards for seniors' housing complexes, as adopted by Council.
 - *The applicant has agreed to provide exterior lighting meeting the standards adopted by Council in a letter dated 2015 May 12 and has provided a suitable plan for the exterior lighting.*

- i. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2015 May 12 to make the necessary deposits prior to Final Adoption.*
- j. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has applied for an exemption of GVS & DD Sewerage Charges from Metro Vancouver due to the not-for-profit status of the development. If approved by Metro Vancouver the City would not collect GVS&DD Sewerage Charges.*
- k. 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.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 May 12. A suitable on-site stormwater management system has been submitted for the approval of the Director Engineering. The required Covenant will be deposited in the Land Title Office and the required funds to guarantee this provision will be deposited prior to Final Adoption.*
- l. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 May 12. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*

As the prerequisite conditions to this rezoning are now substantially complete, could you please arrange to return this amendment bylaw to Council for Consideration and Third Reading on 2015 May 25, with Reconsideration and Final Adoption to follow when the prerequisites are completely fulfilled and Planning notifies you to that effect.

A copy of the Public Hearing minutes for this rezoning application is **attached** for information.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS/spf
Attachment

cc: City Manager
Director Finance, Attn: R. Mester, Management Consultant

**BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 32, 2014 - BYLAW NO. 13388**

Rez. #13-37

7550 Cumberland Street

Lot 112, D.L. 11, Group 1, NWD Plan 72024

From: P5 Community Institutional District

To: CD Comprehensive Development District (based on P5 Community Institutional District and George Derby Community Plan as guidelines and in accordance with the development plan entitled "Derby Manor 7550 Cumberland Street, Burnaby, BC, V3N 3X5" prepared by DYS Architecture)

The purpose of the proposed zoning bylaw amendment is to permit the development of a new five-storey, 122 unit, non-profit seniors' supportive housing facility.

The Advisory Planning Commission advised it supports the rezoning application.

Letters opposing the rezoning application were received from:

- Yao Wang, 103-7501 Cumberland Street, Burnaby
- Roumen Petkov, 103-7501 Cumberland Street, Burnaby

A letter dated 2014 September 22 was received from Nine Mirkovic, 41-7500 Cumberland Street, Burnaby opposing the construction of large buildings on the subject site. The writer also expressed concern regarding traffic, loss of green space and the negative impact of the proposed development on adjacent property values.

A letter dated 2014 September 20 was received from Chuhui Shen, 21-7501 Cumberland Street, Burnaby opposing the rezoning application. The writer expressed concern regarding construction noise and dust as well as traffic.

A letter dated 2014 September 30 was received from Haiping Sun and Qi Zhang, 7-7501 Cumberland Street, Burnaby opposing the rezoning application. The writer expressed concern regarding overcrowding, traffic and loss of green space.

A letter dated 2014 September 30 was received from Dr. Kristoffer Palma, 37-8701 16th Avenue, Burnaby expressing concern regarding the height of the development, loss of trees, future development of areas to the east and north of the proposed building, use of closed Coldicutt Street by construction and tree clearing equipment, and the need for an independent environmental assessment particularly with respect to Coldicutt Creek and Cedar Creek.

Renato Jadrijevic, 68-8701 16th Avenue, Burnaby, representing strata owners of Englewood Mews, appeared before Council advising that strata owners are not opposed to the rezoning application. The speakers expressed concern, however, regarding future subdivision and development on the site.

Mr. Jadrijevic also noted a variety of points and questions including the following:

- Is the development company an arm of the George Derby Long Term Care Society?
- What is the relationship between the existing George Derby Centre Long Term Care facility and the proposed development?
- Coldicutt Street should be permanently closed.

In response to the speaker's comments, His Worship Mayor Corrigan noted the following points:

- The development company is working on behalf of the George Derby Long Term Care Society.
- The proposed development along with the existing George Derby Long Term Care facility will provide a continuum of care for seniors.

In further response to the speaker's comments, the Director Planning and Building advised that he is not aware of any plan to subdivide the property. In addition, he noted there is no proposal for an actual road on Coldicutt Street.

Harold Simon, 14-8701 16th Avenue, Burnaby appeared before Council in general support of the proposed development. The speaker, however, expressed concern regarding the five-storey height of the seniors' supportive housing facility.

Monica Fourn, 57-7500 Cumberland Street, Burnaby appeared before Council advising she is not opposed to the development of low cost housing for seniors. Ms. Fourn, however, noted the proposed five-storey development is not compatible with the neighbourhood. The speaker requested the development be redesigned to better fit into the neighbourhood.

Peter Lundt, 53-8701 16th Avenue, Burnaby appeared before Council supporting the development proposal. The speaker, however, expressed concern regarding the lack of parking space on 16th Avenue and noted that the proposed second access point off of 16th Avenue will make parking even more difficult. The speaker urged Council to consider enlarging the existing entrance instead of constructing the second one.

Councillor Johnston retired from the Council Chamber at 7:59 p.m.

There were no further submissions received regarding Rezoning #13-37, Bylaw No. 13388.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #13-37, Bylaw No. 13388 be terminated.”

CARRIED UNANIMOUSLY

Councillor Johnston returned to the Public Hearing at 8:00 p.m. and took his seat at the Council table.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff prepare a report in response to the issues raised at the Public Hearing for Rez. #13-37, Bylaw No. 13388.”

CARRIED UNANIMOUSLY

Council further requested the proposed bylaw be brought forward for second reading at the same Council meeting the staff report is received.