



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 December 06

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #15-54
AMENDMENT BYLAW NO. 16/16; BYLAW #13685
Commercial and Public Realm Components of Gilmore Place Phase I
Third Reading**

ADDRESS: 4120, 4160, Ptn. 4170, Ptn. 4180 Lougheed Highway, and Ptn 4161 Dawson Street

LEGAL: See Schedule A (*attached*)

FROM: M1 Manufacturing District and CD Comprehensive Development District (M1 and M1r Manufacturing District, M5 and M5l Light Industrial District, C1 Neighbourhood Commercial District and P2 Administration and Assembly District)

TO: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C3, C3f General Commercial Districts, P1 Neighbourhood Institutional District, P2 Administration and Assembly District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Gilmore Station Phase 1 - Commercial" prepared by IBI Group Architects)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 November 21;
- b) Public Hearing held on 2016 December 13; and,
- c) Second Reading given on 2017 January 23.

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 December 04 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 December 04.*
- d. The submission of an undertaking to remove all existing improvements from the site prior to or within six months of the rezoning bylaw being effected. Demolition of any improvements will be permitted at any time, provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Second Reading, Third Reading and/or Final Adoption of the Rezoning Bylaw.
- *The applicant has requested in a letter dated 2017 December 04 to postpone demolition until one year (1) after Final Adoption. Given existing tenancies on site this request is considered suitable. A Section 219 Covenant will be deposited in the Land Title Office and the required funds to guarantee this requirement will be deposited prior to Final Adoption.*
- 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, including, but not necessarily limited to easements and statutory rights-of-way guaranteeing public access to proposed plazas, pedestrian walkways, and vehicular linkages.
- *The applicant has agreed to this prerequisite in a letter dated 2017 December 04, and the requisite easements and statutory rights-of-way 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:
- indicating that project surface driveway access will not be restricted by gates;
 - guaranteeing the provision and maintenance of public art;
 - ensuring that all subdivided lots throughout entire site function under a single site concept for BC Building Code Compliance purposes;
 - ensuring commercial entrances on Lougheed Highway, Gilmore Avenue and the private road remain open and operable and are restricted from having obscured fenestration;
 - assuring the provision and continuing maintenance of end-of-trip facilities for cyclists and bicycle storage rooms; and,
 - guaranteeing the provision and maintenance of identified public plazas, walkways and internal roadways.
- *The applicant has agreed to this prerequisite in a letter dated 2017 December 04, 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 December 04. 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 December 04. A suitable on-site stormwater management system has been submitted for the 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.*
- k. The review of commercial loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2017 December 04. An on-site commercial 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 December 04 and has submitted the required district energy pre-feasibility study for approval.*
- m. The submission of a sustainability report detailing the initiatives for the development to meets its environmental commitments within the Gilmore Station Master Plan.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 December 04 and has submitted the required sustainability report.*
- n. The provision of facilities for cyclists in accordance with this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 December 04, 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 December 04. A detailed Solid Waste and Recycling Plan has been reviewed by the Engineering Department – Environmental Services Division.*
- p. The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile. No remedial works are required in connection with the proposed development.*
- q. The submission of a detailed Comprehensive Sign Plan.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 December 04, and the required Comprehensive Sign Plan has been submitted for review.*
- r. The submission of a detailed Public Art Plan.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 December 04, and the required detailed Public Art Plan has been submitted for review.*
- 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 December 04, and the required Construction Management Plan will be submitted and approved prior to Final Adoption.*
- t. The deposit of the applicable GVS & DD Sewerage Charge.

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- *The applicant has agreed in a letter dated 2017 December 04 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 December 11, 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/eb
Attachment

cc: City Manager

SCHEDULE A
REZONING 15-54

ADDRESS	LEGAL DESCRIPTION	PID
4120 Lougheed Hwy.	Block 8 Except: Firstly: Parcel A (Reference Plan 11251); Secondly: Part By-Law Plan 52808; Thirdly: Part Now Road On Statutory Right Of Way Plan 4957; DL 119, Group 1, NWD Plan 206	003-206-840
4160 Lougheed Hwy.	Lot D, DL 119, Group 1, NWD Plan 69931	001-942-361
Portion of 4170 Lougheed Hwy.	Lot C, DL 119, Group 1, NWD Plan 69931	001-942-352
Portion of 4180 Lougheed Hwy.	Lot A, DLs 30 & 95, Group 1, NWD Plan EPP41731	029-728-088
4161 Dawson St.	Lot B, DL 119, Group 1, NWD Plan 69931	001-942-344

**Burnaby Zoning Bylaw 1965,
Amendment Bylaw No. 53, 2016 - Bylaw No. 13685**

Rez. #15-54

4120, 4160, Portion of 4170, Portion of 4180 Lougheed Highway and Portion of 4161 Dawson Street

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To: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C3, C3f General Commercial Districts, P1 Neighbourhood Institutional District, P2 Administration and Assembly District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Gilmore Station Phase 1 - Commercial" prepared by IBI Group Architects)

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 Gilmore Station Master Plan.

The Advisory Planning Commission advised it supports the rezoning application.

Three letters were received in response to the proposed rezoning application:

Man Hon Lau and Pik Chun Lo, 2102 - 4118 Dawson Street, Burnaby
Anita Rachman, 704 - 4182 Dawson Street, Burnaby
Rahim Hasanali, PH3 - 4182 Dawson Street, Burnaby

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

Eric Hughes, Onni Development Manager, 300-550 Robson Street, Vancouver, appeared before Council and offered to answer any questions Council or the public may have in regard to the rezoning application.

Man Hon Lou, 2102 - 4188 Dawson Street, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. Mr. Lou requested clarification from staff on the number of buildings, and their respective heights and stated concerns with loss of privacy, loss of views and the potential decreased property values.

**PUBLIC HEARING MINUTES
HELD ON: 2016 DEC. 13
REZ. REF. NO. 15-54
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All delegations that spoke to Rezoning #15-54 requested that their comments also be considered by Council for Rezoning's #15-55, #15-56 and #15-57.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR CALENDINO

THAT this Public Hearing for Rez. #15-54, Bylaw #13685 be terminated.

CARRIED UNANIMOUSLY