

**TO:** CITY MANAGER

2003 April 08

**FROM:** DIRECTOR PLANNING AND BUILDING

**RE:** DEMOLITION PERMIT FOR SINGLE-FAMILY DWELLINGS  
**3805, 3811, 3825 & 3863 PENDER STREET**  
**Rezoning Reference #02-31**

**PURPOSE:** To seek authority from Council to issue demolition permits prior to Third Reading of Rezoning Reference #02-31 for two City-owned single-family dwellings at 3811 and 3825 Pender Street and for two privately-owned single-family dwellings at 3805 and 3863 Pender Street that are situated on part of the development site in order to give two months notice for the tenants to vacate the premises as required by the Residential Tenancy Act

**RECOMMENDATION:**

1. **THAT** Council amend the conditions of Rezoning Reference #02-31 to authorize staff to issue a demolition permit for the City-owned single-family dwellings at 3811 and 3825 Pender Street and the privately-owned single-family dwellings at 3805 and 3863 Pender Street prior to Third Reading of the rezoning bylaw on the terms outlined in this report.

**REPORT**

**1.0 BACKGROUND:**

On 2003 April 07 Council gave Second Reading to a rezoning bylaw that provides for the redevelopment of the properties at 3805 to 3869 Pender Street (see *attached* Sketch #1) to accommodate a proposed new townhouse redevelopment project by Listraor Developments Inc.

One of the standard list of prerequisites to the completion of the rezoning was provided:

- d) "The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but *not prior to Third Reading of the bylaw*. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable and a hazard to life, the Fire Prevention Division may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading."

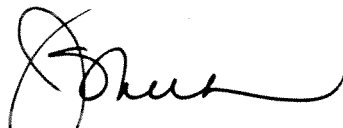
## 2.0 REQUEST FROM THE DEVELOPER FOR DEMOLITION PERMITS:

The existing single-family dwellings at 3811 and 3825 Pender Street (City-owned) and at 3805 and 3863 Pender Street (privately-owned) are tenanted and the project developer has provided a written request that they be permitted to obtain a demolition permit for the homes in order to give two months notice for the tenants to vacate the premises as required by the Residential Tenancy Act.

As is the case after Second Reading, the developers are involved with completing the design for the servicing of the site, detailed engineering and architectural design work and the completion of all the prerequisites to the rezoning which takes up to several months. Third Reading is normally recommended by staff when the list of prerequisites is substantially complete and Final Adoption a short time later when all the prerequisites are completed. The developer wishes to be in a position to proceed with the project as soon as the rezoning process is complete and wishes to ensure that the tenants are given due notice to vacate at this time.

The sale of the City-owned property included in the proposed development site is to be completed through Rezoning Reference #02-31 and would typically be completed just prior to Final Adoption of the bylaw. Also a prerequisite to the completion of the rezoning is the consolidation of the site into one legal lot through the completion of the related subdivision application, Subdivision Reference #02-93. Consolidation of the site cannot occur until the existing improvements are removed, as Section 6.1 of the Burnaby Zoning Bylaw does not permit the siting of more than one principal residential use building on a lot.

