

ITEM SUPPLEMENTARY 22
MANAGER'S REPORT NO. 46
COUNCIL MEETING 1980 07 07

RE: WILLINGDON SITE DISCOVERY PARKS
PEDESTRIAN STRUCTURE ACROSS WILLINGDON AVENUE
REZONING REFERENCE #8/80 - BY-LAW NO. 7496 AND BY-LAW NO. 7503
(ITEM 21, SUPPLEMENTARY REPORT NO. 44, 1980 JUNE 23)

Following is a report from the Director of Planning on the above.

RECOMMENDATION:

1. THAT the recommendations of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER SUPPLEMENTARY
1980 JULY 04
FROM: DIRECTOR OF PLANNING
SUBJECT: WILLINGDON SITE DISCOVERY PARKS
REZONING REFERENCE #8/80 — BY-LAW NO. 7496 AND BY-LAW NO. 7503
PEDESTRIAN STRUCTURE ACROSS WILLINGDON AVENUE

RECOMMENDATIONS

1. THAT Council confirm its previous recommendations adopted on 1980 June 23 on the matter of the pedestrian structure across Willingdon Avenue including an agreement by Discovery Parks Incorporated to pay for one-third of the cost of the proposed pedestrian structure upon the need being demonstrated; and
2. THAT Council authorize the Planning Department to bring forward Rezoning Reference #8/80 for Consideration and Final Adoption after the necessary agreement has been received from Discovery Parks Incorporated.

REPORT

Council on 1980 June 23 adopted the following recommendations towards the establishment of a grade-separated pedestrian crossing of Willingdon Avenue.

- "a) That the current estimated \$200,000 cost for a pedestrian structure be shared on the basis of one-third Discovery Parks Incorporated, one-third primarily BCIT with some PVI cost sharing, and one-third Municipal.
- b) That steps be taken to pursue construction of a pedestrian structure upon the need being demonstrated.
- c) That discussions be initiated with BCIT/PVI to obtain agreement to this cost sharing arrangement.
- d) That Discovery Parks Incorporated enter into an agreement to pay for one-third of the cost of the proposed pedestrian structure. No deposit of funds would be required at this time but would be required when construction of the pedestrian structure is advanced."

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Council was advised at that time that any agreement with Discovery Parks Incorporated would be concluded prior to Final Adoption of the Rezoning Reference #8/80.

The report of 1980 June 23 outlined the position of the developer, Discovery Parks Incorporated, as follows:

"As a statement of his position, Mr. Allan R. Crawford, Acting President of Discovery Parks Incorporated has submitted a letter dated 1980 June 17 in which he indicates no objection to the concept of a pedestrian overpass, and that he is prepared to make a commitment that if a pedestrian overpass is required in the future, Discovery Parks will pay a proportion of the cost related to the traffic generated by the Park. He continues, however, to be opposed to the commitment and funding being a condition of rezoning. In this report, the Planning Department has as far as possible attempted to reflect this view, by asking Discovery Parks to enter into an agreement to pay one-third of the cost of the overpass, at the time it is constructed."

The Planning Department considered this to be a fair representation of the developer's position.

In reply to Council's recommendation the developer has provided the attached letter which does not comply with Council's requirement that Discovery Parks pay for one-third of the cost of the proposed pedestrian structure on the basis that BCIT/PVI and the Municipality would also each accept responsibility for paying one-third of the cost.

It was expected that Rezoning Reference #8/80 would be submitted to Council for its consideration and Final Adoption at its meeting of 1980 July 07. However, in light of the letter dated 1980 July 03 received from Discovery Parks Incorporated and in order to comply with adopted Council recommendations with respect to the pedestrian structure across Willingdon Avenue, the subject rezoning proposal cannot be submitted for Final Adoption at this time and the Municipal Clerk has been requested to withdraw this item from the agenda. For the information of Council, the state of completion of prerequisites to Rezoning Reference #8/80 are outlined in the attached Appendix "A".

SUMMARY

In conclusion, it is recommended that Council confirm its previous recommendations adopted on 1980 June 23 on the matter of the pedestrian structure across Willingdon Avenue including an agreement by Discovery Parks Incorporated to pay for one-third of the cost of the proposed pedestrian structure upon the need being demonstrated, and authorize the Planning Department to bring forward Rezoning Reference #8/80 for consideration and Final Adoption after the necessary agreement has been received from Discovery Parks Incorporated.


A. L. Parr
DIRECTOR OF PLANNING

KI/ds
attachment
cc Municipal Solicitor
Municipal Clerk
Municipal Engineer

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DISCOVERY PARKS INCORPORATED

July 3, 1980

Mr. A.L. Parr,
 Director of Planning,
 The Corporation of the District of Burnaby
 4949 Canada Way
 Burnaby, B.C.
 V5G 1M2

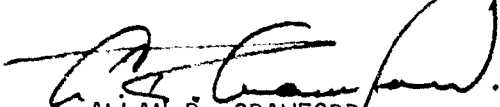
Dear Mr. Parr:

This is pursuant to the resolution of Council passed June 23, 1980. As indicated in our letter of June 17, we agree to pay that portion of the cost of an overpass that is directly attributable to the portion of traffic generated by the businesses of Discovery Park to the total traffic, upon the need for the overpass being demonstrated.

We understand that no deposit of funds is required at this time but will be required when construction of the pedestrian structure is approved by Council.

