



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2017 June 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #14-12
BYLAW #13601; AMENDMENT BYLAW NO. 19/16
Five-Storey Mixed-Use Development
Third Reading

ADDRESS: 3700 Hastings Street

LEGAL: Lot 1 Except: North 20 Feet (Plan With Bylaw Filed 29018), Block 9, D.L. 116, Group 1, NWD Plan 1236; Lot 2, Except: North 20 Feet (Plan With Bylaw Filed 29018), Block 9, D.L. 116, Group 1, NWD Plan 1236

FROM: C8a Urban Village Commercial District (Hastings))

TO: CD Comprehensive Development District (based on C8a Urban Village Commercial District, Hastings Street Area Plan guidelines and in accordance with the development plan entitled, "3700 Hastings" prepared by Jordan Kutev Architects)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2016 May 09;
- b) Public Hearing held on 2016 May 31; and,
- c) Second Reading given on 2016 June 13.

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.

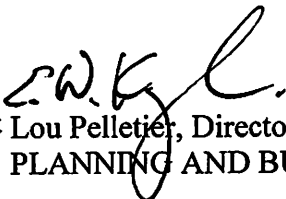
- *The applicant has submitted engineering design drawings for review and has agreed in a letter dated 2017 June 21 to deposit the necessary funds including 4% inspection fees and complete the servicing agreement prior to Final Adoption.*
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, 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 June 21.*
- d) The dedication of any rights-of-way deemed requisite.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 June 21 and the required plans have been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The removal of all existing improvements from the site prior to Final Adoption but not prior to Third Reading of the Bylaw. Demolition 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 or vandalism.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 June 21.*
- f) 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 that the units are held in common by a single owner and used only as rental;
 - 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 June 21 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.*
- g) 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 June 21. The required covenant has been submitted and will be deposited in the Land Title Office prior to Final Adoption.*
- h) The review of a detailed Sediment Control System by the Director Engineering.
 - *The applicant has agreed to this prerequisite in a letter dated 2107 June 21. A detailed Sediment Control System plan has been submitted to the Engineering Department – Environmental Services for approval prior to Final Adoption.*
- i) 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.*
- j) 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 June 21 to implement the recycling provisions.*
- k) 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 June 21.*
- l) 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 June 21 agreeing to comply with the Council-adopted sound criteria.*
- m) The undergrounding of existing overhead wiring abutting the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 June 21.*
- n) The submission of a detailed comprehensive sign plan.
 - *The applicant has agreed to this prerequisite in a letter dated 2017 June 21.*
- o) The approval of the Ministry of Transportation to the rezoning application.
 - *The preliminary approval of the Ministry of Transportation to the subject rezoning proposal has been obtained. Final approval of the rezoning bylaw will be obtained prior to Final Adoption.*

- p) The deposit of the applicable Parkland Acquisition Charge.
- *The applicant has agreed to this prerequisite in a letter dated 2017 June 21 and the funds will be deposited prior to Final Adoption.*
- q) The deposit of the applicable GVS & DD Sewerage Charge.
- *The applicant has agreed to this prerequisite in a letter dated 2017 June 21 and the funds will be deposited prior to Final Adoption.*
- r) The deposit of the applicable School Site Acquisition Charge.
- *The applicant has agreed to this prerequisite in a letter dated 2017 June 21 and the funds will be deposited prior to Final Adoption.*
- 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 provided a letter of undertaking dated 2017 June 21 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 June 26, 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.


c Lou Pelletier, Director
PLANNING AND BUILDING

DR:eb
Attachment

cc: City Manager

**BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 19, 2016 – BYLAW NO. 13601**

Rez. #14-12

3700 Hastings Street

From: C8a Urban Village Commercial District (Hastings)

To: CD Comprehensive Development District (based on C8a Urban Village Commercial District, Hastings Street Area Plan guidelines and in accordance with the development plan entitled, "3700 Hastings" prepared by Jordan Kutev 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.

The Advisory Planning Commission advised it supports the rezoning application.

No letters were received in response to the proposed zoning bylaw amendment.

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

David Crockett, 3709 Pender Street, Vancouver, spoke in opposition to the proposed zoning bylaw amendment. Mr. Crockett stated concerns regarding: parking, privacy, reduction of parking space requirements, overburdened street parking, garbage service provision (noise, odour and access), and the vantage point of the proposed decks over surrounding buildings.

Keith Arnold, 3709 Pender Street, Vancouver, expressed concern regarding the proposed zoning bylaw amendment. Mr. Arnold is not opposed to the development, but had concerns related to the proposed reduction in parking stall allocation requirements and the lack of adequate transit options to deter vehicle traffic. Mr. Arnold sought clarification regarding the street lighting requirements for the project.

**MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR WANG**

THAT this Public Hearing for Rez. #14-12 Bylaw #13601 be terminated.

CARRIED UNANIMOUSLY