



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, 2017 JANUARY 31 AT 7:00 PM

in the Council Chamber, Burnaby City Hall, 4949 Canada Way, Burnaby, B.C., V5G 1M2 to receive representations in connection with the following proposed amendments to "Burnaby Zoning Bylaw 1965".

1) Burnaby Zoning Bylaw 1965,
Amendment Bylaw No. 58, 2016 - Bylaw No. 13702

Rez . #15-34

4331 Dominion Street

From: CD Comprehensive Development District (based on C3, C3d, C3f General Commercial District)

To: Amended CD Comprehensive Development District (based on C3, C3d, C3f General Commercial District)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a new restaurant patio at the Grand Villa Casino / Delta Burnaby Hotel complex.

2) Burnaby Zoning Bylaw 1965,
Amendment Bylaw No. 59, 2016 - Bylaw No. 13703

Rez. #15-27

7611 Mayfield Street

From: R3 Residential District

To: R3a Residential District

The purpose of the proposed zoning bylaw amendment is to permit the construction of a single-family dwelling with a gross floor area beyond that permitted under the prevailing zoning.

3) **Burnaby Zoning Bylaw 1965,**
Amendment Bylaw No. 52, 2016 - Bylaw No. 13684

Rez . #15-04

5521, 5523, 5525 (Lots 9 and 10) Hastings Street

From: C2 Community Commercial District

To: CD Comprehensive Development District (C2 Community Commercial District, RM4 Multiple Family Residential District and the Apartment Study 'B' [Capitol Hill Plan] as guidelines, and in accordance with the development plan entitled "Alto on Capitol Hill" prepared by Vivid Green Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed-use development with a live-work component.

All persons who believe that their interest in property is affected by a proposed bylaw shall be afforded a reasonable opportunity to be heard:

- **in person** at the Public Hearing
- **in writing** should you be unable to attend the Public Hearing;
 - **Email:** clerks@burnaby.ca
 - **Letter:** Office of the City Clerk, 4949 Canada Way, Burnaby V5G 1M2
 - **Fax:** (604) 294-7537

Please note all submissions must be received by 4:45 p.m. on 2017 January 31 and contain the writer's 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 2017 January 18 to 2017 January 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, 2017 January 19 to review the proposed Zoning Bylaw Amendments which appear on the agenda for the Public Hearing (Zoning) scheduled for 2017 January 31 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. 58, 2016”
Bylaw No. 13702 - Rez. #15-34.

“Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 59, 2016”
Bylaw No. 13703 - Rez. #15-27.

“Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 52, 2016”
Bylaw No. 13684 - Rez. #15-04.

Respectfully submitted,

Craig Henschel
Chair



PROPOSED DEVELOPMENT SUMMARY FOR ADVISORY PLANNING COMMISSION (APC)

REZONING REFERENCE # 15-00034
ADDRESS: 4331 Dominion Street

Meeting Date: 2017 January 19

DEVELOPMENT PROPOSAL:

Permit the construction of a new 54 seat restaurant patio for The Buffet restaurant inside the casino. The proposed 75 m² (805.8 sq. ft.) patio would be located in an area fronting Sumner Avenue. The restaurant currently has 88 seats and the proposal would bring it to a total seating capacity of 142 seats.

1. **Site Area:** 1.5 hectares (3.69 acres)
2. **Existing Use:** Casino/hotel complex
- Adjacent Use:** Office and light industrial
- Proposed Use:** Casino/hotel complex

	Permitted/Required	Proposed/Provided
3. Gross Floor Area:	Casino/Hotel 37,446 m ² (403,067 sq. ft.)	Casino/Hotel 37,446 m ² (403,067 sq. ft.)
4. Site Coverage:	Casino/Hotel 51% (no change)	Casino/Hotel 51% (no change)
5. Building Height:	Casino/Hotel 23 storeys (no change)	Casino/Hotel 23 storeys (no change)
6. Vehicular Access from:	Dominion Street and Sumner Avenue	Dominion Street and Sumner Avenue
7. Parking Spaces:	1,257 spaces (no change)	1,257 spaces (no change)
8. Loading Spaces:	2 bays (no change)	2 bays (no change)
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
Meeting 2016 December 12

COUNCIL REPORT

TO: CITY MANAGER 2016 December 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-34
New Restaurant Patio

ADDRESS: 4331 Dominion Street

LEGAL: Lot 1, DL 70, Group 1, NWD Plan BCP21069

FROM: CD Comprehensive Development District (based on C3, C3d, C3f General Commercial District)

TO: Amended CD Comprehensive Development District (based on C3, C3d, C3f General Commercial District)

APPLICANT: Mallen Gowing Berzins Architecture
#300 - 7 East 6th Avenue
Vancouver, BC V5T 1J3
(Attn: Taylor Yee)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2017 January 31.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2016 December 12, and to a Public Hearing on 2017 January 31 at 7:00 pm.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The approval of the Ministry of Transportation approval to the rezoning application.
3. **THAT** a copy of this report be sent to Brad Desmarais, Vice President, Casino and Community Gaming, British Columbia Lottery Corporation, 74 West Seymour Street, Kamloops, BC, V2C 1E2.

