



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2015 September 23

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #12-26**
AMENDMENT BYLAW NO. 02, 2014; BYLAW #13282
Mixed-Use Development with Three High-Rise Residential Towers, Office Building, Two-Storey Retail Podium, and Underground Parking
Third Reading

ADDRESS: 7350 Edmonds Street and 7338 Kingsway

LEGAL: Lot 1, DL 30, Group 1, NWD Plan BCP566; Lot 228, DL's 30 and 95, Group 1, NWD Plan 64963

FROM: C3 General Commercial District and C4 Service Commercial District

TO: CD Comprehensive Development District (based on RM5's' Multiple Family Residential District, C3 General Commercial District and the Edmonds Town Centre Plan guidelines, and in accordance with the development plan entitled "Kingsway and Edmonds Street Project" prepared by IBI Group)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 January 13;
- b) Public Hearing held on 2014 January 28; and,
- c) Second Reading given on 2014 February 03.

The prerequisite conditions have been partially satisfied as follows:

- a) The submission of a suitable plan of development.
 - *The applicant has submitted a virtually complete suitable plan of development. 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 February 19 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 February 19.*
- d) The removal of existing improvements from the site in accordance with Section 4.2 of this report. A Section 219 Covenant, a Licensing Agreement, and a Trespass Agreement, with the City detailing the arrangements, are required.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 19. The necessary Section 219 Covenant, Licensing Agreement, and Trespass Agreement will be deposited in the Land Title Office prior to Final Adoption.*
- e) The utilization of an amenity bonus through the provision of a \$14.9 million cash in-lieu contribution in accordance with Section 3.7 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 19 and will deposit the funds equal to the bonus request prior to Final Adoption.*
- f) The dedication of any rights-of-way deemed requisite.
 - *A subdivision plan dedicating the requisite rights-of-way has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The completion of the Highway Closure Bylaw.
 - *The Highway Closure Bylaw has been adopted by Council. The Bylaw plans will be deposited in the Land Title Office prior to Final Adoption.*
- h) The consolidation of the net project site into one legal parcel.
 - *The requisite subdivision plan of consolidation has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- i) The granting of any necessary statutory rights-of-way and easements.

- *The applicant has agreed to this prerequisite in a letter dated 2015 February 19 and the required easements and statutory rights-of-way will be deposited in the Land Title Office prior to Final Adoption.*
- j) The granting of any necessary Section 219 Covenants, including a covenant for the provision and maintenance of Public Art.
 - *The necessary Section 219 Covenants will be deposited in the Land Title Office prior to Final Adoption.*
- k) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 February 19.*
- l) 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 February 19. A suitable on-site stormwater management system will require 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.*
- m) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2015 February 19 committing to implement the solid waste and recycling provisions.*
- n) The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile, which is being processed to determine if remediation measures are required.*
- o) The design and provision of 41 units adaptable to persons with disabilities (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person), with allocated disabled parking spaces protected by a Section 219 Covenant.
 - *The applicant has submitted a letter dated 2015 February 19 agreeing to meet this prerequisite, this provision is indicated on the development plans and the requisite covenant plans will be deposited in the Land Title Office prior to Final Adoption.*

- p) The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 February 19 agreeing to meet this prerequisite.*
- q) Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- *The applicant has agreed to this prerequisite in a letter dated 2015 February 19.*
- r) The provision of facilities for cyclists in accordance with this report.
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2015 February 19 agreeing to meet this prerequisite.*
- s) Compliance with the Council-adopted sound criteria.
- *An acoustic study has been submitted for review by the Engineering Environmental Services Division. Agreement by the applicant to comply with the Council-adopted sound criteria and an acceptable acoustic study will be achieved prior to Final Adoption.*
- t) The undergrounding of existing overhead wiring adjacent to the site.
- *The applicant has agreed to this prerequisite in a letter dated 2015 February 19.*
- u) The submission of a detailed Comprehensive Sign Plan.
- *The applicant has agreed to this prerequisite in a letter dated February 19.*
- v) The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2015 February 19 to make the necessary deposits prior to Final Adoption.*
- w) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2015 February 19 to make the necessary deposits prior to Final Adoption.*
- x) The deposit of the applicable School Site Acquisition Charge.

- *The applicant has agreed in a letter dated 2015 February 19 to make the necessary deposits prior to Final Adoption.*
- y) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.
- *The applicant has agreed to this prerequisite in a letter 2015 February 19 and the area plan notification signs are in place.*

As the prerequisite conditions to this rezoning are now substantially complete, could you please arrange to return this amendment bylaw to Council for Consideration and Third Reading on 2015 September 28, 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

KH:spf
Attachment

cc: City Manager
Director Finance

BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 02, 2014 - BYLAW NO. 13282

Rez. #12-26

7350 Edmonds Street and 7338 Kingsway

Lot 1, DL 30, Grp 1, NWD Plan BCP566; Lot 228, DL's 30 and 95, Grp 1, NWD Plan 64963

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The purpose of the proposed zoning bylaw amendment is to permit the construction of a high-density, mixed-use, multi-family residential and commercial development at 7350 Edmonds Street and 7338 Kingsway.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 January 23 was received from Charles Doebele, 206-7341 19th Avenue, Burnaby opposing the rezoning application. The writer expressed concern regarding the displacement of Value Village.

A letter dated 2014 January 17 was received from Marilyn and Fred Ludwig, 13-7459 13th Avenue, Burnaby, expressing concern regarding the closure of Value Village at 7350 Edmonds Street. The writers requested that Council consider a space for Value Village in the community plan.

A letter dated 2014 January 21 was received from Sisi Li, 7328 Arcola Street, Burnaby opposing the rezoning application. The writer noted the area cannot accommodate another high rise as the Skytrain is always busy and the new community centre is already full.

Emily Sutherland, 35-3960 Canada Way, Burnaby appeared before Council on behalf of the Edmonds People in Community (EPIC) which is the Edmonds Residents Association.

Councillor Chang retired from the Public Hearing at 7:25 p.m.

The speaker outlined EPIC's vision for the local community and noted that the organization urges City Council to consider options for development of the Value Village site that include significant social housing, affordable rental housing and support services for people who are homeless.

A copy of Ms. Sutherland's presentation is on file in the Office of the City Clerk.

Jo-Ann Stevens, 104-6893 Prenter Street, Burnaby appeared before Council supporting the rezoning application. The writer also agreed with the previous speakers request to include social housing or affordable housing in the development. Ms. Stevens concluded by asking how much public green space would be included in the development proposal.

In response to the speaker's inquiry, the Director Planning and Building noted that proposed public spaces along Kingsway and Edmonds would include landscaped boulevards, street trees and seating.

Councillor Calendino retired from the Council Chamber at 7:35 p.m.

There were no further submissions received regarding Rezoning #12-26, Bylaw No. 13282.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing for Rez. #12-26, Bylaw No. 13282 be terminated."

CARRIED UNANIMOUSLY