



INTER-OFFICE COMMUNICATION

TO: CITY CLERK **DATE:** 2022 September 28

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: **REZONING REFERENCE #19-70**
BYLAW 14354, AMENDMENT BYLAW NO. 17/2021
High-Rise Market Strata and Rental Building
Third Reading

ADDRESS: 7109 - 18th Avenue; 7358, 7360, 7376, 7378 - 18th Street

LEGAL: Lot "F" District Lot 95 Group 1 New Westminster District Plan 12860;
Strata Lots 1 and 2 District Lot 95 Group 1 New Westminster District Strata Plan
NW2412;
Strata Lots 1 and 2 District Lot 95 Group 1 New Westminster District Strata Plan
BCS763.

FROM: R5 Residential District

TO: CD Comprehensive Development District (based on RM4s and RM4r Multiple
Family Residential District, and Edmonds Town Centre Plan as guidelines and in
accordance with the development plan entitled "18th Street & 18th Avenue"
prepared by GBL Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2021 July 12;
- b) Public Hearing held on 2021 August 03; and,
- c) Second Reading given on 2021 October 04.

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 2022 August 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 2022 August 30.*
- d) The completion of the Highway Closure Bylaw.
- *The Highway Closure Bylaw has been adopted by Council. The Bylaw plans will be deposited in the Land Title Office prior to Final Adoption.*
- e) The completion of the sale of City property.
- *Council has approved the sale and purchase price of City property to be acquired by the applicant. The sale will be completed prior to Final Adoption.*
- f) 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 2022 August 30, and will provide a \$8,410,000.00 cash-in-lieu contribution (subject to detailed survey), in accordance with the terms and conditions approved by Council, prior to Final Adoption.*
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.11 of the Public Hearing report.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30, and the requisite statutory rights-of-way, easements and/or covenants will be deposited in the Land Title Office prior to Final Adoption.*
- h) The registration of a Housing Covenant and Housing Agreement.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30. 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.*
- i) The submission of a suitable on-site stormwater management system to the approval of the General Manager Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.

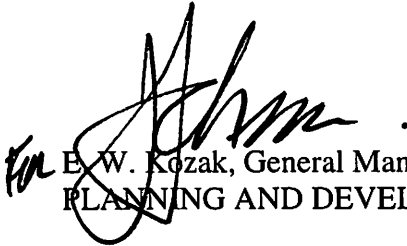
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30. A storm water management plan has been submitted for approval prior to Final Adoption.*
- j) Compliance with the City’s Groundwater Management for Multiple-Family Development guidelines is required.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30. A ground water management plan has been submitted for approval prior to Final Adoption.*
- k) The submission of a suitable Solid Waste and Recycling plan to the approval of the General Manager Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30 and the necessary provisions are indicated on the development plans.*
- l) 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.
- *This provision is indicated on the development plans and the applicant has submitted a letter dated 2022 August 30 agreeing to meet this prerequisite. 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.*
- m) The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the General Manager Engineering and a commitment to implement the recycling provisions.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30 and the necessary provisions are indicated on the development plans.*
- n) The review of on-site residential loading facilities by the General Manager Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30 and the necessary provisions are indicated on the development plans.*
- o) The submission of a Public Art Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2022 August 30.*

- p) The provision of facilities for cyclists in accordance with this report.
 - *This provision is indicated on the development plans and the applicant has submitted a letter dated 2022 August 30.*
- q) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2022 August 30.*
- r) Compliance with the guidelines for underground parking for visitors.
 - *The applicant has agreed to this prerequisite in a letter dated 2022 August 30 and the necessary provisions are indicated on the development plans.*
- s) The review of a detailed Sediment Control System by the Climate Action and Energy Division.
 - *The applicant has agreed to this prerequisite in a letter dated 2022 August 30.*
- t) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed in a letter dated 2022 August 30 to make the necessary deposits prior to Final Adoption*
- u) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed in a letter dated 2022 August 30 to make the necessary deposits prior to Final Adoption.*
- v) The deposit of the applicable School Site Acquisition Charge.
 - *The applicant has agreed in a letter dated 2022 August 30 to make the necessary deposits prior to Final Adoption.*
- w) The deposit of the applicable Regional Transportation Cost Charge.
 - *The applicant has agreed in a letter dated 2022 August 30 to make the necessary deposits prior to Final Adoption.*
- x) 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 2022 August 30 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 2022 October 03, 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, General Manager
PLANNING AND DEVELOPMENT