To: City Manager
 From: Director Planning and Building
 Re: Rezoning #15-34, New Restaurant Patio
 2016 December 07..... Page 2

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a new restaurant patio at the Grand Villa Casino / Delta Burnaby Hotel complex.

2.0 BACKGROUND

- 2.1 The subject site is located within the Willingdon/Canada Way Business Centre area. It is occupied by the Grand Villa Casino/Delta Burnaby Hotel complex which currently includes a 2 storey casino with associated food and beverage facilities, a 23 storey hotel tower with 200 guest rooms and related conference/banquet facilities, and 2 restaurants (see Sketch #1 *attached*). Highway #1 is located immediately north of the subject site, and Willingdon Avenue is to the east. To the south, across Dominion Street, is a 5 level above ground parkade at 4320 Dominion Street, which is connected to the casino/hotel complex by an overhead pedestrian walkway, a small surface parking area related to the casino at 4405 Norfolk Street, and two office buildings. To the west across Sumner Avenue are industrial properties zoned M1 District.
- 2.2 On 2015 September 28, Council received the report of the Planning and Building Department concerning the rezoning of the subject site and authorized the Department to continue 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 submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The applicant has requested rezoning in order to permit the construction of a new 54 seat restaurant patio for *The Buffet* restaurant, which is located within the casino. The proposed 75 m² (805.8 sq. ft.) patio would be located in an area occupied by a raised landscaped area at the northwest corner of the building, fronting Sumner Avenue. The proposal includes a permanent covered roof and a retractable window system, in order to provide both weather protection and an open-air experience. The restaurant currently accommodates a total seating capacity of 88 seats. The proposal would provide for a 54 seat patio, accommodating a total seating capacity for the restaurant of 142 seats. The proposed materials and colours for the patio are in keeping with the existing building. A small storage area is also proposed, below the patio, within the existing raised landscaped area.

To: City Manager
 From: Director Planning and Building
 Re: Rezoning #15-34, New Restaurant Patio
 2016 December 07..... Page 3

The applicant proposes to operate the patio year-round and provide liquor service from 11:00 a.m. to 2:00 a.m., in line with the Council-approved liquor service hours permitted for outdoor patios at the site. No live or amplified music is proposed for the patio.

It is noted that no additional parking is required for the proposed additional 54 patio seats, given that food and beverage facilities located within the casino do not require vehicle parking beyond that provided for the casino use.

- 3.2 The Liquor Control and Licencing Branch (LCLB), as part of their assessment process for amendments to liquor primary liquor licences, requests that local government provide comment on applications seeking the addition of a patio for liquor primary establishments. LCLB regulations also state that if the requested licence amendment may affect nearby residents, local government must gather the views of the residents.

In order to satisfy LCLB requirements, a separate liquor licence report addressing the new patio will be submitted to Council if this rezoning proceeds to Final Adoption. The Public Hearing process for this rezoning would be utilized to satisfy the provincial public input process.

- 3.3 No servicing is required in connection with this rezoning.

4.0 DEVELOPMENT PROPOSAL

- 4.1 **Site Area (no change):** - 1.5 hectares (3.69 acres)
- 4.2 **Site Coverage (no change):** - 51%
- 4.3 **Gross Floor Area:** - 37,446 m² (403,067 sq. ft.)
- 4.4 **Floor Area Ratio:** - 2.5

4.5 Parking Required (no change):

Casino: 5,296 m ² (57,009 sq. ft.) gaming area @ 1 per 9 m ² plus 1 per 3 slot machines	- 988 spaces
Freestanding Restaurants: 341 seats @ 1 per 5 seats	- 69 spaces
Hotel: 200 rooms @ 1 per 2 rooms	- 100 spaces
Conference / Banquet Centre: 390 m ² (4,200 sq. ft.) @ 1 per 9 m ² of assembly area	- 43 spaces

To: City Manager
 From: Director Planning and Building
 Re: Rezoning #15-34, New Restaurant Patio
 2016 December 07..... Page 4

Office: 836 m² (9,000 sq. ft.) @ 1 per 46 m² - 18 spaces

Total Required: - 1,218 spaces

Parking Provided (no change):

- 869 spaces at parkade structure (4320 Norfolk Street)
- 307 spaces at Casino / Hotel site (4331 Dominion Street)
- 81 spaces at surface parking lot (4405 Norfolk Street)

