



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2020 August 19

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 17-26**
BYLAW 14084 AMENDMENT BYLAW NO. 38/2019
High-Rise Apartment Building and Low Rise Rental Apartment Building
Third Reading

ADDRESS: 6525 Telford Avenue

LEGAL: Lot 66, District Lot 153, Group 1, New Westminster District Plan 26877

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s and RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Telford Multi-Residential Development" prepared by NSDA Architects and Connect Landscape Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2019 November 04;
- b) Public Hearing held on 2019 November 19; and,
- c) Second Reading given on 2020 April 20.

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 May 26 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 May 26.*
- d) 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 2020 May 26. 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.*
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 26, and the necessary statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- f) The granting of Section 219 Covenants in accordance with Section 4.11 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 26, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- g) The registration of a Housing Covenant and Housing Agreement is required.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 26. A Housing Covenant and Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit for the low rise rental building. A Section 219 Covenant guaranteeing this provision will be deposited in the Land Title Office prior to Final Adoption.*
- h) The execution of a Tenant Assistance Plan, to the approval of the Director Planning and Building.

- *The applicant has agreed to this prerequisite in a letter dated 2020 May 26 and has submitted the requisite Tenant Assistance Plan in accordance with the City's Tenant Assistance Policy.*
- i) 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.*
- j) The submission of a stormwater and ground water management plan, 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 2020 May 26. A suitable on-site stormwater management system will require 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 a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2020 May 26.*
- 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 May 26 agreeing to meet this prerequisite.*
- m) The review of on-site residential loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2020 May 26 and the necessary provisions are indicated on the development plans.*
- n) The provision of five covered car wash stalls and an 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 applicant has agreed to this prerequisite in a letter dated 2020 May 26 and the necessary provisions are indicated on the development plans.*

- o) The provision of facilities for cyclists in accordance with this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 26 and the necessary provisions are indicated on the development plans.*

- p) 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 2020 May 26 and the necessary provisions are indicated on the development plans.*

- q) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 26 and will deposit the necessary funds prior to Final Adoption.*

- r) Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 May 26.*

- s) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 May 26 to make the necessary deposit prior to Final Adoption.*

- t) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2020 May 26 to make the necessary deposit prior to Final Adoption.*

- u) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 May 26 to make the necessary deposit prior to Final Adoption.*

- u) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 May 26 to make the necessary deposit prior to Final Adoption.*

- v) The deposit of the applicable Regional Transportation Development cost Charge.

- *The applicant has agreed in a letter dated 2020 May 26 to make the necessary deposit prior to Final Adoption.*
- w) 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 2020 May 25 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 2020 August 24, 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

KH:tn
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 38, 2019 - BYLAW NO. 14084**

Rez. #17-26

6525 Telford Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM5s and RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines, and in accordance with the development plan entitled "Telford Multi-Residential Development" prepared by NSDA Architects and Connect Landscape Architecture)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 37-storey market (strata) residential building and a six-storey rental residential building.

Seven (7) letters were received in response to the proposed rezoning application:

- 1. Jianming Wu, Furong Gong and Sixuan Wu, 5807-6461 Telford Avenue, Burnaby**
- 2. Luke Hsu, 6485 Telford Avenue, Burnaby**
- 3. Vincent Tong, 2006-6461 Telford Avenue, Burnaby**
- 4. Paola Francescutto and Lea Francescutto, 6931 Sussex Avenue, Burnaby**
- 5. Cathy Francescutto, 7415 Magnolia Terrace, Burnaby**
- 6. Stephanie Smith, 4911 Canada Way, Burnaby**
- 7. Reinhard Schauer, 201-5868 Olive Avenue, Burnaby**

The following speakers appeared before Council in response to the proposed zoning bylaw amendment:

Alaidjan McGlynn, 201-6630 Sussex Street, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker advised that the proposed development does not provide adequate rental replacement units, suggested the City own the building, and provide information on relocation, subsidies and support to all tenants. Mr. McGlynn requested the City adopt the Tenant Assistance Policy before proceeding further. (*Mr. McGlynn noted that he spoke to previous rezoning - Rez. #16-13 - wrongly*).

Rocco Trigueros, 304-3737 Bartlett Court, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker inquired if the City can keep the building and protect rental units.

Murray Martin, 1403-7235 Salisbury Street, Burnaby, appeared before Council and spoke in opposition of the proposed rezoning application.

Stephen Samuel, 1941 East Broadway, Vancouver, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker inquired about the new Tenant Assistance Policy and the City's plans advise effected tenants.

Joel Gibbs, 7777 12th Avenue, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker expressed concerns with a lack of rental units proposed, and the number of parking stalls.

Cecile Revaux, 1227 East 13th Avenue, Vancouver, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker expressed concerns with affordability, and requested the developers provide units for \$500 or at welfare/shelter-rent rates.

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR WANG

THAT this Public Hearing for Rez. #17-26, Bylaw #14084 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN
SECONDED BY COUNCILLOR KEITHLEY

THAT staff be directed to report back to Council on the issues raised by the delegations at the Public Hearing for Rezoning Reference #17-26 prior to the second reading of the bylaw; and

THAT a copy of the report, including the new Tenant Assistance Policy, be distributed to the individuals that wrote and/or spoke at the Public Hearing, and all tenants in the building.

CARRIED UNANIMOUSLY