



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2020 December 2

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-27**
AMENDMENT BYLAW NO. 39/19; BYLAW #14085
High-Rise Apartment Building with Street-Oriented Townhouses and a Low-Rise Non-Market Rental Component (Metrotown Downtown Plan)
Third Reading

ADDRESS: 6444 Willingdon Avenue and 4241 Maywood Street

LEGAL: Lot G, DL 151, Group 1, NWD Plan 2069 and Lot 50, DL 151, Group 1, NWD Plan 25004

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s and RM5r Multiple Family Residential Districts and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "6444 Willingdon" prepared by GBL Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2018 April 16;
- 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.
 - *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 2020 November 13 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 13.*
- d) The utilization of an amenity bonus in accordance with Section 4.3 of the Public Hearing report.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 13, the applicant will deposit the funds prior to issuance of Preliminary Plan Approval. A Section 219 Covenant to guarantee this provision, restricting 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 dedication of any rights-of-way deemed requisite.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 13, and the requisite subdivision plan dedicating the requisite rights-of-way has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- f) 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 November 13, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- g) The granting of Section 219 Covenants in accordance with Section 4.10 of this report.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 13, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h) The registration of a Housing Agreement.

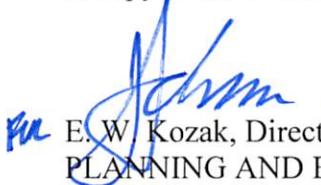
- *The applicant has agreed to this prerequisite in a letter dated 2020 November 13. A Housing Agreement will be registered on title prior to the issuance of an Occupancy Permit for the low rise rental building. A Section 219 Covenant guaranteeing this provision will be deposited in the Land Title Office prior to Final Adoption.*
- i) 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 November 13 and has submitted the requisite Tenant Assistance Plan in accordance with the City's Tenant Assistance Policy.*
- 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 13 and submitted a detailed Sediment Control System.*
- k. 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 November 13. 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.*
- 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 dated 2020 November 13 agreeing to meet this prerequisite.*
- m. 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 November 13, the necessary provisions have been 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 November 13, the necessary provisions have been indicated on the development plans.*
- 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 13 and the necessary provisions are indicated on the development plans*
- p. 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.*
- q) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2020 November 13 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 November 13.*
- s. The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 November 13 to make the necessary deposits prior to Final Adoption.*
- t. The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2020 November 13 to make the necessary deposits prior to Final Adoption.*
- u. The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2020 November 13 to make the necessary deposits prior to Final Adoption.*

- v. The deposit of the applicable Regional Transportation Charge.
- *The applicant has agreed in a letter dated 2020 November 13 to make the necessary deposits 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 agreed to this prerequisite in a letter dated 2020 November 09 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 December 07, 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/JDC:tn
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 39, 2019 - BYLAW NO. 14085**

Rez. #17-27

6444 Willingdon Avenue and 4241 Maywood Street

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM5s and RM5r Multiple Family Residential Districts and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "6444 Willingdon" prepared by GBL Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a single 43-storey apartment building located at the corner of Willingdon Avenue and Maywood Street, townhouse buildings fronting Maywood Street and Cassie Avenue, and a six-storey non-market rental apartment building fronting Willingdon Avenue.

Forty-four (44) letters were received in response to the proposed rezoning application:

- 1. Mike Bird, 303-4134 Maywood Street, Burnaby**
- 2. Tepei Gheorghe, 403-4194 Maywood Street, Burnaby**
- 3. Judith A. Webster, 708-4194 Maywood Street, Burnaby**
- 4. Joyce Anderson, 604-4165 Maywood Street, Burnaby**
- 5. Nate Webber, 110-6366 Cassie Avenue, Burnaby**
- 6. Lori Zuk, 1108-4165 Maywood Street, Burnaby**
- 7. Li Han, 806-6455 Willingdon Avenue, Burnaby**
- 8. Zhang Jiqiang and Zhu Lingzhi, 1502-4194 Maywood Street, Burnaby**
- 9. Tamara Apresyan, 4134 Maywood Street, Burnaby**
- 10. Doris Shi, 4134 Maywood Street, Burnaby**
- 11. Yau-Ming Wong, 4134 Maywood Street, Burnaby**
- 12. Jean McLean, 1102-4194 Maywood Street, Burnaby**
- 13. Paul Fee, 1407-4194 Maywood Street, Burnaby**
- 14. Kenneth Clarke, 1204-4194 Maywood Street, Burnaby**
- 15. Rosalind Lai, 1005-4134 Maywood Street, Burnaby**
- 16. Joseph Jordan, 1102-4194 Maywood Street, Burnaby**
- 17. Enrique Santiago, 1707-6455 Willingdon Avenue, Burnaby**
- 18. George Lee, 1108-4194 Maywood Street, Burnaby**
- 19. Joanne Chung, 902-4194 Maywood Street, Burnaby**
- 20. Peter van Stolk, 607-4194 Maywood Street, Burnaby**
- 21. A.R. (Liessi) Haussler and G. Dennis Hollo, 1771 Whitehall Drive, London, ON**
- 22. Solange Koltunoff, 306-4134 Maywood Street, Burnaby**
- 23. Lily Chew, 701-4194 Maywood Street, Burnaby**
- 24. Paul Holden, 216-6350 Willingdon Avenue, Burnaby**
- 25. Katherine Tang, 904-4194 Maywood Street, Burnaby**

