



INTER-OFFICE COMMUNICATION

TO: CITY CLERK 2021 March 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #08-14**
AMENDMENT BYLAW NO. 22, 2017; BYLAW #13764
MIXED-USE COMMERCIAL/RESIDENTIAL
Hastings Street Area Plan
Final Adoption

ADDRESS: 4437 Hastings Street

LEGAL: Lot A, Blk 5, D.L. 121, Group 1, NWD Plan EPP64985

FROM: C8a Urban Village Commercial District (Hastings)

TO: CD Comprehensive Development District (based on C8a Urban Village Commercial District (Hastings) and Hastings Street Area Plan as guidelines and in accordance with the development plan entitled "Sienna" prepared by Suva Architecture)

The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2017 June 12;
- b) Public Hearing held on 2017 June 27;
- c) Second Reading given on 2017 July 10; and,
- d) Third Reading given on 2018 October 29.

The prerequisite conditions have been satisfied as follows:

- a) The submission of a suitable plan of development.
 - *The applicant has submitted a complete suitable plan of development.*
- 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 4% inspection fees 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 2018 October 23.*
- d) The granting of any necessary covenants, including, but not necessarily limited to, Section 219 Covenants:
- restricting the enclosure of balconies;
 - ensuring compliance with the approved acoustical study; and,
 - providing that all residential disabled parking to remain as common property.
- *The applicant has agreed to this prerequisite in a letter dated 2018 October 23, and the requisite Covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- e) The dedication of any rights-of-way deemed requisite.
- *The applicant has agreed to this prerequisite in a letter dated 2018 October 23, and the requisite rights-of-way have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- f) The provision of a covered car wash stall and 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 2018 October 23 agreeing to meet this prerequisite.*
- g) The pursuance of Storm Water Management Best Practices in line with established guidelines .
- *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2018 October 23 agreeing to meet this prerequisite.*

- h) The deposit of the applicable Parkland Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- i) The deposit of the applicable GVS & DD Sewerage Charge.
 - *The required deposits have been made to meet this prerequisite.*
- j) The deposit of the applicable School Site Acquisition Charge.
 - *The required deposits have been made to meet this prerequisite.*
- k) The undergrounding of existing overhead wiring adjacent to the site.
 - *The applicant has agreed to this prerequisite in a letter dated 2018 October 23, and has deposited the necessary funds to guarantee the completion of this prerequisite.*
- l) Compliance with the Council-adopted sound criteria.
 - *The Applicant has submitted an acoustic study which has been accepted by the Climate Action and Energy Division, and a Section 219 Covenant to ensure compliance with the submitted study has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.*
- m) The review of a detailed Sediment Control System by the Director Corporate Services and Public Safety.
 - *A detailed Sediment Control System has been approved by the Corporate Services Department – Climate Action and Energy Division.*
- n) The submission of a Site Profile and resolution of any arising requirements.
 - *The applicant has submitted the required Site Profile for the development site, and has committed to obtaining an appropriate instrument from the Ministry of Environment prior to release of any Occupancy Permits. The required Covenant governing this arrangement has been deposited in the Land Title Office.*
- o) Compliance with the guidelines for underground parking for visitors.
 - *The necessary provisions are indicated on the development plans and the applicant has submitted a letter dated 2018 October 23 agreeing to meet this prerequisite.*

p) 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 2018 October 23 and the area plan notification signs are in place.*

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 2021 March 29.



E. W. Kozak, Director
PLANNING AND BUILDING

SMN:

cc: Acting City Manager