



CITY OF BURNABY
ZONING BYLAW AMENDMENTS
PUBLIC HEARING

The Council of the City of Burnaby hereby gives notice that it will hold a Public Hearing

TUESDAY, 2015 MAY 26 AT 7:00 PM

in the Council Chamber, Main Floor, City Hall to receive representations in connection with the following proposed amendments to "Burnaby Zoning Bylaw 1965".

A G E N D A

CALL TO ORDER

PAGE

ZONING BYLAW AMENDMENTS

- 1) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 16, 2015 – BYLAW NO. 13471

1

Rez. #13-05

6989, 7009 and 7029 Royal Oak Avenue

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Royal Oak Community Plan guidelines and the development plan entitled "6989, 7009, 7029 Royal Oak Ave." prepared by Wilson Chang Architect)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 3- storey stacked townhouse development (23 units) with full underground parking.

All persons who believe that their interest in property is affected by a proposed bylaw shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw. Written submissions may be presented at the Public Hearing or for those not attending the Public Hearing must be submitted to the Office of the City Clerk prior to 4:45 p.m. the day of the Public Hearing. Please note all submissions must contain name and address which will become a part of the public record.

The Director Planning and Building's reports and related information respecting the zoning bylaw amendments are available for public examination at the offices of the Planning Department, 3rd floor, in Burnaby City Hall.

Copies of the proposed bylaws may be inspected at the Office of the City Clerk at 4949 Canada Way, Burnaby, B.C., V5G 1M2 from 8:00 a.m. to 4:45 p.m. weekdays from Wednesday, 2015 March 18 to Tuesday, 2014 March 31.

**NO PRESENTATIONS WILL BE RECEIVED BY COUNCIL
AFTER THE CONCLUSION OF THE PUBLIC HEARING**

D. Back
CITY CLERK



FILE NO.: 2410-20

**CITY OF BURNABY
ADVISORY PLANNING COMMISSION**

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

RE: PROPOSED ZONING BYLAW AMENDMENTS

The Advisory Planning Commission met on Thursday, 2015 May 14 to review the proposed Zoning Bylaw Amendments which appear on the agenda for the Public Hearing (Zoning) scheduled for 2015 May 26 at 7:00 p.m.

The Advisory Planning Commission wishes to advise that it SUPPORTS the following Zoning Bylaw Amendments, namely:

“Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 2015”
Bylaw No. 13471 - Rez. #13-05.

Respectfully submitted,

Valentin Ivancic
Chair



PROPOSED DEVELOPMENT SUMMARY FOR ADVISORY PLANNING COMMISSION (APC)

REZONING REFERENCE # 13-05

Meeting Date: 2015 May 14

ADDRESS: 6989, 7009 and 7029 Royal Oak Avenue

DEVELOPMENT PROPOSAL:

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a three-storey stacked townhouse development (23 units) with full underground parking.

- | | |
|-------------------------|---|
| 1. Site Area: | Net Site Area 2,140.3 m ² (23,038 sq.ft.) + Road Dedication Area 82.2 m ² (885 sq.ft.) = Gross Site Area 2,222.5 m ² (23,923 sq.ft.) |
| 2. Existing Use: | Single-family residential, vacant |
| Adjacent Use: | Expo Skytrain, BC Parkway, convenience store, single-family and two-family dwellings |
| Proposed Use: | Multi-family residential |

	Permitted/Required	Proposed/Provided
3. Gross Floor Area:	1,921.6 m ² (20,684 sq.ft.)	1,921.6 m ² (20,684 sq.ft.)
4. Site Coverage:	44%	44%
5. Building Height:	3 Storeys - 11.3 m (37 ft.)	3 Storeys - 11.3 m (37 ft.)
6. Vehicular Access from:	Rear Lane	Rear Lane
7. Parking Spaces:	41	41 (including 6 visitor spaces)
8. Loading Spaces:	N/A	N/A
9. Communal Facilities:	N/A	N/A
10. Proposed development consistent with adopted plan? (i.e. Development Plan, Community Plan, or OCP)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Note: N/A where not applicable



Item
Meeting2015 April 27

COUNCIL REPORT

TO: CITY MANAGER 2015 April 22

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #13-05**
Townhouse Project with Underground Parking
Royal Oak Community Plan