Total Provided: - 1,257 spaces

4.6 **Loading Required / Provided (no change):** - 2 bays

4.7 **Building Height (no change):**

Hotel Tower - 23 storeys
 Casino / Conference Centre - 3 storeys

Lou Pelletier, Director
 PLANNING AND BUILDING

SMN:spf
Attachment

cc: Director Engineering
 City Solicitor
 City Clerk

P:\REZONING\Applications\2015\15-00034 4331 Dominion Street\Rezoning Reference 15-34 PH Report 20161212.docx



PROPOSED DEVELOPMENT SUMMARY FOR ADVISORY PLANNING COMMISSION (APC)

REZONING REFERENCE # 15-00027

Meeting Date: 2017 January 19

ADDRESS: 7611 Mayfield Street

DEVELOPMENT PROPOSAL:

Permit construction of a single family dwelling with a gross floor area beyond that permitted under the prevailing zoning.

1. **Site Area:** 990.24 m² (10,658.8 sq. ft.)
2. **Existing Use:** Single family dwelling
- Adjacent Use:** Single and two family dwellings
- Proposed Use:** Single family dwelling

	Permitted/Required	Proposed/Provided
3. Gross Floor Area:	594.14 m ² (6,395.28 sq. ft.)	583.15 m ² (6,277 sq. ft.)
4. Site Coverage:	40%	26%
5. Building Height:	2 Storeys - 7.4 m (24.3 ft.)	2 Storeys - 7.4 m (24.3 ft.)
6. Vehicular Access from:	Mayfield Street	Mayfield Street
7. Parking Spaces:	2	3
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
Meeting 2016 December 12

COUNCIL REPORT

TO: CITY MANAGER 2016 December 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE # 15-27
Proposed single-family residence

ADDRESS: 7611 Mayfield Street (see *attached* Sketch #1)

LEGAL: Lot 38, DL 91, Group 1, NWD Plan 16067

FROM: R3 Residential District

TO: R3a Residential District

APPLICANT: Perry Saran
7572 Burris Street
Burnaby, BC V5E 1Y9

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2017 January 31.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2016 December 12 and to a Public Hearing on 2017 January 31 at 7:00 p.m.
2. **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 Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The registration of a Section 219 Covenant requiring the land to be developed in accordance with the approved building and landscape plans.

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-27
 Proposed single-family residence
 2016 December 07Page 2

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a single-family dwelling with a gross floor area beyond that permitted under the prevailing zoning.

2.0 BACKGROUND

- 2.1 The subject property at 7611 Mayfield Street is located in an R3 District neighbourhood in the Richmond Park area and is designated in the Official Community Plan as Single-Family Suburban. The subject property is located on the Mayfield Street cul-de-sac, along with five other properties. Three of these five properties, including the property located directly to the northeast of the subject property, are improved with relatively low scale single-family dwellings constructed in the mid-1950s. The fourth property, located directly to the southeast of the subject property, is improved with a two-storey single-family dwelling constructed in 2011. A Building Permit (BLD#16-00936) for a new two-storey single-family dwelling has been issued for the fifth property on the cul-de-sac. The properties across the lane to the northwest and southwest, zoned R5 and R9 Residential District and designated within the OCP as Single- and Two-Family Urban, are occupied by two-storey single- and two-family dwellings of various ages.

The nearest R3a District development, approved under Rezoning Reference #11-30, is located approximately 0.5 km southwest of the subject property, on the southeast corner of Malvern Avenue and Morley Street. No other R "a" District developments are located nearby.

- 2.2 The subject property contains an approximately 232.3 m² (2,500 sq. ft.) one-storey single-family dwelling with cellar/basement, constructed in 1956, and a detached garage.
- 2.3 On 2015 July 20, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to work with the applicant in preparing 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 applicant proposes to rezone the subject property to the R3a District to allow for the construction of a new single-family dwelling with an attached garage on the 990.24 m² (10,658.8 sq. ft.) lot. Specific development plans include:

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-27
 Proposed single-family residence