SMN:tn:spf
Attachment

cc: Chief Administrative Officer

**BURNABY ZONING BYLAW 1965
AMENDMENT BYLAW NO. 17, 2021 - BYLAW NO. 14354**

Rez. #19-70

7109 18th Avenue; 7358, 7360, 7376, 7378 18th Street

From: R5 Residential District

To: CD Comprehensive Development District (based on RM4s and RM4r Multiple Family Residential District, and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "18th Street & 18th Avenue" prepared by GBL Architects Inc.)

Purpose: to permit the construction of a 29-storey high-rise market strata and rental building

Applicant: Square Nine Burnaby Development Ltd.

**Councillor Johnston arrived at 5:05 p.m.*

Thirty-two (32) letters, including four (4) petitions containing 227 signatures were received in response to the proposed rezoning application:

1. April Negrin, 7108 Edmonds Street, Burnaby (*two submissions*) (*petition containing 47 signatures*)
2. Janice Shopka, 7108 Edmonds Street, Burnaby
3. Dale Lawlor, 7108 Edmonds Street, Burnaby
4. Andjelka Vucenovic, 7108 Edmonds Street, Burnaby
5. Jan Watts, 7108 Edmonds Street, Burnaby
6. Tanis Sawtell, 7108 Edmonds Street, Burnaby
7. Michael Shopka, 7108 Edmonds Street, Burnaby
8. Huanlian Wang, 7391 18th Street, Burnaby
9. Patrick Wong, on behalf of owners of 7090 Edmonds Street, Burnaby (*petition containing 119 signatures*)
10. Manoj S. Nair, 7179 18th Avenue, Burnaby
11. Sharon Storey, 7179 18th Avenue, Burnaby
12. Allen Hutton, 7304 14th Avenue, Burnaby
13. Serine Zhang, 7179 18th Avenue, Burnaby
14. Kevin Cudihee, 7179 18th Avenue, Burnaby
15. Rita F. Michaelson, 7179 18th Avenue, Burnaby
16. Phyllis Gerlach, 7108 Edmonds Street, Burnaby (*three submissions*) (*two petitions containing 60 signatures*)

17. Nedjad and Senada Causevic, 7108 Edmonds Street, Burnaby
18. Jelemee Wu (*no address provided*)
19. Cory Li, 7179 18th Avenue, Burnaby
20. Joyce Smith, 7179 18th Avenue
21. Kan and Alice Lee, 7088 18th Avenue, Burnaby
22. Henry Chan, 7179 18th Avenue, Burnaby
23. (*name not provided*), 7131 17th Avenue, Burnaby
24. Colleen Rodgers, 7179 18th Avenue, Burnaby
25. Anna Melnikova (*address withheld upon request*)
26. Masaru Max Morita, 7128 18th Avenue, Burnaby
27. Jinna Park, 7331 18th Street, Burnaby
28. Hyde Tseng and Rika Huang, 7179 18th Avenue, Burnaby
29. Stanley Zhiqiang Wang, 7128 18th Avenue, Burnaby
30. Elizabeth A. Courtney (through Kevin Cudihee), 7179 18th Avenue,
Burnaby
31. Yvonne Wai, 7179 18th Avenue, Burnaby
32. Boris Chen, 7433 16th Street, Burnaby

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

Kevin Cudihee, 7179 18th Avenue, Burnaby, spoke in opposition to the proposed rezoning application. The speaker raised concerns regarding the increased density, traffic and parking, and loss of sunlight.

Anna Melnikova, *address withheld upon request*, spoke in opposition to the proposed rezoning application. The speaker expressed concerns regarding increased density, traffic, and noise; potential impact on Poplar Park; and loss of view and greenery. Ms. Melnikova queried if the City is addressing the need for schools and hospitals to accommodate the added density in Burnaby.

