



INTER-OFFICE MEMORANDUM

TO: DIRECTOR
LEGISLATIVE SERVICES
June 10, 2025

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

Subject: **REZONING REFERENCE # 23-20**
BYLAW 14730, AMENDMENT BYLAW NO. 3, 2025
Mixed Use Development
Reconsideration and Final Adoption

Address: 3676 Bainbridge Avenue
Legal: PID: 003-293-629
Block 14 Except: Firstly; Part 0.05 Of An Acre More Or Less Shown
On Plan With Bylaw Filed 32393
Secondly; Part On Plan With Bylaw Filed 58377
Thirdly; Part Dedicated Road On Plan LMP3433
Fourthly; Part Dedicated Road On Plan BCP26290
District Lot 44 Group 1 New Westminster District Plan 3049

Applicant: Beedie Living
900 - 1111 West Georgia Street
Vancouver, BC V6E 4M3
Attention: Nicholas Dhaliwal

Current Zoning: M5 Light Industrial District, and CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

Proposed Zoning: Amended CD Comprehensive Development District (based on C1 Neighborhood Commercial District, RM4uv-c Multiple Family Residential District, RM4r Multiple Family Residential District, and Bainbridge Urban Village Plan as guidelines, and in accordance with the development plan entitled "Bainbridge Residential Development" prepared by Ekistics Architects)

The following information applies to the subject rezoning bylaw:

1. First and Second Reading given on February 25, 2025; and,
2. Third Reading given on April 22, 2025.

The prerequisite conditions have been completely satisfied as follows:

1. The submission of a Suitable Plan of Development.

A complete suitable plan of development has been submitted.

2. The submission of the following plans and studies acceptable to the City.
 - a. Comprehensive Sign Plan;
 - b. Phasing and Demolition Plan;
 - c. Construction Management and Access Plan;
 - d. Fire Access Plan;
 - e. Solid Waste and Recycling Plan;
 - f. Loading Management Plan;
 - g. Traffic Impact Analysis Report;
 - h. Public Art Plan or cash in lieu;
 - i. Geotechnical and Groundwater Study;
 - j. Storm and Ground Water Management Plan;
 - k. Offsite Civil Engineering Design;
 - l. Acoustic Study; and,
 - m. Arborist Report and Tree Survey with a Tree Retention Plan.

The applicant has agreed to this prerequisite in a letter dated April 10, 2025. The specific items noted above are indicated on the development plans or are sufficiently addressed by Covenants or regulations.

3. Provision of standard requirements to service the proposed development as determined by the General Manager of Engineering, including the execution and delivery of a Servicing Agreement in respect of all services necessary to serve the site, including but not limited to:
 - a. Any required storm sewer, sanitary sewer, and water main upgrades;
 - b. Construction of Bainbridge Avenue and Winston Street development frontage to their required street standards with separated sidewalks, cycle facilities, street trees, and street and pedestrian lighting;
 - c. Undergrounding of all overhead wiring abutting the site; and
 - d. Any required easements, statutory rights-of-way, or other legal instruments to facilitate servicing requirements.

All services are to be designed to City standards and constructed in accordance with the City-approved engineering design. Completion of all services required under the Servicing Agreement is a condition for the issuance of an occupancy permit for the development.

The applicant has agreed to these prerequisites in a letter dated April 10, 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.

4. A submission for registration in the Land Title Office of a subdivision plan to create the development parcels for the three phase development, and all required dedications for road and/or SPEA purposes.

A subdivision plan has been deposited in the Land Title Office.

5. The dedication of any road allowances as required. The area of the road dedications is to be confirmed prior to Third Reading.

A subdivision plan securing the requisite rights-of-way has been deposited in the Land Title Office.

