



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 July 19

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-28
BYLAW #13650; AMENDMENT BYLAW NO. 43/16
Commercial Podium, Underground Parking, and Public Realm Components
on the Lougheed Town Centre Phase I Site
Lougheed Town Centre Plan
Third Reading

ADDRESS: Portion of 9855 Austin Road (see *attached* Sketches #1, #2, and #3)

LEGAL: Lot 79, DL 4, Group 1, NWD Plan 36145 Except Plans BCP5531 and EPP10716

FROM: CD Comprehensive Development District (based on Lougheed Town Centre Core Area Master Plan and Lougheed Town Centre Plan as guidelines)

TO: Amended CD Comprehensive Development District (based on C3 General Commercial District, RM5s Multiple Family Residential District, Lougheed Core Area Master Plan, and Lougheed Town Centre Plan as guidelines, and in accordance with the development plan entitled "Lougheed Town Centre – Phase 1 Commercial Podium / Parking" prepared by GBL Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 October 03;
- b) Public Hearing held on 2016 October 25; and,
- c) Second Reading given on 2016 November 07.

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 2017 July 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 (as well as underground switching and transformer/service boxes in town centre locations), 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 July 19.*
- d) The submission of an Undertaking to remove all improvements prior to Final Adoption, but not prior to Third Reading of the Bylaw. 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.
 - *An extension to the demolition post Final Adoption has been requested by the applicant. A covenant requiring demolition no later than 36 months after the date of Final Adoption will be deposited in the Land Title Office prior to Final Adoption, and the necessary funds will be deposited to guarantee the completion of this prerequisite.*
- e) 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.*
- f) The completion of the necessary subdivision to create the subject site.
 - *The requisite subdivision plan has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The granting of any necessary easements and statutory rights-of-way.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h) The granting of any necessary Section 219 Covenants, including those listed in Section 5.5 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*

- i) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- j) 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 July 19. A detailed on-site stormwater management system has been submitted for the approval of the Director Engineering prior to Final Adoption. 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.*
- k) The review of commercial and residential loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. An on-site commercial and residential loading plan has been submitted to the Engineering Department – Traffic Division for approval prior to Final Adoption.*
- l) The submission of a suitable district energy pre-feasibility study to the approval of the Director Planning and Building is required.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. A district energy pre-feasibility study has been submitted to the Planning Department for approval prior to Final Adoption.*
- m) The submission of a sustainability report detailing the initiatives for the development to meets its environmental commitments of LEED ND Gold.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. A sustainability report study has been submitted to the Planning Department for approval prior to Final Adoption.*
- n) The provision of facilities for cyclists in accordance with this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19, and the necessary provisions are indicated on the development plans.*
- o) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.

- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. A detailed Solid Waste and Recycling Plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- p) 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.*
- q) The submission of a detailed Comprehensive Sign Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19.*
- r) The submission of a detailed Public Art Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19.*
- s) The submission of a detailed construction management plan including a schedule for the construction/development phasing of the subject proposal.
- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19.*
- t) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2017 July 19 to make the necessary deposits 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 2017 July 24, 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

JD:eb
Attachments

cc: City Manager

**Burnaby Zoning Bylaw 1965,
Amendment Bylaw No. 43, 2016 - Bylaw No. 13650**

Rez. #15-28

Portion of 9855 Austin Avenue

From: CD Comprehensive Development District (based on Lougheed Town Centre Core Area Master Plan and Lougheed Town Centre Plan as guidelines)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District, RM5s Multiple Family Residential District, Lougheed Core Area Master Plan, and Lougheed Town Centre Plan as guidelines, and in accordance with the development plan entitled "Lougheed Town Centre – Phase 1 Commercial Podium / Parking" prepared by GBL Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit construction of the commercial podium, underground parking and public realm components on the Phase I site, within the Lougheed Town Centre Core Area.

The Advisory Planning Commission advised it supports the rezoning application.