Jan Watts, 7108 Edmonds Street, Burnaby, spoke in opposition to the proposed rezoning application. The speaker advised that the area currently is a vibrant community due to the mix of housing forms, which accommodate seniors and families. Ms. Watts expressed concerns regarding increased density (rezoning from single family residential to high-rise multifamily), traffic, and noise; lack of parking and green space; and the subsequent deterioration of quality of life for seniors that currently reside in the area. The speaker noted that 4 to 5-storey building would be more appropriate.

Chris Moffat, 7139 18th Avenue, Burnaby, spoke in opposition to the proposed rezoning application. The speaker expressed concern regarding the size of the development in comparison to the size of the property, and the ability of the area to accommodate the large trucks and equipment required for this proposal.

Kevin Cudihee, 7179 18th Avenue, Burnaby, spoke for a second time in opposition to the proposed rezoning application. The speaker addressed the need for upgraded traffic infrastructure to mitigate congestion which is overwhelming the Edmonds area. Mr. Cudihee also expressed concern regarding the loss of sunlight for the lower developments in the area.

Anna Melnikova, *address withheld upon request*, spoke for a second time in opposition to the proposed rezoning application. The speaker reiterated concerns regarding the loss of green space, advising the site is better suited to townhouses or low-rise condominiums. Ms. Melnikova echoed her request regarding the City's need to address extra schools and hospitals to accommodate the added density in Burnaby.

Jan Watts, 7108 Edmonds Street, Burnaby, spoke for a second time in opposition to the proposed rezoning application expressing further concern regarding the loss of quality of life should this development be permitted.

Kevin Cudihee, 7179 18th Avenue, Burnaby, spoke for a third time in opposition to the proposed rezoning application advising that he was not aware of the Public Hearing to rezone the site until he spoke with his neighbours.

Phyllis Gerlach, 7108 Edmonds Street, Burnaby, spoke in opposition to the proposed rezoning application advising that she did not receive notice of the Public Hearing and that the proposed density is too aggressive for the area. The speaker expressed concerns regarding increased density, traffic congestion, and noise; impact on Poplar Park; and loss of privacy and green space. Ms. Gerlach requested that the City apply a graduated density approach as is being used at the Southgate development.

Jan Watts, 7108 Edmonds Street, Burnaby, spoke for a third time in opposition to the proposed rezoning application advising that a balance must be maintained in the community.

Chris Moffat, 7139 18th Avenue, Burnaby, spoke for a second time in opposition to the proposed rezoning application. The speaker queried if the development would impede on the park, and if any safety concerns exist.

Anna Melnikova, *address withheld upon request*, spoke for a third time in opposition to the proposed rezoning application advising that Poplar Park would be impacted as the trees on the south side of Poplar Park are on the development site.

Jan Watts, 7108 Edmonds Street, Burnaby, spoke for a fourth time in opposition to the proposed rezoning application requesting that Council consider the concerns of the residents.

Kevin Cudihee, 7179 18th Avenue, Burnaby, spoke for a fourth time in opposition to the proposed rezoning application advising that the 29-storey development will cause the significant loss of sunlight in Poplar Park.

Zeina Masri, 7149 17th Avenue, Burnaby, spoke in support of the proposed rezoning application advising that the development's proximity to the Edmonds SkyTrain Station make it very convenient for residents that do not own a vehicle.

**PUBLIC HEARING MINUTES
HELD ON: 2021 AUG. 30
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Anna Melnikova, *address withheld upon request*, spoke for a fifth time in opposition to the proposed rezoning application reiterating that the 29-storey development will result in the loss of quality of life, privacy, and green space.

MOVED BY COUNCILLOR CALENDINO

SECONDED BY COUNCILLOR KEITHLEY

THAT this Public Hearing for Rez. #19-70, Bylaw No. 14354 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN

SECONDED BY COUNCILLOR GU

THAT staff report back to Council on the issues raised by delegations at the Public Hearing for Rezoning Reference #19-70 prior to second reading of the bylaw; and

THAT a copy of the report be forwarded to the individuals that wrote and/or spoke at the Public Hearing.

CARRIED UNANIMOUSLY