



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK 2017 April 26

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** REZONING REFERENCE #15-24  
AMENDMENT BYLAW NO. 38/15; BYLAW #13554  
Proposed Three-Lot Residential Subdivision  
Third Reading

**ADDRESS:** 6755 Canada Way

**LEGAL:** Lot 253, DL 91, Group 1, NWD Plan 41113

**FROM:** C4 Service Commercial District

**TO:** R5 Residential District

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2015 December 14;
- b) Public Hearing held on 2016 January 26; and,
- c) Second Reading given on 2016 February 01.

The prerequisite conditions have been partially satisfied as follows:

- a. The submission of a suitable plan of development, including the completion of the necessary subdivision.
  - *A suitable plan of development, including a subdivision plan, has been submitted. An Application to Deposit Plan will be submitted 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 2017 March 21 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*

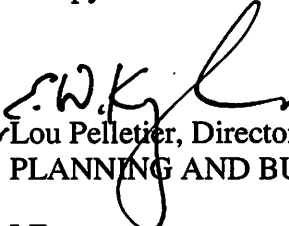
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and transformer/service boxes in town centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 March 21.*
- d. The dedication of a 6.1 m wide rear lane extending from Ulster Street to Formby Street.
  - *The subdivision plan dedicating the required rear lane has been submitted. An Application to Deposit Plan, along with the required transfer documents, will be submitted prior to Final Adoption.*
- e. A Letter of Undertaking to offer to renew or upgrade fencing adjacent to the lane for the property owners of 7670 Formby Street and 7671 Ulster Street, with bonding if accepted, is required.
  - *The applicant has submitted a Letter of Undertaking, dated 2017 April 07, fulfilling this condition.*
- f. The granting of a Section 219 covenant to ensure that no vehicular access is to be taken via Canada Way.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 March 21 and the required covenant will be deposited in the Land Title Office prior to Final Adoption.*
- g. The granting of a Section 219 covenant to ensure that the conditions outlined in "Schedule B" of the Certificate of Compliance issued on 2013 July 23 have been met.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 March 21 and the required covenant will be deposited in the Land Title Office prior to Final Adoption.*
- h. The release of Restrictive Covenant Filing No. CA3321800 on Title.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 March 21 and the covenant will be discharged prior to Final Adoption.*
- i. The pursuance of Storm Water Management Best Practices in line with established guidelines.
  - *The applicant has agreed to this prerequisite in a letter dated 2017 March 21. An*

*approved sediment control system will be required prior to Final Adoption.*

- j. The submittal of a tree survey and arborist report, and issuance of a Tree Cutting Permit as required.
- *The applicant has submitted a tree survey and arborist report dated 2016 November 08 and has agreed to fulfill all requirements of this prerequisite, including obtaining any required Tree Cutting Permit(s), in a letter dated 2017 March 21.*
- k. The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2017 March 21 to make the necessary deposits prior to Final Adoption.*
- l. The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2017 March 21 to make the necessary deposits prior to Final Adoption.*
- m. The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2017 March 21 to make the necessary deposits prior to Final Adoption.*

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 2017 May 01, 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

LF:  
**Attachment**

cc: City Manager

**BURNABY ZONING BYLAW 1965,  
AMENDMENT BYLAW NO. 38, 2015 – BYLAW NO. 13554**

Rez. #15-24

6755 Canada Way

From: C4 Service Commercial District

To: R5 Residential District

The purpose of the proposed zoning is to permit the subdivision of the site into three two-family residential lots.

The Advisory Planning Commission advised it supports the rezoning application.

One letter was received in opposition to the proposed bylaw amendment.

Dara Bring, 7670 Formby Street, Burnaby

A petition letter representing 17 residents was also submitted in opposition to the proposed bylaw amendment.

Antonio and Shirley Matias, 7671 Formby Street, Burnaby (17 residents)

The following speakers appeared before Council and spoke in support or opposition to the proposed bylaw amendment.

Tony Matias, 7671 Formby Street, Burnaby, spoke in opposition to the rezoning application. Mr. Matias shared concerns regarding the lack of information provided in the notification, the radius of the notification, the negative impacts of the proposed alleyway, potential conflicts between pedestrians and vehicles due to increased traffic, increase in crime and parking issues.

Jacqueline Chay, 7644 Ulster Avenue, Burnaby, spoke in opposition to the rezoning application. Ms. Chay shared concerns with parking challenges resulting from a lack of overflow parking.

Jat Auja, 7661 Formby Street, Burnaby, spoke in support to the rezoning application. However, Mr. Ugula shared concerns regarding the number of units, noting his support for a 4 unit building not 6, highlighting that a 4 unit building would not require an alleyway.

Raghu Bans, 7616 Ulster Street, Burnaby, spoke in opposition to the rezoning application. Mr. Bans voiced concerns with the amount of traffic and the safety risk to seniors in the neighbourhood as the streets become more congested.

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR VOLKOW

THAT this Public Hearing for Rez. #15-24, Bylaw #13554 be terminated.

CARRIED UNANIMOUSLY