



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2015 June 30

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #13-14**
AMENDMENT BYLAW NO. 45/14 ; BYLAW #13433
High Rise Apartment Tower and Ground Oriented Townhouses
Third Reading

ADDRESS: 6592, 6650 Dunblane Avenue, 6579 and 6611 Marlborough Avenue

LEGAL: Lot 44, DL 152, Group 1, NWD Plan 27166; Lot 17, DL 152, Group 1, NWD Plan 1292; Lot 18, DL 152, Group 1, NWD Plan 1292; Lot 40, DL 152, Group 1, NWD Plan 25465; Lot 24, DL 152, Group 1, NWD Plan 24406

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on RM5s Multiple Family Residential District, Metrotown Town Centre Development Plan as guidelines and in accordance with the development plan entitled "Dunblane" prepared by DYS Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2014 December 08;
- b) Public Hearing held on 2015 January 27; and,
- c) Second Reading given on 2015 February 02.

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 2015 June 30 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, 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 2015 June 30.*
- d. 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.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30 and the site is currently vacant.*
- e. The utilization of an amenity bonus through the provision of a \$10,302,627 cash in-lieu contribution in accordance with Section 3.2 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30, and will deposit the necessary funds prior to Final Adoption.*
- f. The consolidation of the net project site into one legal parcel.
 - *The requisite subdivision plan of consolidation has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies; indicating that project surface driveway access will not be restricted by gates; guaranteeing the provision and maintenance of public art; ensuring the provision and ongoing maintenance of electric vehicles and EV plug-in stations; providing that all disabled parking to remain as common property; and ensuring compliance with the submitted acoustical analysis.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*

- h. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30, and the necessary provisions are indicated on the development plans.*
- i. The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30, and will deposit the necessary funds prior to Final Adoption.*
- j. Compliance with the Council-adopted sound criteria.
 - *An acoustic study has been submitted for review by the Engineering Environmental Services Division, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- k. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2015 June 30 committing to implement the recycling provisions.*
- 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 2015 June 30. A detailed Solid Waste and Recycling Plan has been approved by the Engineering Department – Environmental Services Division.*
- m. The review of on-site residential loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30. An on-site residential loading plan has been submitted to the Engineering Department – Traffic Division for approval prior to Final Adoption.*
- n. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2015 June 30 agreeing to meet this prerequisite.*

- o. The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- p. Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2015 June 30, and the necessary provisions are indicated on the development plans.*
- q. 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 2015 June 30. 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.*
- r. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2015 June 30 to make the necessary deposits prior to Final Adoption.*
- s. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2015 June 30 to make the necessary deposits prior to Final Adoption.*
- t. The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2015 June 30 to make the necessary deposits prior to Final Adoption.*
- u. 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 2015 June 30 and the area plan notification signs are in place.*

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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 2015 July 06, 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/spf
Attachment

cc: City Manager
Director Finance

**PUBLIC HEARING MINUTES
HELD ON: 2015 January 27
REZ. REF. NO. 13-14
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**BURNABY ZONING BYLAW 1965
AMENDMENT BYLAW NO.45, 2014 - BYLAW NO. 13433**

Rez. #13-14

6592/6650 Dunblane Avenue and 6579/6611 Marlborough Avenue

Lot 44, DL 152, Group 1, NWD Plan 27166; Lot 17, DL 152, Group 1, NWD Plan 1292; Lot 18, DL 152, Group 1, NWD Plan 1292; Lot 40, DL 152, Group 1, NWD Plan 25465; Lot 24, DL 152, Group 1, NWD Plan 24406

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The purpose of the proposed zoning bylaw amendment is to permit the construction of a 37 storey apartment building with ground oriented townhouses and full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2015 January 10 was received from Ken Pett, 402-6152 Kathleen Avenue, Burnaby expressing concern regarding the proposed residential tower in relation to the capacity of Burnaby General Hospital to handle continued population growth in the City.

Letters dated 2015 January 18 were received from Frederick Boudrias and Alejandra Sepulveda, 6-6661 Marlborough Avenue, Burnaby opposing the rezoning application. The writers expressed concern regarding dust, dirt, noise and traffic during the construction phase of the project.

A letter dated 2015 January 21 was received from Sherry Yi Chen, 208-6650 Dunblane Avenue, Burnaby noting the proposed development will displace long-time residents including her family. The writer noted the importance of addressing the shortage of affordable rental units in Metrotown.

A letter dated 2015 January 23 was received from Yiqing Cai, 208-6695 Dunblane Avenue, Burnaby opposing the rezoning application due to its effect on the living environment.

A letter dated 2015 January 27 was received from Pauline Wallin, 5030 Grimmer Street, Burnaby opposing the rezoning application. The writer noted the proposed development would block sunlight and potentially devalue her property.

Mr. Brian Ellis, Polygon Development, 900-1333 West Broadway, Vancouver, the rezoning applicant, appeared before Council advising the project team members were in attendance at this evening's public hearing and available to answer any questions Council may have.

Mr. Louis Bergeron, B1-6661 Marlborough Avenue, Burnaby appeared before Council opposing the rezoning application. The speaker expressed concern regarding construction noise and lack of parking in the area.

Ms. Chouhan, 3846 Sunset Street, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted high rise towers displace affordable rental housing.

Mr. Chen, 5014 Grimmer Street, Burnaby appeared before Council to ask if a shadow study has been completed for the proposed development. The speaker also inquired regarding the impact of this rezoning application on the future development of adjacent Grimmer Street properties.

In response to the speaker's comments, the Director Planning and Building noted that a shadow study is available for public viewing in the Planning Department. He also noted the row of townhouses on Grimmer Street would support a similar scale of development.

Mr. Trevor Gibbens, 312-6695 Dunblane Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted the following questions:

- Will the current pathway through the north end of the subject site remain?
- How many residents will be displaced by the development?
- Will affordable rental housing be incorporated into this development?
- When will a lighted pedestrian crossing be installed at the Dunblane Avenue/Imperial Street intersection?
- Is there new bicycle infrastructure improvement in the area?

The Director Planning and Building replied to the speaker's questions and noted the following points:

- The development will include pathways on the northern portion of the site for the enjoyment of property owners.
- On the south side of the development, a new lane will be constructed to connect Marlborough Avenue to Dunblane Avenue and that lane will be available for public passage.
- The site is currently occupied by sixty apartment units.

Mr. Gibbens concluded his presentation by requesting Council consider directing developers to incorporate low cost rental housing into new developments.

Ms. Chouhan, 3846 Sunset Street, Burnaby again appeared before Council noting the importance for the City to provide affordable rental housing in the community.

There were no further submissions received regarding Rezoning #13-14, Bylaw No. 13433.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR WANG:

“THAT this Public Hearing for Rez. #13-14, Bylaw No. 13433 be terminated.”

CARRIED UNANIMOUSLY

Arising from discussion, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the matter of a lighted pedestrian crossing at the Dunblane Avenue/Imperial Street intersection be REFERRED to the Traffic Safety Committee.”

CARRIED UNANIMOUSLY