



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2018 February 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-52**
BYLAW #13785; AMENDMENT BYLAW NO. 29/17
High-Rise Apartment (Tower 3) in the Lougheed Town Centre Phase I Site
Lougheed Town Centre Plan
Third Reading

ADDRESS: Portion of 9855 Austin Road

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 3" prepared by GBL Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 July 24;
- b) Public Hearing held on 2017 August 28; and,
- c) Second Reading given on 2017 September 11.

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 2018 January 05, and will deposit \$8,328,422.40 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; and,
 - 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.
- *The applicant has agreed to this prerequisite in a letter dated 2018 January 05, 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 2018 February 16, 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 2018 January 05. An acoustic study has been approved by the Engineering Department – Environmental Services.*
- 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 2018 January 05. A district energy pre-feasibility study has been approved by the Planning Department.*
- g) The submission of a sustainability report detailing the initiatives for Tower 3 to contribute towards the environmental commitment of LEED ND Gold for the entire Phase 1 Development.
- *The applicant has agreed to this prerequisite in a letter dated 2018 January 05. A sustainability report has been approved by the Planning Department.*
- 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 2018 January 05. A detailed Solid Waste and Recycling Plan has been submitted to the Engineering Department – Environmental Services and will be approved prior to Final Adoption.*

- i) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2018 January 05 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 2018 January 05 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 2018 January 05 to make the necessary deposits prior to Final Adoption.*
- l) The completion of Rezoning Reference #15-28 and #15-29.
 - *The applicant has agreed to this prerequisite in a letter dated 2018 January 05.*
- 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 provided a letter of undertaking dated 2018 February 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 2018 February 26, 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.


b. Lou Pelletier, Director
PLANNING AND BUILDING

JD:eb
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 29, 2017 - BYLAW NO. 13785**

Rez. #16-52

Portion of 9855 Austin Road

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The purpose of the proposed zoning bylaw amendment is to permit the construction of the third of four residential towers on the Lougheed Core Area Phase 1 site within the Lougheed Town Centre Core area.

One letter was received in response to the proposed rezoning application:

Mr. Bill Zhang, Kin’s Farm Market, Unit #206 – 9855 Austin Avenue, Burnaby

No speakers appeared before Council in support or opposition to the proposed zoning bylaw amendment.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

THAT this Public Hearing for Rez. #16-52, Bylaw #13785 be terminated.

CARRIED UNANIMOUSLY