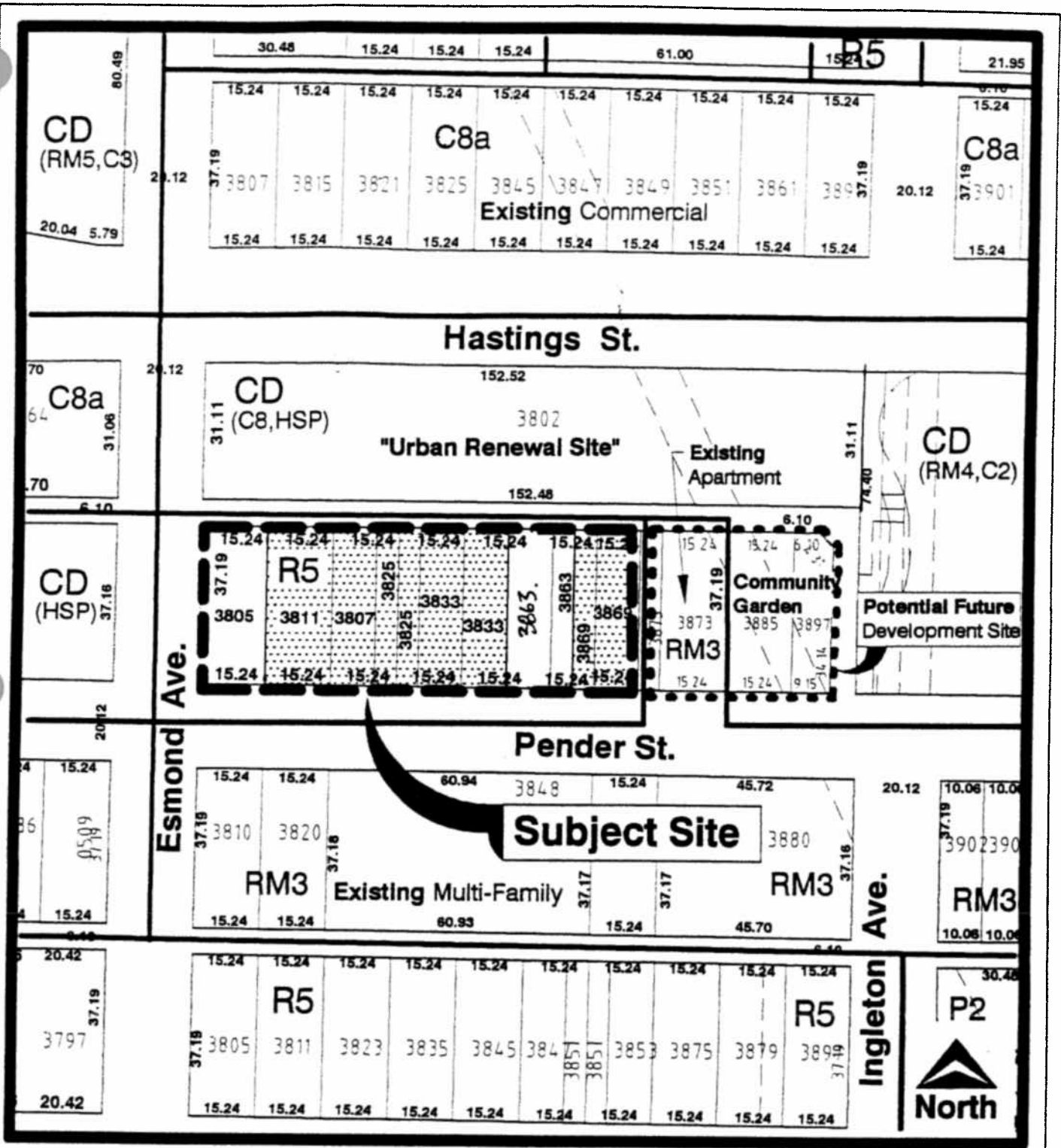
Staff concur with this request for the issuance of demolition permits in order that the existing tenants of both the City-owned and privately-owned dwellings be given notice to vacate as required. However, to protect the City-owned assets until such time that the rezoning application and the property sale of City-owned property to the developer are nearing completion, it is advised that the issuance of the demolition permits at this time for the City-owned single-family dwellings at 3811 and 3825 Pender Street be for the purpose of giving due notice to the tenants only. It is recommended that the demolition permits for the two City-owned dwellings be issued in the City's name and that permission for the actual demolition of the City-owned dwellings by the developer be held until the rezoning application is nearing Fourth Reading and Final Adoption and after the dwellings have been vacated. Staff will advise the developer when authority for demolition of the City-owned dwellings is permitted. The developer has also agreed that the privately-owned dwellings will not be actually demolished until after Third Reading of the bylaw.



J. S. Belhouse  
Director Planning and Building

JK:gk  
Attach

cc. City Solicitor  
Chief Building Inspector  
Chief Licence Inspector  
ings\RZ #02-31\PL - RZ 02-31 demolition.wpd



**Planning And Building Department**

Scale: 1 : 1500

Drawn By: J.P.C.

Date: September 2002

**Development Inquiry**  
3805 -- 3869 Pender St.

 City Property

Sketch # 1