Thirteen letters were received in support of the proposed rezoning application:

Kathleen Almeida, 4242 Kitchener Street, Burnaby

Wendy Wong, 2948 Roseglen Court, Burnaby

David E. Lancaster, 7850 Kaymar Drive, Burnaby

Maggie Lee, 7991 Hunter Street, Burnaby

Tim Clarke, 316-145 West 5th Street, North Vancouver

Lisa Wong, 2802-4688 Kingsway, Burnaby

Sandeep Kaler, 2121 Paulus Crescent, Burnaby

Cory Barker, 2-2678 King George Boulevard, Surrey

Christophen Cheng, 6011 Hambry Street, Burnaby

Carolyn Oraziatti, North Road Business Improvement Association, Burnaby

Choan Truong, 4368 Dundas Street, Burnaby

Steven Nemetz, 2009 West 4th Avenue, Vancouver

Alan Ong, 504-2225 Holdom Avenue, Burnaby

The following speakers appeared before Council and spoke to the proposed rezoning application:

Kevin Loh, 102-9126 Capella Drive, Burnaby, appeared before Council and spoke in support of the rezoning application. The speaker is supportive of the walkways, green areas and design of the proposed towers.

Carolyn Oraziatti, Executive Director, North Road Business Improvement Area, 303-9940 Lougheed Highway, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. The speaker stated that the proposed development is consistent with existing social and environmental strategies, provides affordable housing options to residents and promotes long term vibrant community growth.

Trevor Leyenhorst, 721-20th Avenue, New Westminster, appeared before Council and spoke in support of the proposed rezoning application. The speaker is a registered sign language interpreter and is a contract employee of Shape Development. Mr. Leyenhorst is supportive of the Lougheed Master Plan and the proposed development as it capitalizes on the location of rapid transit and will provide easy access to restaurants and local services.

Micheal Suk, Executive Director, Korean Cultural Society, 202-4808 Hazel Street, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. The speaker stated that the proposed development will provide economic growth opportunities to local businesses.

Alan Ong, 504-2225 Holdom Avenue, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. The speaker stated that the proposed development will provide local jobs, decrease commute requirements for residents, improves access to rapid transit, encourage residents to explore local shops and amenities and offers in-door activities during inclement weather. Mr. Ong would like Council to explore the possibility of hosting community events in the area such as concerts, competitions and sporting events.

Ivan Harmatny, 8093 Government Road, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. The speaker stated general support for the proposed rezoning application.

Keith Kwan, 4126 Francis Street, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. Mr. Kwan spoke to the future housing needs stemming from immigration and migration and believes that the master planned community will provide much needed housing to new and existing residents into the future. The speaker highlighted the close proximity of the development to rapid transit, trees, green space and road enhancements.

Andy Hoang, 4368 Dundas Street, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. The speaker supports the development of much needed housing in the area attracting and retaining young families in the community.

Hugh Wooley, 4596 Harkin Drive, Burnaby, appeared before Council and spoke in support of the proposed rezoning application. Mr. Wooley is supportive of the increased density and referenced the success of other planned community in reducing dependency on cars, encouraging transit ridership and improving access to recreation and shopping activities.

Peter Hirny, 590 Whiting Way, Coquitlam, appeared before Council and shared concerns in relation to the proposed rezoning application. The speaker requested that Council consider interim affordable/accessible housing options such as shipping container homes. Shipping container homes located in parking stalls could house residents displaced by development in Burnaby. Mr. Hirny stated concerns regarding the affordability of new development and displacement and exclusion of low income populations from the community. The speaker also requested that any new buildings be build to LEED environmental standards.

All delegations that spoke to Rezoning #15-28 requested that their comments also be considered by Council for Rezoning #15-29.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR JORDAN

THAT this Public Hearing for Rez. #15-28, Bylaw #13650 be terminated.

CARRIED UNANIMOUSLY