Yours very truly,

DISCOVERY PARKS INCORPORATED


 ALLAN R. CRAWFORD,
 Acting President

ARC:ksb

cc. MAYOR
 MANAGER .

57-200 Granville Street
 Vancouver, British Columbia
 V6C 1S4
 Tel: 687-1780

STATEMENT OF COMPLETION OF PREREQUISITES
 REZONING REFERENCE #8/80 — WILLINGDON
 SITE DISCOVER PARKS RESEARCH FACILITIES

The following is a statement of the extent to which prerequisites are complete to date. All prerequisites are expected to be completed by 1980 July 07 with the exception of Prerequisite "a" which makes reference to the pedestrian structure across Willingdon Avenue.

On 1980 April 21, Council gave First and Second Reading to a rezoning by-law amending the zoning of the subject property at 3700, 4299, and 4351 Willingdon Avenue from P6 Regional Institutional District to CD Comprehensive Development District and P3 Park and Public Use District. Third Reading was given on 1980 June 02.

The prerequisite conditions have been satisfied as follows:

- a) Adherence to the Willingdon Site Discovery Park Community Plan.
 - The applicant has agreed to this prerequisite in a letter dated 1980 May 26. Discovery Parks Inc. has not agreed to pay for one-third of the cost of the proposed pedestrian structure across Willingdon Avenue which would be constructed when the need is demonstrated.
- b) The submission of a suitable plan of development and compliance with established requirements in order to obtain a development permit. Building permits cannot be released prior to the release of the requisite development permit.
 - The applicant has agreed to this prerequisite in a letter dated 1980 May 26.
- c) The deposit of sufficient monies 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 and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - The applicant has agreed to this prerequisite in a letter dated 1980 May 26. The applicant has deposited a Letter of Credit in the sum of \$2,000,000 to guarantee the provision of required services and a 4 per cent inspection fee in cash in the amount of \$80,000.
- d) The entering into a servicing agreement by the applicant covering the Willingdon Site Discovery Park.
 - The servicing agreement has been drawn up as authorized by Council, and will be signed by both the developer/owner and the Municipality prior to the Council meeting of 1980 July 07.
- e) 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 1980 May 26.
- f) The creation of legal parcels encompassing the Discovery Park development site.
 - The subdivision plan creating the required legal parcels has been submitted and will be registered prior to the Council meeting of 1980 July 07. Plan Number 59477 has been granted to the requisite subdivision plan by the Land Registry Office.
- g) The granting of any necessary easements.
 - The necessary service easement survey plans have been provided and will be registered prior to the Council meeting of 1980 July 07. No Development Permits will be released until final registration is complete. A Letter of Credit in the sum of \$2,000,000 has been deposited to guarantee this.
- h) The dedication of any rights-of-way deemed requisite.
 - The subdivision plan creating the required dedication of rights-of-way has been submitted and will be registered prior to the Council meeting of 1980 July 07. Plan Number 59477 has been granted to the requisite subdivision plan by the Land Registry Office.

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- i) The provision of public pedestrian walkway easements as specified in the Willingdon Site Discovery Park Community Plan and the construction of concrete walks to the approval of the Municipal Engineer.
—The applicant has agreed to this prerequisite in a letter dated 1980 May 26. The necessary easement survey plans for two public walkways have been provided and will be registered prior to the Council meeting of 1980 July 07. A technicality is holding up registration of a third walkway easement across the Dogwood Lodge property but this should be resolved shortly. No Development Permits will be released until final registration is complete. A Letter of Credit in the sum of \$2,000,000 has been deposited to guarantee this requirement.
- j) The retention of as many existing mature trees as possible on the site.
—The applicant has agreed to this prerequisite in a letter dated 1980 May 26.
- k) The designation of the 1.73 hectare area at the southeast corner of Moscrop Street and Willingdon Avenue to the P3 Park and Public Use District.
—This 1.73 hectare subject property is being rezoned to the P3 Park and Public Use District in conjunction with By-law No. 7503 and the designation of this area for park use will be accomplished by the granting of Final Adoption to that By-law.
- l) The retention of the existing watercourse in an open condition over the subject site in its existing alignment, to the approval of the Municipal Engineer as specified in the Willingdon Site Discovery Park Community Plan.
—The applicant has agreed to this prerequisite relating to the existing watercourse on the west side of the north/south project road in a letter dated 1980 May 26. The easement survey plans for this watercourse have been submitted and will be registered prior to the Council meeting of 1980 July 07. A Letter of Credit in the sum of \$2,000,000 has been deposited to guarantee this requirement.
- m) The approval of the Ministry of Transportation and Highways to the rezoning application.
—The approval to this rezoning application of the Ministry of Transportation and Highways has been obtained in a letter dated 1980 June 17.
- n) Confirmation that Discovery Parks Incorporated is the owner of the Willingdon Discovery Parks development site and the payment of any requisite Municipal taxes by Discovery Parks Incorporated with respect to the subject site and development.
—Confirmation that Discovery Parks Incorporated is the owner of the Willingdon Discovery Parks development will be achieved by means of the registration of deeds to that effect prior to the Council meeting of 1980 July 07. No Development Permits will be released until final registration of deeds is complete. The applicant has agreed to this prerequisite regarding the payment of Municipal taxes in a letter dated 1980 May 26.
- o) The determination of acceptable control standards regarding potential annoyances, nuisances, emissions, and polluting elements and these standards shall form part of the Willingdon Site Discovery Park Community Plan.
—Council on 1980 June 16 approved a detailed submission as satisfying this prerequisite.

