



## INTER-OFFICE MEMORANDUM

**TO:** CITY CLERK 2016 September 28

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #11-54**  
**AMENDMENT BYLAW NO. 39/14 ; BYLAW #13419**  
**Four-Storey Mixed-Use Development**  
**Third Reading**

**ADDRESS:** 5695 Lougheed Highway

**LEGAL:** Parcel "A" (Reference Plan 17221), Lot 17, DL 125, Group 1, NWD Plan 3520

**FROM:** C6 Gasoline Services Station District

**TO:** CD Comprehensive Development District (based on RM3 Multiple-Family Residential District, C2 Neighbourhood Commercial District and Brentwood Town Centre Development Plan guidelines and in accordance with the development plan entitled "5695 Lougheed Highway" prepared by Wilson Chang Architect Inc.

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 November 24;
- b) Public Hearing held on 2014 December 09; and,
- c) Second Reading given on 2015 January 19.

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 2016 June 15 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 2016 June 15.*
- d. 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.*
- e. The undergrounding of existing overhead wiring abutting the site.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and will deposit the necessary funds prior to Final Adoption.*
- f. The granting of any necessary statutory rights-of-way, easements and/or covenants.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- g. The granting of any necessary Section 219 Covenants including restricting enclosure of balconies and providing that all disabled parking is to remain as common property.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h. 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 study will be achieved prior to Final Adoption.*
- i. The submission of a Comprehensive Sign Plan.

- *The applicant has agreed to this prerequisite in a letter dated 2016 June 15, and the required Comprehensive Sign Plan will be submitted prior to Final Adoption.*
- j. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15 and the necessary provisions have been indicated on the development plans.*
- k. 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.
  - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2016 June 15 committing to implement the recycling provisions.*
- l. The pursuance of Storm Water Management Best Practices in line with established guidelines.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15.*
- m. 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.*
- n. The review of a detailed Sediment Control System by the Director Engineering.
  - *The applicant has agreed to this prerequisite in a letter dated 2016 June 15. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- o. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
  - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2016 June 15 agreeing to meet this prerequisite.*
- p. The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed in a letter dated 2016 June 15 to make the necessary deposits prior to Final Adoption.*

- q. The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2016 June 15 to make the necessary deposits prior to Final Adoption.*
- r. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2016 June 15 to make the necessary deposits prior to Final Adoption.*
- s. 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 provided a letter of undertaking dated 2016 June 15 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 2016 October 03, 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

**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 39, 2014 - BYLAW NO. 13419**

Rez. #11-54

5695 Lougheed Highway

Parcel "A" (Reference Plan 17221), Lot 17, DL 125, Group 1, NWD Plan 3520

From: C6 Gasoline Service Station District

To: CD Comprehensive Development District (based on RM3 Multiple-Family Residential District, C2 Neighbourhood Commercial District and Brentwood Town Centre Development Plan guidelines and in accordance with the development plan entitled "5695 Lougheed Highway" prepared by Wilson Chang Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed use development with retail at grade, second floor office and residential uses above, including surface and underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 December 02 was received from Rae Bates and Lynda Catchpole, 1002-5611 Goring Street, Burnaby advising that the proposed project is overly ambitious for the size of the lot. The writers also expressed concern regarding traffic congestion.

A letter dated 2014 December 08 was received from Linda Bodnar, 5560 Broadway, Burnaby expressing concern regarding the rezoning application particularly in relation to potential damage to her adjacent strata lot unit during the construction phase of the development.

There were no further submissions received regarding Rezoning #11-54, Bylaw No. 13419.

**MOVED BY COUNCILLOR DHALIWAL:**  
**SECONDED BY COUNCILLOR KANG:**

"THAT this Public Hearing for Rez. #11-54, Bylaw No. 13419 be terminated."

**CARRIED UNANIMOUSLY**