ADDRESS: 6989, 7009 and 7029 Royal Oak Avenue (see *attached* Sketches #1 and #2)

LEGAL: Lot 3, DL 98, Group 1, NWD Plan 7278; Lot 4, DL 98, Group 1, NWD Plan 7278; Lot 1, DL 98, Group 1, NWD Plan 6965

FROM: R5 Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Royal Oak Community Plan guidelines and the development plan entitled "6989, 7009, 7029 Royal Oak Ave." prepared by Wilson Chang Architect)

APPLICANT: SVM Developments LLP
6929 Royal Oak Avenue
Burnaby, BC V5J 4J3
(Attn: Sanjeev Kirpal)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2015 May 26.

RECOMMENDATIONS:

1. **THAT** the sale be approved in principle of City-owned property at 7029 Royal Oak Avenue in accordance with Section 3.4 of this report and subject to the applicant pursuing the rezoning to completion.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2015 May 04 and to a Public Hearing on 2015 May 26 at 7:00 p.m.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a 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

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- Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- 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.
- d. The consolidation of the net site into one legal parcel.
- e. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- f. The undergrounding of existing overhead wiring abutting the site.
- g. The granting of any necessary Section 219 Covenants including: restricting enclosure of balconies; providing that all disabled parking is to remain as common property; and, ensuring compliance with the submitted acoustical analysis.
- h. Compliance with the guidelines for underground parking for residential visitors.
- i. The pursuance of Storm Water Management Best Practices in line with established guidelines.
- j. The review of a detailed Sediment Control System by the Director Engineering.
- k. Compliance with the Council-adopted sound criteria.
- l. 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.
- m. The deposit of the applicable Parkland Acquisition Charge.
- n. The deposit of the applicable GVS & DD Sewerage Charge.
- o. The deposit of the applicable School Site Acquisition Charge.
- p. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.

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- q. 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.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a 3-storey stacked townhouse development (23 units) with full underground parking.

2.0 BACKGROUND

- 2.1 The subject site is located on the west side of Royal Oak Avenue south of Beresford Street (see *attached* Sketch #1). The site includes two privately owned properties at 6989 Royal Oak Avenue, which is improved with an older single-family dwelling, and 7009 Royal Oak Avenue, which is vacant. The property at 7029 Royal Oak Avenue is City-owned and currently vacant. Directly north of the subject site is an older single-family dwelling, beyond which is a small neighbourhood convenience store, the Expo SkyTrain line and BC Parkway. To the west across a rear lane, immediately south, and across Royal Oak Avenue to the east, is a mix of older and newer single- and two-family dwellings. Vehicular access to the site is currently from the rear lane and from Royal Oak Avenue.
- 2.2 The site is within the adopted Royal Oak Community Plan, and was intended as part of an eight lot consolidation including the two properties to the north at 6949 and 6969 Royal Oak Avenue along with the three properties to the south at 7049, 7067 and 7089 Royal Oak Avenue, for rezoning to the CD Comprehensive Development District based on the RM2 Multiple Family Residential District as a guideline (see *attached* Sketch #2). The Plan further indicated that the proposed assembly would include a small convenience commercial component on Royal Oak Avenue immediately adjacent to the Royal Oak SkyTrain station based on the C1 Neighbourhood Commercial District as guidelines to replace the existing convenience store at that location.
- 2.3 Council, at its 2013 May 13 meeting, received a rezoning application for the subject site and referred the report to the Community Development Committee for further review.

At that time, Committee and Council directed staff to confirm that the private properties to the north at 6949 and 6969 Royal Oak Avenue were not available for purchase and inclusion in the proposed assembly. Staff obtained copies of written offers to purchase

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the subject properties at 6949 and 6969 Royal Oak Avenue from the applicant. Further, staff contacted the property owners directly to confirm whether the properties were available for purchase. Both property owners advised staff that they were unwilling to sell their property at the time.

- 2.4 On 2013 November 04, Council received a further report of the Planning and Building Department concerning the advancement of the subject rezoning application. The report noted that the proposed assembly advanced under the subject rezoning application is suitable for the intended development, recognizing that the remaining smaller consolidations are suitable for future development in the near to medium term. Council authorized the Department to work with the applicant in the preparation of a suitable plan of development, with the understanding that a further and more detailed report would be submitted at a later date.

