

INTER-OFFICE MEMORANDUM

TO: CITY CLERK DATE: 2021 October 20

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-42**
BYLAW 14345, AMENDMENT BYLAW NO. 15/21
Residential Tower 6
Brentwood Town Centre Development Plan
Third Reading

ADDRESS: Ptn. 4567 Lougheed Highway

LEGAL: Lot 1, DL's 123 and 124, Group 1, NWD Plan EPP31990 Except Plans EPP40171 and EPP59173

FROM: CD Comprehensive Development District (based on C3, C3a General Commercial District, P2 Administration and Assembly District, RM4s, RM5s Multiple Family Residential District and Brentwood Town Centre Plan as guidelines)

TO: Amended CD Comprehensive Development District (based on C3 General Commercial District; RM4s, RM5s, RM5r Multiple Family Residential Districts and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "The Amazing Brentwood Phase 2b – Tower 6" prepared by IBI Group Architects (Canada) Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2021 June 14;
- b) Public Hearing held on 2021 June 29; and,
- c) Second Reading given on 2021 July 12.

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 completion of Rezoning Reference #16-31.
 - *Rezoning Reference #16-31 received Final Adoption on 2021 July 26.*

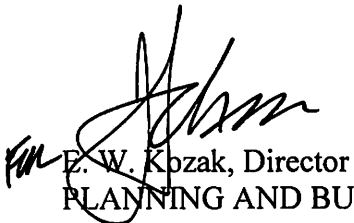
- c. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- *Site servicing for the subject development was captured under Rezoning Reference #16-31 and Subdivision Reference #18-08. No additional site servicing is required in conjunction with the subject rezoning application.*
- d. The utilization of an amenity bonus in accordance with Section 5.4 of the Public Hearing report.
- *The applicant has agreed to the provision of a \$8,575,000 (subject to detailed survey) cash in-lieu contribution, in accordance with the terms and conditions approved by Council. The applicant will deposit the funds prior to issuance of Preliminary Planning Approval. A Section 219 Covenant to guarantee this provision, including restricting the issuance of Preliminary Planning 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 2021 September 28, and the requisite Statutory Rights-of-way, Easements and/or Covenants will be deposited in the Land Title Office prior to Final Adoption.*
- f. The registration of a Housing Covenant as described in Section 5.8 of the Public Hearing Report report.
- *The applicant has agreed to this prerequisite in a letter dated 2021 September 28. A Housing Covenant and Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit. A Section 219 Covenant guaranteeing this provision will be deposited in the Land Title Office prior to Final Adoption.*
- g. The completion of the necessary subdivision.
- *The subdivision for the subject development was completed through Rezoning Reference #16-31 and Subdivision Reference #18-08.*
- h. 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/renting of the unit to a disabled person.

- *The applicant has submitted a letter dated 2021 September 28 agreeing to meet this prerequisite, this provision is indicated on the development plans and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- i. Compliance with the Council-adopted sound criteria.
- *An acoustic study has been submitted for review by the Climate Action and Energy Division. Agreement by the applicant to comply with the Council-adopted sound criteria and an acceptable acoustic study will be achieved prior to Final Adoption.*
- j. The submission of a Comprehensive Sign Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2021 September 28.*
- k. The submission of a Public Art Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2021 September 28.*
- l. Submission of a Green Building Strategy.
- *The applicant has agreed to this prerequisite in a letter dated 2021 September 28, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption*
- m. The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2021 September 28 to make the necessary deposits prior to Final Adoption.*
- n. The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2021 September 28 to make the necessary deposits prior to Final Adoption.*
- o. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2021 September 28 to make the necessary deposits prior to Final Adoption.*
- p. The deposit of the applicable Regional Transportation Cost Charge.

- *The applicant has agreed in a letter dated 2021 September 28 to make the necessary deposits prior to Final Adoption.*
- q. 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 2021 July 28 and the area plan notifications 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 2021 October 25, 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:spf
Attachment

cc: Chief Administrative Officer

**BURNABY ZONING BYLAW 1965
AMENDMENT BYLAW NO. 15, 2021 - BYLAW NO. 14345**

Rez. #17-42

Portion of 4567 Lougheed Highway

From: CD Comprehensive Development District (based on C3, C3a General Commercial Districts, P2 Administration and Assembly District, RM4s, RM5s Multiple Family Residential Districts and Brentwood Town Centre Plan as guidelines)

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Purpose: to permit the construction of a 39-storey high-rise residential building inclusive of a 4-storey rental podium with commercial at grade.

Applicant: Shape Properties

Seventeen (17) letters were received in response to the proposed rezoning application:

1. Andrew Le, 388 Kootenay Street, Vancouver
2. Angelica Yang, 4400 Buchanan Street, Burnaby
3. Brendan Lancaster, 4510 Halifax Street, Burnaby
4. Simon Fuller, 4650 Brentwood Blvd, Burnaby
5. Gareth Lancaster, 4510 Halifax Way, Burnaby
6. Marco Caporale, 4477 Hastings Street, Burnaby
7. David Lancaster, 7850 Kaymar Drive, Burnaby
8. Stan Wong, 7225 Acorn Avenue, Burnaby
9. Kathleen Almeida, 4650 Brentwood Blvd, Burnaby
10. Ixqui Mariana Batarse, 4189 Halifax Street, Burnaby
11. Tuong (Vicky) Vy Le, 4540 Albert Street, Burnaby
12. Teng Fan, 2645 Bainbridge Avenue, Burnaby
13. Patricia Louie, 4317 Cambridge Street, Burnaby
14. Vincent Lee, 1388 Carleton Avenue, Burnaby
15. Emily Wong, 6895 Broadway Street, Burnaby
16. Stephanie Lee, 6383 McKay Avenue, Burnaby
17. Daniel R. Wilson, 4510 Halifax Street, Burnaby

No speakers connected through the online webinar or teleconference in response to the proposed rezoning application.

**MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR DHALIWAL**

THAT this Public Hearing for Rez. #17-42, Bylaw No. 14345 be terminated.

CARRIED UNANIMOUSLY