6. In addition to a Section 219 Covenant, to ensure the demolition and removal of existing structures and materials on the subject site prior to Phase 1 Building Permit occupancy:
 - a. The submission and acceptance by the City of a signed and dated cost estimate for the demolition of all existing buildings that includes the removal, disposal and recycling of the demolition materials (including hazardous waste materials); and
 - b. The submission of cash, a certified cheque, bank draft or an irrevocable Letter of Credit in the amount of the accepted cost estimate in s. 6(a) above to ensure completion of the demolition.

The applicant has agreed to this prerequisite in a letter dated April 10, 2025. The existing buildings on Lot A will be demolished within 12 months, and the existing buildings on Lot B and Lot C will be demolished either five years after the adoption of the Rezoning bylaw, or prior to the issuance of Occupancy Permit of Lot A, whichever comes first. The requisite Covenant has been deposited in the Land Title Office.

7. The submission for registration in the Land Title Office of the following legal instruments together with payment to the City of financial security, where necessary:
 - a. Section 219 Covenant ensuring the demolition of the existing building(s) on the development site prior to Phase 1 Building Permit occupancy;
 - b. Section 219 Covenant ensuring compliance with the approved acoustical study;
 - c. Section 219 Covenant guaranteeing the provision and ongoing maintenance of storm and ground water management facilities;
 - d. Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art, and if required, a Statutory Right of Way guaranteeing public access to, and use and enjoyment of, the public art; or Section 219 Covenant to ensure payment of cash-in-lieu contribution for public art prior to Building Permit issuance;
 - e. Section 219 Covenant ensuring that the site is constructed and used in accordance with the approved geotechnical study;
 - f. Section 219 Covenant and Statutory Right of Way (if required) for the protection and enhancement of the identified Streamside Protection and Enhancement Area (SPEA) and to restrict occupancy of Phase 3 subject to the daylighting of Station Creek in accordance with the *Water Sustainability Act*, section 11 approval from the Province;

- g. Section 219 Covenant for the protection and enhancement of the identified Streamside Protection and Enhancement Area (SPEA);
- h. Section 219 Covenant to ensure the non-market rental units constructed in accordance with the City's Rental Use Zoning Policy (RUZP) are rented at rates and to tenants that meet the eligibility criteria under the RUZP, and to restrict occupancy of Phase 1 unless and until a certificate of occupancy has been issued in respect of the 80 non-market rental units in Phase 1, and to restrict occupancy of Phase 3 unless and until a certificate of occupancy has been issued in respect of the 63 non-market rental units in Phase 3; and
- i. If applicable, Section 219 Covenant and Statutory Right of Way to secure publicly accessible pedestrian paths.
- j. If applicable, Easements and Section 219 Covenants, as required by the City, in respect of access to and the use of any on-site shared amenities, allocated parking between lots, and pedestrian/vehicular access areas.

The applicant has agreed to this prerequisite in a letter dated April 10, 2025. The requisite easements, and Statutory Rights of Way have been deposited in the Land Title Office, and the remaining requirements above are sufficiently addressed by Covenants or regulations.

- 8. Adoption of a Housing Agreement Bylaw and the execution and delivery of a Housing Agreement setting out to the terms and conditions regarding the occupancy of the non-market housing units required to be constructed as part of the development in accordance with the RUZP, or any needed covenants at the time of Final Adoption to require the completion of the Housing Bylaw and Agreement and the fulfillment of RUZP requirements prior to occupancy of the development.

The applicant has agreed to this prerequisite in a letter dated April 10, 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.

- 9. Submission of a Site Disclosure Statement.

The applicant has submitted a Site Disclosure Statement confirming no schedule 2 uses on site.

- 10. Streamside Protection and Enhancement Area (SPEA) applies to this development site. Approval of the overall landscaping plans and final protection area. The daylighting of Station Creek requires a Water Sustainability Act Section 11 approval from the Province and will be required prior to Final Occupancy of Phase 3.

The applicant has agreed to this prerequisite in a letter dated April 10, 2025.

11. 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 April 10, 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 June 10, 2025

E. W. Kozak, GENERAL MANAGER
PLANNING AND DEVELOPMENT