

INTER-OFFICE MEMORANDUM

TO: CITY CLERK 2016 July 06

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #12-43**
AMENDMENT BYLAW NO. 4/16 ; BYLAW #13576
Station Square Development Phases III and IV
Third Reading

ADDRESS: 4630 Kingsway and 6080 McKay Avenue

LEGAL: Lot 4, DL 153, Group 1, NWD Plan BCP51090; Lot 3, DL 153, Group 1, NWD Plan BCP51090

FROM: CD Comprehensive Development District (based on RM5(s) Multiple Family Residential District and C3 General Commercial District)

TO: Amended CD Comprehensive Development District (based on RM5(s) Multiple Family Residential District and C3 General Commercial District and Metrotown Development Plan Guidelines and in accordance with the development plans entitled "Station Square Site 5" prepared by Chris Dikeakos Architects Inc. and "Station Square Burnaby BC" prepared by KPF Kohn Pedersen Fox.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 March 07;
- b) Public Hearing held on 2016 March 29; and,
- c) Second Reading given on 2016 April 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 2016 June 28 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 2016 June 28.*
- d. The submission of an undertaking to remove all existing improvements from Lot 3 (Phase III) prior to Final Adoption of the Bylaw, and the removal of all existing improvements from Lot 4 (Phase IV) prior to the issuance of Building Permit. Demolition of any improvements over both lots will be permitted after Second Reading of the Rezoning Bylaw has been granted provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28.*
- e. The utilization of an amenity bonus in accordance with Section 3.4 of this report.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28 and the necessary funds will be deposited prior to Final Adoption.*
- f. The dedication of any rights-of-way deemed requisite.
- *A subdivision plan dedicating the requisite rights-of-way has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants including:

- Easement for reciprocal access to parking and loading facilities between separated phases of development; and,
 - Statutory right-of-way guaranteeing public access to noted pedestrian areas, public plazas, parks and open spaces, and driveways indicated on the development plans.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28, and the requisite statutory rights-of-way will be deposited in the Land Title Office prior to Final Adoption.*
- h. The granting of Section 219 Covenant to assure the provision and continuing maintenance of end-of-trip facilities for cyclists and bicycle storage rooms related to primary retail and offices.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*
- i. The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants:
- restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - guaranteeing the provision and maintenance of public art;
 - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development;
 - ensuring the provision and ongoing maintenance of Electric Vehicle (EV) charging stations as outlined in Section 3.1 of this report;
 - restricting the use of guest rooms;
 - ensuring the provision of a minimum of 10 handicap accessible parking stalls within the residential parking areas of the development (one space within the visitors' parking area and four spaces within the residential parking area of both Phase III and IV developments);
 - guaranteeing the provision and maintenance of identified public plazas (City Rooms); and,
 - ensuring compliance with the approved acoustical study.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28, and the requisite covenants will be deposited in the Land Title Office prior to Final Adoption.*
- j. The review of a detailed Sediment Control System by the Director Engineering.

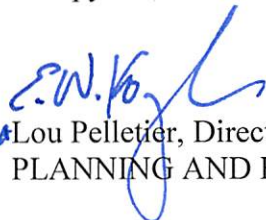
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- k. The submission of a suitable on-site stormwater management system 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 2016 June 28. A suitable on-site stormwater management system has been submitted for the 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 of undertaking dated 2016 June 28 committing to implement the solid waste and recycling provisions.*
- m. The submission of a Site Profile and resolution of any arising requirements.
- *The applicant has submitted the required Site Profile for review by the Engineering Department – Environmental Services and will resolve any arising requirements prior to Final Adoption.*
- n. The design and provision of units adaptable to persons with disabilities the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person.
- *This provision is indicated on the development plans and the applicant has submitted a letter dated 2016 June 28 agreeing to meet this prerequisite.*
- o. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated 2016 June 28 committing to implement the recycling provisions.*

- p. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28 and the necessary provisions have been indicated on the development plans.*
- q. The review of on-site commercial and residential loading facilities by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28.*
- r. 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 2016 June 28 agreeing to meet this prerequisite.*
- s. Compliance with the Council-adopted sound criteria.
- *An acoustic study has been submitted for review by the Engineering Environmental Services Division. Agreement by the applicant to comply with the Council-adopted sound criteria and an acceptable study will be achieved prior to Final Adoption.*
- t. The submission of a comprehensive sign plan for the site.
- *The applicant has agreed to this prerequisite in a letter dated 2016 June 28.*
- u. The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2016 June 28 to make the necessary deposits prior to Final Adoption.*
- v. The deposit of the applicable Metrotown Public Open Space Charge.
- *The applicant has agreed in a letter dated 2016 June 28 to make the necessary deposits prior to Final Adoption.*
- w. The deposit of the Metrotown Grade Separated Crossing Charge.
- *The applicant has agreed in a letter dated 2016 June 28 to make the necessary deposits prior to Final Adoption.*
- x. The deposit of the applicable GVS & DD Sewerage Charge.

