



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2018 March 07

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #15-56**  
**AMENDMENT BYLAW NO. 55/16; BYLAW #13687**  
**Residential Tower II of Gilmore Station 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 (based on M1 and M1r Manufacturing District, M5 and M5I 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 and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Gilmore Station Phase 1 – Tower 2" prepared by IBI Group Architects)

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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 2018 February 21 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 2018 February 21.*
- d. The utilization of an amenity bonus in accordance with Section 5.6 of this report.
- *The subject rezoning application represents a single sub-phase (Tower 2) of the overall site's first phase of development. As the first phase of development will be delivered in four sub-phases, the applicant will provide a phased cash in-lieu contribution. The Tower 2 sub-phase contribution of \$33,280,390, as well as the contribution for Tower 3, would be payable prior to issuance of Preliminary Plan Approval, subject to an annual interest rate of 2% above Royal Bank of Canada (RBC) prime. A density allocation covenant for the overall site, and no-build covenant for Towers 2 and 3 would be registered with the Land Title Office prior to Final Adoption. This approach is consistent with other similarly phased multiple-family developments within the City.*
- e. The granting of any necessary covenants, easements or statutory rights-of-way, including but not necessary limited to:
- Section 219 Covenant restricting enclosure of balconies;
  - Section 219 Covenant guaranteeing the provision and maintenance of public art;
  - Section 219 Covenant ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development;
  - Section 219 Covenant ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
  - Section 219 Covenant ensuring compliance with the approved acoustic study;
  - Section 219 Covenant ensuring the provision and ongoing maintenance of EV cars and EV plug-in stations;

- Section 219 Covenant ensuring that provided amenity spaces are for the sole use of residents of the Gilmore Station development and are not to be used for commercial purposes; and,
  - Section 219 Covenant restricting the use of guest rooms.
  - *The applicant has agreed to this prerequisite in a letter dated 2018 February 21, and the requisite covenants, easements and statutory rights-of-way will be deposited in the Land Title Office prior to Final Adoption.*
- f. The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2018 February 21.*
- g. 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 2018 February 21, and the requisite easements and statutory rights-of-way will be deposited in the Land Title Office prior to Final Adoption.*
- h. The review of residential loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2018 February 21. An on-site commercial loading plan has been submitted to the Engineering Department – Traffic Division for approval prior to Final Adoption.*
- i. 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 2018 February 21 and has submitted the required district energy pre-feasibility study for approval.*
- j. 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 2018 February 21.*
- k. The provision of facilities for cyclists in accordance with this report.
- *The applicant has agreed to this prerequisite in a letter dated 2018 February 21, and the necessary provisions are indicated on the development plans.*

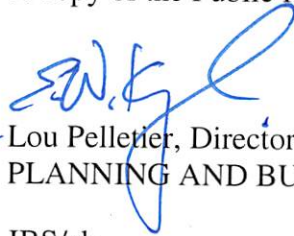
- l. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
  - *The applicant has agreed to this prerequisite in a letter dated 2018 February 21. A detailed Solid Waste and Recycling Plan has been submitted to the Engineering Department – Environmental Services Division for approval prior to Final Adoption.*
- m. Compliance with the guidelines for underground parking for residential visitors.
  - *The applicant has agreed to this prerequisite in a letter dated 2018 February 21, and the necessary provisions are indicated on the development plans.*
- n. The submission of an acoustic study to ensure compliance with the Council-adopted sound criteria.
  - *An acoustic study has been submitted for review by the Engineering Department – Environmental Services Division, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- p. 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 2018 February 21, and the required Construction Management Plan will be submitted and approved prior to Final Adoption.*
- q. The deposit of the applicable Parkland Acquisition Charge.
  - *The applicant has agreed in a letter dated 2018 February 21 to make the necessary deposits prior to Final Adoption.*
- r. The deposit of the applicable GVS & DD Sewerage Charge.
  - *The applicant has agreed in a letter dated 2018 February 21 to make the necessary deposits prior to Final Adoption.*
- s. The deposit of the applicable School Site Acquisition Charge.
  - *The applicant has agreed in a letter dated 2018 February 21 to make the necessary deposits prior to Final Adoption.*
- t. 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 2018 February 21 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 March 12, 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

**Attachments**

cc: City Manager

**SCHEDULE A**  
**REZONING 15-56**

<b>ADDRESS</b>	<b>LEGAL DESCRIPTION</b>	<b>PID</b>
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
Portion of 4161 Dawson St.	Lot B, DL 119, Group 1, NWD Plan 69931	001-942-344



**Burnaby Zoning Bylaw 1965,**  
**Amendment Bylaw No. 55, 2016 - Bylaw No. 13687**

Rez. #15-56

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

From: M1 Manufacturing District, CD Comprehensive Development District (based on M1, M1r Manufacturing Districts, M5, M5I Light Industrial Districts, C1 Neighbourhood Commercial District and P2 Administration and Assembly District)

To: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Gilmore Station Phase 1 – Tower 2" prepared by IBI Group Architects)

The purpose of the proposed zoning bylaw amendment is to permit construction of Residential Tower II within Phase I of the Gilmore Station Master Plan site.

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

All delegations that spoke to Rezoning #15-54 requested that their comments also be considered by Council for Rezoning #15-55, #15-56 and #15-57.

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

MOVED BY COUNCILLOR JOHNSTON

SECONDED BY COUNCILLOR CALENDINO

THAT this Public Hearing for Rez. #15-56, Bylaw #13687 be terminated.

CARRIED UNANIMOUSLY