



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2020 November 04

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-32**
AMENDMENT BYLAW NO. 09, 2020; BYLAW #14163
High-Rise Apartment Building with Townhouses
Third Reading

ADDRESS: 5977 Wilson Avenue

LEGAL: Lot 58, District Lots 151 and 153, Group 1, NWD Plan 25603

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "5977 Wilson Avenue" prepared by Gensler Architects, CDA Inc., and PSF Studio Landscape Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2020 June 08;
- b) Public Hearing held on 2020 June 23; and,
- c) Second Reading given on 2020 July 06.

The prerequisite conditions have been partially satisfied as follows:

- a) The submission of a suitable plan of development.
 - *The applicant has submitted a virtually complete suitable plan of development. 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 2020 November 01 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 2020 November 01.*
- d) Completion of Rezoning Application #19-42 prior to the subject rezoning application.
 - *Rezoning Application #19-42 has achieved Third Reading, and will achieve Final Adoption concurrently with the subject Rezoning Application.*
- e) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of the Public Hearing report.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 01. An amenity bonus value will be determined prior to Final Adoption, and the applicant will deposit the funds prior to issuance of Preliminary Plan Approval. A Section 219 Covenant to guarantee this provision, including restricting the issuance of Preliminary Plan Approval and Building Permit for the proposed development, will be deposited in the Land Title Office prior to Final Adoption.*
- f) The submission of a Tenant Assistance Plan.
 - *The applicant has submitted a Tenant Assistance Plan in accordance with the Council adopted Tenant Assistance Policy.*
- g) The granting of any necessary statutory rights-of-way, easements, and covenants.
 - *The necessary statutory right-of-way, easement, and covenant documentation will be deposited in the Land Title Office prior to Final Adoption.*
- h) The granting of any necessary Section 219 Covenants in accordance with Section 5.4 of the Public Hearing report.
 - *The necessary Section 219 Covenant documentation will be deposited in the Land Title Office prior to Final Adoption.*
- i) The submission of an undertaking to remove all improvements prior to Final Adoption of the Bylaw. If requested, demolition may also be delayed to more closely coincide with approval of building permits.


- *The applicant has agreed to this prerequisite in a letter dated 2020 November 01.*
- j) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 01.*
- k) The submission of a suitable on-site ground and 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 2020 November 01.*
- l) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2020 November 01 committing to implement the solid waste and recycling provisions.*
- m) The design and provision of units adaptable to persons with disabilities, with 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 2020 November 01. The necessary provisions have been indicated on the development plans, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- n) The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 November 01 agreeing to meet this prerequisite.*
- o) The review of on-site residential loading facilities by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 01, and the necessary provisions are indicated on the development plans.*
- p) The submission of a Public Art Plan.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 01, and the required Public Art Plan will be submitted prior to Final Adoption.*

- q) Compliance with the Council-adopted sound criteria.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 01, and the necessary Section 219 Covenant to guarantee the provisions of the acoustical report, will be deposited in the Land Title Office prior to Final Adoption.*
- r) The provision of facilities for cyclists in accordance with the Public Hearing report.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 November 01 agreeing to meet this prerequisite.*
- s) The undergrounding of existing overhead wiring abutting the site, as determined by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 01 and will deposit the necessary funds prior to Final Adoption.*
- t) Compliance with the guidelines for underground parking for visitors.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2020 November 01 agreeing to meet this prerequisite.*
- u) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 November 01 to make the necessary deposits prior to Final Adoption.*
- v) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2020 November 01 to make the necessary deposits prior to Final Adoption.*
- w) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 November 01 to make the necessary deposits prior to Final Adoption.*
- x) The deposit of the applicable Regional Transportation Charge.
 - *The applicant has agreed in a letter dated 2020 November 01 to make the necessary deposits prior to Final Adoption.*

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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 2020 November 09, 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.