- *The applicant has agreed in a letter dated 2016 June 28 to make the necessary deposits prior to Final Adoption.*
- y. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2016 June 28 to make the necessary deposits prior to Final Adoption.*
- z. 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 2016 June 28 and the on-site area plan notification sign is 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 2016 July 11, 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.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf
Attachment

cc: City Manager

BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 4, 2016 – BYLAW NO. 13576

Rez. #12-43

4630 Kingsway and 6080 McKay Avenue

From: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C3 General Commercial District and Metrotown Development Plan guidelines and in accordance with the development plans entitled "Station Square Site 5" prepared by Chris Dikeakos Architects Inc. and "Station Square Burnaby BC" prepared by KPF Kohn Pedersen Fox)

The purpose of the proposed zoning bylaw amendment is to permit the construction of two high-rise apartment towers above a low-rise mixed-use podium with office, retail and residential uses, as part of the multi-phased (Phases III and IV) development of the Station Square Master Plan.

The Advisory Planning Commission advised it supports the rezoning application.

One hundred and four letters were received in support of the proposed zoning bylaw amendment:

Taka Kuwata, 7305 2nd Street, Burnaby
Noriko Kuwata, 6968 6th Street, Burnaby
Wu Wei, 5005-4670 Assembly Way, Burnaby
Jason Chen, 1206 Bartlett Avenue, Burnaby
Helen Yip, 3892 Bond Street, Burnaby
Pu Yi Qu, 3006-4880 Bennett Street, Burnaby
Tony Chang, 3801-4880 Bennett Street, Burnaby
Sinisa-Simon Trifkovic, 706-4350 Beresford Street, Burnaby
Kai Wan, 6807 Bryant Street, Burnaby
Gary Hsueh, 802-4388 Buchanan Street, Burnaby
Jin Xiao Ping, 4999 Burke Street, Burnaby
Resident, 1-6868 Burlington Avenue, Burnaby
Yongyuan Ding, 4510 Clinton Street, Burnaby
Frederick Chan, TH6 4250 Dawson Avenue, Burnaby
Hui Ji, 1406-2232 Douglas Road, Burnaby
Yu Juan Guan, 6817 Elwell Street, Burnaby

Shijie Lou, 7531 Elwell Street, Burnaby
Chai Li Hsieh, 5949 Empress Avenue, Burnaby
Janet Cheung, 4742 Frances Street, Burnaby
Yaxin Zhang, 7031 Frederick Avenue, Burnaby
Robert Autar, 2502-4353 Halifax Street, Burnaby
Lei Zhang, 7468 Haszard Street, Burnaby
Jeanet Xiaolan Lau, 3106-4508 Hazel Street, Burnaby
Yuan Xiang Wu, 4006-4508 Hazel Street, Burnaby
Yi Peng Zeng, 4205-4508 Hazel Street, Burnaby
Wei Xia, 605-4808 Hazel Street, Burnaby
Jacky Ng, 1101-4808 Hazel Street, Burnaby
Gang Zhai Xia, 2705-4808 Hazel Street, Burnaby
Wai Yee Woo, 2906-4808 Hazel Street, Burnaby
Meng Fu Zeng, 3106-4808 Hazel Street, Burnaby
Xuexia Wang, 209-5665 Irmin Street, Burnaby
Jason Ding, 201-4660 Kingsway, Burnaby
Resident, 4688 Kingsway, Burnaby
Resident, 4688 Kingsway, Burnaby
Resident, 4688 Kingsway, Burnaby
Resident, 4688 Kingsway, Burnaby
Di Jai, 502-4688 Kingsway Burnaby
Jingian Guo, 505-4688 Kingsway, Burnaby
Ge Li, 602-4688 Kingsway, Burnaby
Qi Mei Han, 708-4688 Kingsway, Burnaby
Resident, 710-4688 Kingsway, Burnaby
Ailing Wang, 913-4688 Kingsway, Burnaby
Shizhen Di, 905-4688 Kingsway, Burnaby
Cheng Xinhong, 907-4688 Kingsway, Burnaby
Rex Pan, 909-4688 Kingsway, Burnaby
Chaohui Huang, 1009-4688 Kingsway, Burnaby
Yanping Liu, 1109-4688 Kingsway, Burnaby
Richard Leechir, 1110-4688 Kingsway, Burnaby
Liqiong Ding, 1501-4688 Kingsway, Burnaby
Resident, 1610 – 4688 Kingsway, Burnaby
Bing Li, 1905-4688 Kingsway, Burnaby
Wen Bin Zheng, 1908-4688 Kingsway, Burnaby
Wei Tao, 1909-4688 Kingsway, Burnaby
Oilin Zhao, 2005-4688 Kingsway Burnaby
Resident, 2110-4688 Kingsway, Burnaby
Yuping Guan, 2203-4688 Kingsway, Burnaby
Longlong Shu, 2501-4688 Kingsway, Burnaby
Zhang Qioatun, 2506-4688 Kingsway, Burnaby
Shirley Huang, 2609-4688 Kingsway, Burnaby
Dale Tam, 2887-4688 Kingsway, Burnaby