The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The development proposal is for a 23-unit, 3-storey stacked townhouse development. The maximum proposed density of the project is 0.9 F.A.R with full underground parking. Vehicular access is provided from the rear lane.
- 3.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site including, but not necessarily be limited to:
- the construction of Royal Oak Avenue, west of the centreline of road, to its final standard with concrete curb and gutter, separated sidewalk, street trees and street lighting along the development frontage; and,
 - the construction of the rear lane to a 6.1m asphalt wide standard.

Necessary road dedications include a 2.0 m road dedication along Royal Oak Avenue.

- 3.3 Any necessary easements, covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to a Section 219 Covenant restricting enclosure of balconies, providing that all disabled parking is to remain as common property, and ensuring compliance with the submitted acoustical analysis.
- 3.4 Council, on 2013 November 04, approved in principle, the sale of City-owned land at 7029 Royal Oak Avenue for inclusion in the subject site. The Legal and Lands Department has determined a recommended sale price for the City land of \$112.00 per sq. ft. of land. The City-owned property to be sold measures approximately 806.23m² (8,678 sq. ft.) net of required dedications (subject to legal survey). This recommended

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land value would be valid for one year from the date of Second Reading of the rezoning amendment bylaw. At that time, and every six months thereafter until the sale is completed, the land value would be updated by the Legal and Lands Department. If there is a decrease in land value, further Council approval would be required for a reduction in the sale price. If there is an increase in value, the developer would be informed and the sale price for the City land would be based on that increased value.

- 3.5 In light of the proximity to Royal Oak Avenue and the Royal Oak SkyTrain Station, an acoustical study is required to ensure compliance with the Council-adopted sound criteria.
- 3.6 One car wash stall and an appropriately screened garbage handling and recycling holding area will be provided on site.
- 3.7 The developer is responsible for the undergrounding of overhead wiring abutting the site on the west side of Royal Oak Avenue.
- 3.8 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption. The proposed Sediment Control System will then be the basis after Final Adoption for the necessary Preliminary Plan Approval and Building Permit.
- 3.9 Given the size of the site, best management practices are acceptable in lieu of a formal storm water management plan.
- 3.10 There are no trees suitable for retention on the subject site. A tree survey and arborist report will be required to identify all trees to be removed. In accordance with the Burnaby Tree Bylaw, a tree cutting permit will be required for the removal of any tree over 20.3 cm (8 in.) in diameter.
- 3.11 Applicable Development Cost Charges are:
 - a) Parkland Acquisition Charge of \$3.84 per sq.ft. of residential gross floor area
 - b) School Site Acquisition Charge of \$800.00 per unit
 - c) GVS&DD Sewerage Charge of \$826.00 per townhouse unit

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area

Gross Site Area:	-	2,222.5 m ² (23,923 sq.ft.)
Road Dedication Area:	-	82.2 m ² (885 sq.ft.)
Net Site Area:	-	2,140.3 m ² (23,038 sq.ft.)

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4.2	<u>Density</u>		Permitted and Provided
	Floor Area Ratio (F.A.R.)	-	0.9 FAR
	Gross Floor Area (G.F.A.)	-	1,921.6 m ² (20,684 sq.ft.)
	<u>Site Coverage</u>	-	44 %
4.3	<u>Height</u>	-	3 Storeys 11.3m (37 ft.)
4.4	<u>Unit Mix</u>		
	23 - 2 Bedroom Townhouse units	-	72.7 m ² to 89.2 m ² (782 sq.ft. – 960 sq.ft.)
	23 Total Units		
4.5	<u>Parking:</u>		
	Vehicle Parking		Required and Provided
	Townhouse @ 1.75 spaces/unit	-	41 (incl. 6 visitor parking spaces)
	Handicapped Parking @ 1/100 stalls	-	1 space
	Covered Car Wash Stall	-	1 space
	Bicycle Parking		Required and Provided
	Secure Residential @ 1 locker/unit	-	23
	Visitor Racks @ 0.2 spaces/unit	-	05


 Lou Pelletier, Director
 PLANNING AND BUILDING

GT:spf
Attachments

cc: Director Engineering
 Director Finance
 City Solicitor
 City Clerk



