



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 March 01

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-40**
AMENDMENT BYLAW NO. 23/16; BYLAW #13615
High-rise apartment tower with street-oriented town housing and Live/Work
Third Reading

ADDRESS: 2360/2390 Douglas Road and 5343 Goring Street

LEGAL: Lot 6 Except: Part Subdivided By Plan 40102 Of DL 125, Group 1, NWD Plan 12069; Lot 7 Except: Part Subdivided By Plan 40102 Of DL 125, Group 1, NWD Plan 12069; Lot 1 Except: Parcel "A" (Explanatory Plan 9289), DL 125, Group 1, NWD Plan 5139

FROM: M2 General Industrial District

TO: CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C1 Neighbourhood Commercial District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "5345 Goring Street & 2360 / 2390 Douglas Road" prepared by CDA Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 June 13,
- b) Public Hearing held on 2016 June 28; and,
- c) Second Reading given on 2016 July 25.

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 2017 February 02 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 2017 February 02.*
- 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.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*
- e. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.3 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 February 02 and will deposit the funds equal to the bonus request prior to Final Adoption.*
- f. The dedication of any rights-of-way deemed requisite.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*
- g. The consolidation of the site into two legal parcels.
 - *The requisite site plan of subdivision has been submitted for review and will be deposited in the Land Title Office prior to Final Adoption.*

- h. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; guaranteeing the provision and maintenance of public art; indicating that project surface driveway accesses will not be restricted by gates; guaranteeing the continued operation and maintenance of stormwater management facilities; to ensure the site can be used safely in accordance with the approved geotechnical report; ensuring the provision and ongoing maintenance of EV cars and EV plug-in stations; to ensure that the project does not draw down the water table, providing that all disabled parking to remain as common property; and ensuring compliance with the submitted acoustical analysis.
- *The applicant has agreed to this prerequisite in a letter dated 2017 February 02 and the required covenants will be deposited in the Land Title Office prior to Final Adoption.*
- i. The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development is required.
- *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*
- j. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
- *The applicant has submitted a letter dated 2017 February 02 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.*
- k. The undergrounding of existing overhead wiring abutting the site.
- *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*
- l. 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.*
- m. The submission of a detailed comprehensive sign plan.

- *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*
- n. 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 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.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2017 February 02 agreeing to meet this prerequisite.*
- p. 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 dated 2017 February 02 agreeing to meet this prerequisite.*
- q. The review of on-site residential loading facilities by the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2017 February 02 agreeing to meet this prerequisite.*
- r. The provision of facilities for cyclists in accordance with this report.
 - *The applicant has submitted a letter dated 2017 February 02 agreeing to meet this prerequisite.*
- s. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*
- t. Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 February 02.*

- u. 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 2017 February 02. 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.*
- v. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2017 February 02 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 2017 February 02 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 2017 February 02 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 dated 2017 February 02 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 2017 March 06, with Reconsideration and Final Adoption to follow when the prerequisites are completely fulfilled and Planning notifies you to that effect.

City Clerk
Rezoning Reference #15-40
Third Reading
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A copy of the Public Hearing minutes for this rezoning application is ***attached*** for information.


Lou Pelletier, Director
PLANNING AND BUILDING

IW:spf
Attachment

cc: City Manager

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**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 23, 2016 – BYLAW NO. 13615**

Rez. #15-40

2360/2390 Douglas Road and 5343 Goring Street

From: M2 General Industrial District

To: CD Comprehensive Development (based on RM5s Multiple Family Residential District, C1 Neighbourhood Commercial District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "5345 Goring Street and 2360 / 2390 Douglas Road" prepared by CDA Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit construction of 32 and 26-storey residential apartment buildings with ground oriented work/live townhouses with underground and above grade structured parking.

The Advisory Planning Commission advised it supports the rezoning application.

Two letters were received in response to the proposed rezoning application.

Rod Heenan, 906-5051 Lougheed Highway, Burnaby

Jim Ellis, VP Development, Boffo Developments, 200-4580 Hastings Street, Burnaby

The following speaker appeared before Council in opposition to the proposed zoning bylaw amendment:

Jim Ellis, 4830 Northlawn Drive, Burnaby, VP Development, Boffo Development Group, noted that he is not opposed to the zoning but stated concerns regarding non-compliance of the tower set back, the proposed above ground parkade and the negative impacts on surrounding residents of a 330 foot concrete wall running along the North side of the property. Mr. Ellis requested that the proposed development be revaluated by the Planning and Building Department to determine a suitable design that would address the aforementioned concerns.

**MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR CALENDINO**

THAT this Public Hearing for Rez. #15-40, Bylaw #13615 be terminated.

CARRIED UNANIMOUSLY

**MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR KANG**

THAT staff report back to Council on the issues raised by the delegation at the Public Hearing for Rezoning Reference #15-40.

CARRIED UNANIMOUSLY