26. Catherine Hickson, Strata Council NW2265, 4134-4194 Maywood Street, Burnaby
27. Dora Mah, Richard Mah, and Sylvia Lee, A406 and A606-4134 Maywood Street, Burnaby
28. Emma Virtue, 1203-4194 Maywood Street, Burnaby
29. Dan Kibke, 1201-4194 Maywood Street, Burnaby
30. Allan Dunning, 1608-6455 Willingdon Avenue, Burnaby
31. Emily Thacker, 1201-4194 Maywood Street, Burnaby
32. Aleksandar Jandrijevic, 1202-4165 Maywood Street, Burnaby
33. Joyce O'Doherty, 1101-4134 Maywood Street, Burnaby
34. Joanna Pan, 4165 Maywood Street, Burnaby
35. Penny Anderson, 1104-6455 Willingdon Avenue, Burnaby
36. Paola Francescutto and Lea Francescutto, 6931 Sussex Avenue, Burnaby
37. Cathy Francescutto, 7415 Magnolia Terrace, Burnaby
38. Yang Fei, Strata Plan NW524, 1706-4105 Maywood Street, Burnaby
39. Don Zhan, 306-6444 Willingdon Avenue, Burnaby
40. Rafael Panis, 1003-4194 Maywood Street, Burnaby
41. Johnny Yip and Yu Shan Yip, 1705-6455 Willingdon Avenue, Burnaby
42. Stephanie Smith, BCGEU, 4911 Canada Way, Burnaby
43. Reinhard Schauer, 201-5868 Olive Avenue, Burnaby
44. Aaron Silverton, 1501-4165 Maywood Street, Burnaby

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

Linda Flegel, 7550 Rosewood Avenue, Burnaby, representing the Board of Directors of New Vista Society, appeared before Council and spoke in support of the proposed rezoning application. The speaker noted that the proposed development, in partnership with the BC Housing, will provide 150 non-market housing units that the Society will manage.

Darin Froese, 7550 Rosewood Avenue, Burnaby, representing the New Vista Society, appeared before Council and spoke in support of the proposed rezoning application. The speaker provided details on the proposed development.

Gayle Clark, 6550 Rosewood Avenue, Burnaby, representing the New Vista Society, appeared before Council and spoke in support of the proposed rezoning application. The speaker hopes the project will provide safe and secure social housing for seniors, families, and people with disabilities.

Karen Goatsie, 1105-6455 11th Avenue, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker noted the City is displacing residents, residents do not feel safe, and the neighbourhood character is changing.

Cathie Hikson, 1503-4194 Maywood Street, Burnaby, Strata Council Representative, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker expressed concerns with increased traffic, the number of concrete buildings, and the negative impacts to the resident's quality of life.

Joseph Jordan, 1102-4194 Maywood Street, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker noted that the proposed development does not comply with the City's Vision Statement. Mr. Jordan expressed concerns with noise, air pollution, traffic congestion, and overuse of the City's parks.

Holly McCalum, 901-6455 Willingdon Avenue, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker expressed concerns with affordability, pedestrian safety, and traffic congestion.

Mike Bird, 303-4134 Maywood Street, Burnaby, appeared before Council and stated his opposition to the proposed rezoning application.

Tien Fu Lu, 1703-4134 Maywood Street, Burnaby, appeared before Council and spoke in opposition of the proposed rezoning application. The speaker expressed concerns with a lack of road infrastructure, and inquired regarding further traffic impact assessment study.

Shaun Georges, 4371 Mayberry Street, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker expressed concerns with traffic congestion and adequate water pressure.

John Aartz, 404-6282 Kathleen Avenue, Burnaby, appeared before Council and shared his experience with relocation. The speaker advised that the tenant assistance process was quite complicated, with lots of paperwork.

Murray Martin, 1403-7275 Salisbury Avenue, Burnaby, appeared before Council and spoke in opposition of the proposed rezoning application. The speaker expressed concerns with densification of the Metrotown area, and tenants' displacement.

Zhan Dong, 306-6444 Willingdon Avenue, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning application. The speaker expressed concerns with the demoviction process.

Helen Wu, 906-4165 Maywood Street, Burnaby, and Ellen Xiang, 902-4165 Maywood Street, Burnaby appeared before Council and spoke in opposition to the proposed rezoning application. The speakers expressed concerns with pollution, congestion, and loss of sunlight (shadow from the proposed building) and the resulting negative impacts on their quality of life.

Holly McCalum, 901-6455 Willingdon Avenue, Burnaby, appeared before Council and inquired regarding the City's next steps.

Joseph Jordan, 1102-4194 Maywood Street, Burnaby, appeared before Council for a second time, and spoke in opposition to the proposed rezoning application due to lack of sunlight after 11 a.m.

Stephen Samuel, 1941 East Broadway, Vancouver, appeared before Council and spoke in opposition to the proposed rezoning application.

Joel Gibbs, 7777 12th Avenue, Burnaby, appeared before Council and spoke in opposition of the proposed rezoning application. The speaker expressed environmental concerns with the proposed 500 parking stalls, as the development is located near Metrotown and Patterson SkyTrain stations. Mr. Gibbs further noted that the communication between the City and the residents is unsatisfactory.

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR MCDONELL

THAT the Public Hearing be extended to 11:00 p.m.

CARRIED UNANIMOUSLY

Simon Taylor, 4468 Dawson Street, Burnaby, representing Anthem Properties, appeared before Council and assured Council that Anthem Properties is following all required policies and laws regarding tenant notice, compensation and relocation

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR MCDONELL

THAT this Public Hearing for Rez. #17-27, Bylaw #14085 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN
SECONDED BY COUNCILLOR CALENDINO

THAT staff be directed to report back to Council on the issues raised by the delegations at the Public Hearing for Rezoning Reference #17-27 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