



## INTER-OFFICE MEMORANDUM

**TO:** DIRECTOR  
LEGISLATIVE SERVICES

May 13, 2025

**FROM:** GENERAL MANAGER  
PLANNING AND DEVELOPMENT

**Subject:** **REZONING REFERENCE # 21-33**  
**BYLAW 14693, AMENDMENT BYLAW NO. 21, 2024,**  
Mixed Use Development  
Reconsideration and Final Adoption

**Address:** 3819 and 3841 Canada Way

**Legal:** PIDs: 008-448-612, 002-662-671, 002-662-680, and 002-675-943  
Lot 1 District Lot 69 Group 1 New Westminster District Plan 75707; Lot  
8 Block 45 District Lot 69 Group 1 New Westminster District Plan 1321;  
Lot 9 Block 45 District Lot 69 Group 1 New Westminster District Plan  
1321; and Lot 37 District Lot 69 Group 1 New Westminster District Plan  
39292

**Applicant:** AviSina Properties Ltd.  
200 – 3787 Canada Way  
Burnaby, BC V5G 1G5  
Attention: Michael Kenchington

**Current Zoning:** C4 Service Commercial District

**Proposed Zoning:** Comprehensive Development District (based on RM3 Multiple Family  
Residential District, RM3r Multiple Family Residential District, C2  
Community Commercial District, and Broadview Community Plan as  
guidelines, and in accordance with the development plan entitled  
“Mixed-Use Development - 3819, 3841 Canada Way, Burnaby, BC”  
prepared by Integra Architecture Inc.)

---

The following information applies to the subject rezoning bylaw:

1. First and Second Reading given on October 21, 2024; and,
2. Third Reading given on March 11, 2025.

The prerequisite conditions have been completely satisfied as follows:

- A. Distribute area plan notification forms, prepared by the City, with disclosure statements; and post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations starting upon the earlier of Third Reading and commencement of marketing for the subject development, and which signs will remain posted until the later of one year following posting and the date that contracts of purchase and sale have been entered into for all residential units in the development.

*On March 11, 2025, Council approved a recommendation eliminating the requirements for area plan notifications, effective immediately. Therefore, this prerequisite is no longer required.*

- B. Submission of a suitable plan of development.

*A complete suitable plan of development has been submitted.*

- C. Completion of the consolidation of the subject properties to facilitate the development, with the subdivision including dedication along Canada Way and a 5m by 5m corner truncation at the southwest corner of the site.

*The requisite subdivision plan of consolidation has been deposited in the Land Title Office.*

- D. The approval of the Ministry of Transportation of the rezoning application.

*The approval of the Ministry of Transportation to the rezoning bylaw has been obtained.*

- E. The deposit of sufficient monies, including a 4% Engineering Administration 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 the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.*

- F. The undergrounding of existing overhead wiring abutting the site.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025 and has deposited the necessary funds to guarantee the completion of this prerequisite.*

- G. The submission of a Site Disclosure Statement and resolution of any arising requirements.

*The applicant has submitted the required Site Disclosure Statement. No remedial work is required in connection with the proposed development.*

- H. The granting of any necessary statutory rights-of-way, easements and/or covenants including, but not limited to:

- Section 219 Covenant ensuring all existing improvements on the development site are demolished within 12 months of final adoption of the rezoning bylaw;
- Section 219 Covenant restricting enclosure of balconies;
- Section 219 Covenant ensuring compliance with the approved acoustical study;

- Section 219 Covenant guaranteeing the provision and ongoing maintenance of storm and groundwater management facilities;
- Section 219 Covenant ensuring that accessible parking stalls are designated as common property, if applicable, to be administered by the Strata Corporation or owner/operator of the non-market rental units, as applicable;
- Section 219 Covenant restricting use of the guest suite;
- Section 219 Covenant guaranteeing the installation, maintenance, repair and replacement of public art; and if required by the City, a Section 218 Statutory Right of Way to provide public access to the approved public art;
- Section 219 Covenant ensuring the residential strata units cannot be occupied unless and until a certificate of occupancy has been issued in respect of the required non-market rental units; and
- Section 219 Covenant ensuring compliance with the Green Building Plan for the site (Step 3 of the BC Energy Step Code and the Zero Carbon Step Code EL-4) as well as a commitment for the property owner/representative to submit the necessary information to NRCAN.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025. The requirements above are sufficiently addressed by Covenants or regulations.*

- I. Detailed design drawings for any services necessary to serve this site, including but not necessarily limited to:
  - Construction of Smith Avenue to its final standard, with curb and gutter, street trees and lighting, and separated sidewalks;
  - Construction of Canada Way to its final local road standard, with curb and gutter, street trees and lighting, and separated sidewalks; and
  - Storm, sanitary sewer, and water main upgrades, as required.

*The applicant has agreed to these prerequisites in a letter dated January 15, 2025 and has submitted the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site, and the servicing agreement has been completed.*

- J. The adoption of a Housing Agreement Bylaw and registration of a Section 219 Housing Covenant in respect of both the non-market and market rental units.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025, and a Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of a Building Occupancy until this requirement is met.*

- K. The submission of a suitable on-site stormwater management system, and the deposit of sufficient monies for its provision.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025 and a Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of a Building Permit until such time that a suitable on-site stormwater management system has been approved by the General Manager Engineering, the required covenant has been deposited in the Land Title Office, and the required funds to guarantee this provision have been deposited.*

- L. The submission of an undertaking to remove all improvements on the development site within 12 months of Final Adoption of the Rezoning Bylaw, and the deposit of sufficient monies to secure such removal.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025.*

- M. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025.*

- N. The submission of a suitable Solid Waste and Recycling plan.

*The necessary provisions are indicated on the development plans, and the applicant has submitted a letter of undertaking dated January 15, 2025 committing to implement the solid waste and recycling provisions.*

- O. The review of on-site loading facilities.

*The necessary provisions are indicated on the development plans, and the applicant has agreed to this prerequisite in a letter dated January 15, 2025.*

- P. The review of a Traffic Impact Study.

*A suitable Traffic Impact Study has been approved.*

- Q. The submission of a construction management plan that includes consideration of the subject site's adjacency to Broadview Park.

*A suitable construction management plan has been approved.*

- R. The provision of a car wash stall and an 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 January 15, 2025 committing to implement the recycling provisions.*

- S. The deposit of all applicable development cost charges, amenity cost charges, and other charges.

*The required deposits have been made to meet this prerequisite.*

- T. Compliance with Council-adopted sound criteria.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025, and a Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of a Building Permit until such time that a suitable Acoustical Study has been approved and the required covenant has been deposited in the Land Title Office.*

- U. The submission of a Public Art Plan detailing the concept, character, and location of public art on the site as well as details of the budget, terms, and the artist selection process, and the deposit of sufficient monies to secure the provision of the approved public art.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025, and a Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of a Building Permit until such time that a suitable Public Art Plan has been approved and the required covenant has been deposited in the Land Title Office.*

- V. The submission of a Green Building Plan and Energy Benchmarking.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025, and a Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of a Building Permit until such time that a suitable Green Building Plan and Energy Benchmarking has been approved and the required covenant has been deposited in the Land Title Office.*

- W. The submission of a detailed comprehensive sign plan.

*An approvable detailed comprehensive sign plan has been achieved.*

- X. Additional requirements as determined by the City, in its discretion, as part of the review of the development proposal.

*The applicant has agreed to this prerequisite in a letter dated January 15, 2025.*

As the prerequisite conditions to this rezoning are now completely fulfilled, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on May 13, 2025.

E. W. Kozak, GENERAL MANAGER  
PLANNING AND DEVELOPMENT