



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 July 19

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-29
BYLAW #13651; AMENDMENT BYLAW NO. 44/16
High-Rise Apartment (Tower 1) in 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 Tower 1" 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 utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.5 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19, and will deposit the necessary funds prior to Final Adoption.*
- c) The granting of Section 219 Covenants in accordance with the subject rezoning and Rezoning Reference #15-28:

- restricting enclosure of balconies;
 - ensuring compliance with the approved acoustical study;
 - ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning and density allocation covenant for the site and to ensure that the overall site continues to function as a single, integrated development; and,
 - restricting the use of guest rooms.
- *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.*
- d) The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19, and the necessary provisions are indicated on the development plans.*
- e) Compliance with the Council-adopted sound criteria.
- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. An acoustic study has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- f) The submission of a suitable district energy pre-feasibility study to the approval of the Director Planning and Building.
- *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.*
- g) The submission of a sustainability report detailing the initiatives for the Phase 1 development to meet its environmental commitment of LEED ND.
- *The applicant has agreed to this prerequisite in a letter dated 2017 July 19. A sustainability report has been submitted to the Planning Department for approval prior to Final Adoption.*
- h) 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.*

- i) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2017 July 19 to make the necessary deposits prior to Final Adoption.*
- j) 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.*
- k) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2017 July 19 to make the necessary deposits prior to Final Adoption.*
- l) The completion of Rezoning Reference #15-28.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 July 19.*
- m) 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 July 19.*

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. 44, 2016 - Bylaw No. 13651**

Rez. #15-29

Portion of 9855 Austin Road

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 Tower 1" prepared by GBL Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of the first residential tower on the Lougheed Core Area 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 Oraziotti, 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

Speakers that appeared before Council at the Public Hearing and spoke to Rezoning Reference #15-28 requested that their comments be also considered in reference to Rezoning #15-29.

MOVED BY COUNCILLOR JOHNSTON

SECONDED BY COUNCILLOR CALENDINO

THAT this Public Hearing for Rez. #15-29, Bylaw #13651 be terminated.

CARRIED UNANIMOUSLY