



## INTER-OFFICE COMMUNICATION

**TO:** CITY CLERK **DATE:** 2020 July 22

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #16-24**  
**BYLAW 14018, AMENDMENT BYLAW NO. 12/2019**  
**Four-Storey Mixd-Use Development**  
**Third Reading**

**ADDRESS:** 4716, 4736 and 4780 Hastings Street

**LEGAL:** Schedule A (*attached*)

**FROM:** C4a Service Commercial District

**TO:** CD Comprehensive Development District (based on RM3 Multiple Family Residential District, C2 Community Commercial District and Hastings Street Area Plan guidelines, and in accordance with the development plan entitled "Valeo" prepared by Rositch Hemphill Architects)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2019 May 13;
- b) Public Hearing held on 2019 May 28; and,
- c) Second Reading given on 2019 June 10.

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 July 10 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 2020 July 10.*
- d) The submission of an undertaking to remove all existing improvements on the site.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10.*
- e) The consolidation of the net project site into one legal parcel.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10.*
- 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 July 10, and the requisite statutory rights-of-way, easement and/or covenant plans have been submitted, and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The granting of any necessary Section 219 Covenants including, but not limited to:
- to restrict the enclosure of balconies;
  - to ensure all disabled parking spaces remain as common property;
  - to ensure installation and maintenance of a Storm Water Management System; and,
  - to ensure compliance with the accepted acoustical study.
  - *The applicant has agreed to this prerequisite in a letter dated 2020 July 10, and the requisite covenants have been submitted, and will be deposited in the Land Title Office prior to Final Adoption.*
- h) The pursuance of Storm Water Management Best Practices in line with established guidelines, and the granting of a Section 219 Covenant to ensure continued maintenance.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10, and the requisite covenant will be deposited Land Title Office prior to Final Adoption.*
- i) The review of a detailed Sediment Control System by the Director Engineering.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10.*
- j) The submission of a Site Profile and resolution of any arising requirements.
- *The applicant has submitted the requisite Site Profile, which is being processed to determine if remedial measures are required.*

- k) The provision of a covered car wash stall 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 July 10 and the necessary provisions are indicated on the development plans.*
- l) Compliance with the guidelines for surface and underground parking for residential visitors and commercial patrons.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10 and the necessary provisions are indicated on the development plans.*
- m) Compliance with 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 acoustic study will be achieved prior to Final Adoption.*
- n) The submission of a detailed Comprehensive Sign Plan.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10.*
- o) The provision of a public pedestrian walkway statutory right-of-way from Hastings Street to the rear lane, and its construction to the approval of the Director Engineering.
- *The requisite easement plan has been submitted and will be deposited in the Land Title Office prior to Final Adoption. The applicant in a letter dated 2020 July 10 has agreed to this prerequisite and will deposit the required funds to guarantee provision of this facility prior to Final Adoption.*
- p) The provision of facilities for cyclists in accordance with Section 5.8 of the rezoning report.
- *The applicant has agreed to this prerequisite in a letter dated 2020 July 10 and the necessary provisions are indicated on the development plans.*
- q) The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed in a letter dated 2020 July 10 to make the necessary deposits prior to Final Adoption.*
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed in a letter dated 2020 July 10 to make the necessary deposits prior to Final Adoption.*

- s) The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed in a letter dated 2020 July 10 make the necessary deposits prior to Final Adoption.*
- t) 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 2020 July 10 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 July 27, 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

SMN:tn

***Attachments***

cc: City Manager

**SCHEDULE A**  
**REZONING 16-24**

<b>ADDRESS</b>	<b>LEGAL DESCRIPTION</b>	<b>PID</b>
4716 Hastings Street	Lot 5 Except: The North 20 Feet; Block 11, DL 122, Group 1, NWD Plan 1308	003-147-070
4716 Hastings Street	Lot 6 Except: The North 20 Feet, Block 11, DL 122, Group 1, NWD Plan 1308	003-147-118
4716 Hastings Street	Lot 7 Except: The North 20 Feet, Block 11, DL 122, Group 1, NWD Plan 1308	003-147-177
4716 Hastings Street	Lot 8 Except: The North 20 Feet, Block 11, DL 122, Group 1, NWD Plan 1308	003-147-223
4716 Hastings Street	Lot 9 Except: The North 20 Feet, Block 11, DL 122, Group 1, NWD Plan 1308	003-147-282
4736 Hastings Street	Lot 10 Except: The North 20 Feet, Block 11, DL 122, Group 1, NWD Plan 1308	012-110-060
4780 Hastings Street	Lot 1, DL 122, Group 1, NWD Plan BCP8022	025-782-029

**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 12, 2019 - BYLAW NO. 14018**

Rez . #16-24

4716, 4736 and 4780 Hastings Street

From: C4a Service Commercial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District, C2 Community Commercial District and Hastings Street Area Plan guidelines, and in accordance with the development plan entitled “Valeo” prepared by Rositch Hemphill Architects)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed-use development, with commercial/retail at grade, and residential uses above.

Thirteen (13) letters were received in response to the proposed rezoning application:

1. James Burge, #61 University Crescent, Burnaby
2. Lisa Perry, I3 Design, 4723 Hastings Street, Vancouver
3. Lisa Vu, 975 Ingleton Avenue, Burnaby
4. Kwontae Kim, Mr. N's Dry Cleaner, 4429 Hastings Street, Burnaby
5. Peter Censorio, Censorio, 2410 Charles Street, Vancouver
6. Laurie Ross, 9428 Snowberry Court, Burnaby
7. Rob Muteh, 4459 Venables Street, Burnaby
8. Brad Becking, 9002 Centaurus Circle, Burnaby
9. Camille Dorsey, 881 Cliff Avenue, Burnaby
10. Chris Hahn, Omega Mechanical, 202-5595 Roy Street, Burnaby
11. Derek Dalla-Zanna, 4710 Hastings Street, Burnaby
12. Araceli Carnovale – Fiordilatte Gelateria, 4233 Hastings Street, Burnaby
13. Liqun Wang, 4739 Pender Street, Burnaby

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

**Dave Taylor**, 4787 Pender Street, Burnaby, appeared before Council and noted he did not receive a notification about the Public Hearing. The speaker expressed concern with parking in the area, and requested the development provide enough parking spaces for businesses and their employees.

Staff advised that the development provides 101 residential spaces and 218 commercial parking spaces, exceeding the bylaw requirement - 100 residential spaces & 140 commercial spaces.

**PUBLIC HEARING MINUTES  
HELD ON: 2019 May 28  
REZ. REF. NO. 16-24  
PAGE 2 OF 2**

Council requested confirmation from the Office of the City Clerk that the legislated notification requirements were met.

**Liquan Wang**, 4739 Pender Street, Burnaby, appeared before Council stating his expectation that the developer seek permission and provide compensation in the event that a crane is operated above his property.

Staff advised that permission and compensation related to the development is outside the jurisdiction of the City. Any compensation agreement would be between the applicant and the impacted residents.

**MOVED BY COUNCILLOR JOHNSTON**  
**SECONDED BY COUNCILLOR CALENDINO**

THAT this Public Hearing for Rez. #16-24, Bylaw #14018 be terminated.

CARRIED UNANIMOUSLY