Tingting Zhang, 2907-4688 Kingsway, Burnaby
Yashuai Shu, 3101-4688 Kingsway, Burnaby
Zhengxian Ding, 3105-4688 Kingsway, Burnaby
Yehong Qi, 3107-4688 Kingsway, Burnaby
Meiyu Zhang, 319-4688 Kingsway, Burnaby
Resident, 3302-4688 Kingsway, Burnaby
Resident, 3506-4688 Kingsway, Burnaby
Ziyan Wang, 3507-4688 Kingsway, Burnaby
Peter Su, 3802-4688 Kingsway, Burnaby
Dannuy MacEachern, 135-6200 McKay Avenue, Burnaby
Silong Wu, 1805-6240 McKay Avenue, Burnaby
Geoff Chan, 11-2355 Madison Avenue, Burnaby
Ozng Xiao, 5771 Mayview Circle, Burnaby
Vivian Tse, 5384 Meadedale Drive, Burnaby
Jackson Ng, 3952 Moscrop Street, Burnaby
Simon Tsung, 3952 Moscrop Street, Burnaby
Linda Fay Yue Yee, 315-6588 Nelson Avenue, Burnaby
Yi Zhu, 801-6588 Nelson Avenue, Burnaby
Peng Cheng Fang, 1007-6588 Nelson Avenue, Burnaby
Xihua Dai, 3101-6588 Nelson Avenue, Burnaby
Yeh Shu Hsien, 3705-6588 Nelson Avenue, Burnaby
Kai Ping Kuang, 3705-6588 Nelson Avenue, Burnaby
Grace Lin, 3705-6588 Nelson Avenue, Burnaby
Zhao Ge, 3901-6588 Nelson Avenue, Burnaby
Yuyan Han, 4001-6588 Nelson Avenue, Burnaby
Arlene Yuet, 4823 Northlawn Drive, Burnaby
Resident, 6605 Pandora Street, Burnaby
Li Jun Chan, 2638 Phillips Avenue, Burnaby
Sam Chan, 2638 Phillips Avenue, Burnaby
Lindy Chiu, 2638 Phillips Avenue, Burnaby
Paul Chan, 2638 Phillips Avenue, Burnaby
Feian Lu, 4509 Portland Street, Burnaby
Li Zhitao, 2406-7088 Salisbury Avenue, Burnaby
Jainkang Ding, 6288 Service Street, Burnaby
Louise Tan, 3305-6461 Telford Avenue, Burnaby
Fu Quan Wu, 2307-6088 Willingdon Avenue, Burnaby
Scott Han, 2608-6088 Willingdon Avenue, Burnaby
Jinhua Wu, 304-6168 Wilson Avenue, Burnaby
Catherine Cheung, 6228 Gilley Avenue, Burnaby
Lois Reid, 2602-6220 McKay Avenue, Burnaby
Samuel Mao PREC (Nu Stream Realty), 2600-4720 Kingsway, Burnaby
Jennifer Lee, 305-6168 Wilson Avenue, Burnaby
Donald MacKenzie, 6240 McKay Avenue, Burnaby
Steven Liu, 550-650 West 41st Avenue, Vancouver

Three letters were received with concerns regarding the proposed zoning bylaw amendment:

Resident, [REDACTED] (2 submissions) stated concerns with increased density and emergency response challenges.

Ken Pett, 402-6152 Kathleen Avenue, Burnaby highlighted the need for improved garbage and recycling facilities in the area, and requested enhanced street level public plazas including moving water features and vertical landscape walls.

The following speaker appeared before Council in support of the proposed zoning bylaw amendment.

Lois Reid, 2602-6220 McKay Ave, Burnaby spoke in support of the proposed rezoning application. Ms. Reid would like the development to be completed as soon as possible as it will provide existing residents will access to in-demand services and businesses.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR KANG

THAT this Public Hearing for Rez. #12-43, Bylaw #13576 be terminated.

CARRIED UNANIMOUSLY