



INTER-OFFICE COMMUNICATION

TO: CITY CLERK

2017 April 26

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #15-08
AMENDMENT BYLAW NO. 12/16; BYLAW #13588
Five-Storey Mixed-Use Development
Hastings Street Area Plan
Third Reading**

ADDRESS: 4453/63/75 Hastings Street

LEGAL: Lot 23, Blk. 5, DL 121, Grp 1, NWD Plan 1054; Lot 22, Blk 5, DL 121, Grp 1, NWD Plan 1054; Lot 1, DL 121, Grp 1, NWD Plan BCP9423

FROM: C8a Urban Village Commercial District (Hastings)

TO: CD Comprehensive Development District (based on C8 Urban Village Commercial District, Hastings Street Area Plan guidelines and in accordance with the development plan entitled, "Proposed Mixed Use Development" prepared by Burrowes Huggins Architects.)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 April 04;
- b) Public Hearing held on 2016 April 26; and,
- c) Second Reading given on 2016 May 09.

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 2017 April 24 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 2017 April 24.*
- d) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
 - a Section 219 Covenant restricting enclosure of balconies;
 - a Section 219 Covenant ensuring all disabled parking spaces remain as common property;
 - a Section 219 Covenant ensuring compliance with the approved acoustic study; and,
 - a 1.5 m Statutory Right of Way on Hastings Street.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 April 24 and the required covenants and statutory rights-of-way have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- e) Consolidation of the net site into one legal parcel.
 - *The requisite subdivision plan of consolidation has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- f) 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 2017 April 24. The required covenant has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- g) 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 2017 April 24.*

- h) The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile which is being processed to determine if remediation measures are required.*
- i) 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 2017 April 24 committing to implement the recycling provisions.*
- j) 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 2017 April 24.*
- k) 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 2017 April 24 agreeing to comply with the Council-adopted sound criteria.*
- l) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 April 24.*
- m) The submission of a detailed comprehensive sign plan.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 April 24.*
- n) The deposit of the applicable Parkland Acquisition Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 April 24 and the funds will be deposited prior to Final Adoption.*
- o) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 April 24 and the funds will be deposited prior to Final Adoption.*
- p) The deposit of the applicable School Site Acquisition Charge.

- *The applicant has agreed to this prerequisite in a letter dated 2017 April 24 and the funds will be deposited prior to Final Adoption.*
- q) 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 2017 April 24 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 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

DR:spf
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 12, 2016 – BYLAW NO. 13588**

Rez. #15-08

4453/63/75 Hastings Street

From: C8a Urban Village Commercial District (Hastings)

To: CD Comprehensive Development District (based on C8 Urban Village Commercial District, Hastings Street Area Plan guidelines and in accordance with the development plan entitled, "Proposed Mixed Use Development" prepared by Burrowes Huggins Architects)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a five (5) storey mixed-use development, with commercial/retail at grade, and residential uses above.

The Advisory Planning Commission advised it supports the rezoning application.

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

Ip Pui Y, 205-4458 Albert Street, Burnaby

The following speaker appeared before Council regarding the proposed zoning bylaw amendment:

Jay Sherwood, 4438 Albert Street, Burnaby, shared concerns about the building being five storeys. Mr. Sherwood asked staff if the approval of a five storey building would result in more five storey buildings being develop in the area.

The Director Planning and Building explained that the street face of the building, although called five storeys, would only be four storeys and that the five storey description is due to the double height of the bottom floor retail space and the mezzanine level to be located on the alley side of the building. Staff confirmed that the building height would not be greater than the maximum allowable height for a four storey building.

Mr. Sherwood also requested clarification as to the location of the parking access to the new building as he is concerned about vehicle conflicts between the new parking entrance and existing laneway parking entrances/exits.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

CARRIED UNANIMOUSLY