



Planning and Building Department

INTER-OFFICE MEMORANDUM

TO: CITY CLERK 2015 June 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #12-32
AMENDMENT BYLAW NO. 26, 2013; BYLAW #13236
Four Storey Mixed-Use Development
Final Adoption

ADDRESS: 3951, 3959 and 3975 Hastings Street

LEGAL: Lot 13 to 15, Blk 6, DL 116, Group 1, NWD Plan 1236

FROM: C8a Hastings Urban Village Commercial District

TO: CD Comprehensive Development District (based on C8a Hastings Urban Village Commercial District, Hastings Street Area Plan guidelines, and in accordance with the development plan entitled, "Mixed-Use Commercial and Residential Development – 3951 Hastings Street, Burnaby, BC" prepared by Chris Dikeakos Architects Inc.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2013 August 26;
- b) Public Hearing held on 2013 September 24;
- c) Second Reading given on 2013 September 30; and,
- d) Third Reading given on 2014 September 29.

The prerequisite conditions have been satisfied as follows:

- a) The submission of a suitable plan of development.
 - *A complete suitable plan of development has been submitted.*
- 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 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.*
- 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 2014 September 16.*
- d) The removal of all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw.

Demolition of any improvements 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.

 - *All improvements have been removed.*
- e) The consolidation of the net project site into one legal parcel.
 - *A subdivision plan of consolidation has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f) The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - *The requisite statutory rights-of-way and covenant plans have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- g) The granting of a Section 219 Covenant restricting enclosure of balconies and ensuring all disabled parking spaces remain as common property.
 - *The required covenant has been submitted in registerable form 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 required covenant has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- i) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has submitted engineering design drawings, and has agreed to this prerequisite in a letter dated 2014 September 16.*
- j) The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile. No remedial works are required in connection with the proposed development.*
- 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 necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2014 September 16 committing to implement the recycling provisions.*
- 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 2014 September 16.*
- m) Compliance with Council-adopted sound criteria.
 - *The applicant has submitted an acoustical study which has been accepted by the Engineering Environmental Services Division and submitted a letter dated 2014 September 16 agreeing to comply with the Council-adopted sound criteria.*
- n) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2014 September 16 and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- o) The submission of a detailed comprehensive sign plan.

- *An approvable detailed comprehensive sign plan has been achieved.*
- p) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- q) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- r) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- s) 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 2014 September 16 and the on-site area plan notification sign has been installed. The applicant has also indicated in a letter dated 2014 September 16 that an area plan notification sign will be installed inside a sales office / marketing centre as soon as marketing commences.*

As the prerequisite conditions to this rezoning are now complete, could you please arrange to return this amendment bylaw to Council for reconsideration and Final Adoption on 2015 June 22.


Lou Pelletier, Director
PLANNING AND BUILDING

DR:tn

cc: City Manager
Director Finance, Attn: R. Mester, Management Consultant