E. W. Kozak, Director
PLANNING AND BUILDING

MN:tn
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965
AMENDMENT BYLAW NO. 9, 2020 - BYLAW NO. 14163**

Rez. #17-32

5977 Wilson Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "5977 Wilson Avenue" prepared by Gensler Architects, CDA Inc., and PSF Studio Landscape Architecture)

Purpose: to permit the construction of a high-rise apartment building with townhouses oriented towards Wilson Avenue and a proposed public east-west neighbourhood linkage

Applicant: Blue Sky Properties Inc.

Fourteen (14) letters were received in response to the proposed rezoning application:

1. Earl Thomas Pollitt, #105-6031 Wilson Avenue, Burnaby
2. Jason Wong, #801-5967 Wilson Avenue, Burnaby
3. Reinhard Schauer, #21-5868 Olive Avenue, Burnaby
4. John W. Unger, #12E-6128 Patterson Avenue, Burnaby
5. Rose Jorgenson-Mills, #17A-6128 Patterson Avenue, Burnaby
6. Al Louie, #2003-5833 Wilson Avenue, Burnaby
7. Ding Jun Yang, #602-5848 Olive Avenue, Burnaby
8. Stephen Mayba, #207-5888 Olive Avenue, Burnaby
9. Jonilyn Greene, #705-4333 Central Blvd., Burnaby
10. Chi Ying, address not provided
11. Al Louie, #2003-5833 Wilson Avenue, Burnaby (second submission)
12. Reinhard Schauer, #21-5868 Olive Avenue, Burnaby (second submission)
13. G. Pettipas, 437 7th Street, New Westminster
14. Richard Cordner, 5888 Olive Avenue, Burnaby

The following speakers connected through the online webinar or teleconference in response to the proposed zoning bylaw amendment:

Earl Thomas Pollitt, #105-6031 Wilson Avenue, Burnaby, spoke in opposition to the proposed rezoning application as the construction noise will negatively affect his business. Mr. Pollitt requested Council not approve rezonings #17-28, #17-32 and #19-42. The speaker further inquired regarding hours of construction and project timeline.

Staff advised that hours of constructions will be known when the Construction Management Plan is submitted to the Planning Department. The developer and contractors will have to comply with the Burnaby Noise Abatement Bylaw. The project could take minimum three (3) years before occupancy is granted.

A member of Council sought clarification on the number of buildings on the site. Staff advised that there are two (2) buildings on the site under one address.

Kimberly Thomson Suzuki, 6128 Patterson Avenue, Burnaby, expressed a need for sidewalks to ensure safe transport of pedestrians and children, and inquired if the east-west linkage will be publicly accessible.

Staff advised the speaker that the east-west linkage would be publicly accessible.

Hannah Wiebe, 5967 Wilson Avenue, Burnaby, expressed concerns regarding loss of property value, dust and light pollution, noise, as well as population density problems, and increased demand on Patterson SkyTrain Station. The speaker requested Council consider reducing the height of the building.

Councillor Keithley left the meeting at 6:22 p.m. and returned at 6:25 p.m.

Greg Pettipas, 436 7th Street, New Westminster, spoke in opposition to the proposed rezoning application, expressing concerns with overcrowding, increased demand on SkyTrain, transit, schools and infrastructure, and an overall negative impact on the quality of life of the area residents.

Richard Cordner, 5888 Olive Avenue, Burnaby, expressed concerns with the proposed rezoning application due to displacement/demolition of residents, extended construction period, and negative impacts due to noise and dust. The speaker requested the City measure the impact and noise pollution on the neighbourhood and create a policy to regulate pollution standards.

Richard Cordner, 5888 Olive Avenue, Burnaby, spoke for the second time requesting area residents be informed regarding major commercial activities.

Staff will follow up with the applicant.

Hannah Wiebe, 5967 Wilson Avenue, Burnaby, spoke for the second time and supported the idea to inform the neighbouring residents regarding the project progress and milestones.

Staff encouraged residents contact the Planning and Building Department with any questions, projects updates and status.

*Councillor Calendino & Councillor Jordan left 6:47 p.m.
Councillor Calendino returned at 6:48 p.m.*

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR KEITHLEY

THAT this Public Hearing for Rez. #17-32, Bylaw No. 14163 be terminated.

CARRIED UNANIMOUSLY