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- a two-storey 583.15 m² (6,277 sq. ft.) single-family dwelling with a flat roof and a two-storey appearance from all elevations;
 - an attached three-car garage measuring 56.39 m² (607 sq. ft.) with vehicular access from the cul-de-sac;
 - four bedrooms on the second floor; main living functions including one bedroom on the main floor; and a recreation room, an additional bedroom, and a two-bedroom secondary suite in the cellar; and,
 - a landscaped front and rear yard.
- 3.2 Under the prevailing R3 District, each lot shall have an area of not less than 557.40 m² (6,000 sq. ft.) and a width of not less than 15 m (49.2 ft.). Under the R3a District, each lot shall have an area of not less than 840 m² (9,041.9 sq. ft.) and a width of not less than 21 m (68.9 ft.). The subject property has a lot area of approximately 990.24 m² (10,658.8 sq. ft.) and an average width of approximately 22.98 m (75.39 ft.), and, as such, meets the minimum lot area and width requirements for rezoning to the R3a District.
- 3.3 With regard to development density, the R3 District permits a maximum gross floor area on the subject site of the lesser of 0.60 floor area ratio (FAR) or 370 m² (3,982.8 sq. ft.). The proposed R3a District permits a maximum gross floor area ratio of 0.60 FAR on lots, such as the subject site, that have a minimum width of 22.5 m (73.8 ft.). Applied to the subject property, the 0.60 FAR would permit a dwelling with a maximum gross floor area of 594.14 m² (6,395.28 sq. ft.).
- 3.4 On 1989 January 03, Council adopted design guidelines for assessing single-family development proposals in the R “a” Residential Districts. The following is an assessment of the proposed development based on these guidelines:
- i) *Limit the scale of the dwelling to a two-storey appearance or to the scale of the neighbouring dwellings, whichever is less.*

All elevations of the proposed development have a two-storey appearance and are considered to have minimal impact on the surrounding residential area. The height of the dwelling is 7.4 m (24.3 ft.) as measured from the average front elevation to the highest point of the structure, which is within the maximum permitted height for buildings with a flat roof in the R3 and R3a Districts.

Though there are three older one-storey dwellings on the cul-de-sac, including directly to the northeast, the newer dwelling directly to the southeast is a two-storey single-family dwelling with a cellar. In addition, as newer dwellings, including the one under construction on the subject cul-de-sac, are generally constructed with two storeys, the proposed dwelling is considered to be in line with the scale and character of the current and future neighbouring properties.

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-27
 Proposed single-family residence

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- ii) *Maintain the existing pattern of front yard setbacks established along the street frontage, if the prevailing setback pattern is beyond the minimum required in the "R" District regulations.*

The front yard setback of the proposed dwelling is 7.47 m (24.5 ft.) and is consistent with the front yard setback required under the bylaw and the prevailing setback pattern of the properties on the cul-de-sac.

- iii) *Require a minimum rear yard setback of 35% of the depth of the lot and limit the depth of the dwelling to a maximum of 18.30 meters (60.0 feet).*

The proposed development provides an approximately 18.14 m (59.5 ft.) rear yard setback from the furthest of three rear property lines, which constitutes approximately 42% of the lot depth on this irregularly shaped lot. The depth of the dwelling is 18.3 m (60 ft.), which is within the recommended maximum building depth of the bylaw.

- iv) *Encourage the side yard setbacks for the development under R "a" zoning to be doubled from that required in the pertinent "R" District zone.*

The R3 District requires a minimum side yard setback of 1.5 m (4.9 ft.). Development under the R3a District zoning requires a minimum side yard setback of 3 m (9.8 ft.). The north and south side yard setbacks for the proposed dwelling are 3.05 m (10 ft.), which meet the recommended side yard setback requirements. Though a portion of the sunken patio on the south elevation encroaches approximately 1.37 m (4.5 ft.) into the side yard, the patio is separated from the property to the south by a new and existing hedge. The rest of the south elevation is within the recommended side yard setback requirements. It is also noted that much of the subject property is flanked by the neighbouring properties' driveways.

- v) *Encourage modeling and faceting by means such as indentations or additional setbacks, bay windows, balconies, porches and some variation in roof lines – particularly for any building face adjacent to a street.*

The proposed dwelling meets this guideline as it is to be constructed with varied setbacks, a covered porch entry, and some variation in roof lines to accent the front elevation.

- vi) *Eliminate large and excessive numbers of windows or active deck areas which are in close proximity to neighbouring dwellings.*

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-27
 Proposed single-family residence
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The proposed dwelling's west (rear) elevation features six windows and a set of French doors which lead to an approximate 18.77 m² (202 sq. ft.) covered deck. While the windows and doors overlooking the covered deck area are relatively large, they do not pose significant privacy concerns due to the depth of the lot, the orientation of the house away from neighbouring dwellings (side elevations do not run parallel to each other), and the location of proposed trees and hedging. The side north and south elevations have a total of ten windows of various sizes, six of which are relatively small. Given the orientation of the house and that the windows are located more than 7.62 m (25 ft.) from adjacent dwellings, these windows do not pose significant privacy concerns.

- vii) *Encourage the preservation of as much existing landscaping and mature trees as possible and the provision of appropriate new soft landscaping while avoiding an excessively hard, urban look to the site.*

The proposed landscape plans show appropriate landscaping, including existing and new hedging along the northwest, south, and southwest property lines; soft landscaping in the front and back yards; three trees in the back yard; and one tree in the front yard. The City's Landscape Technician has determined that none of the existing trees on site are suitable for retention. Therefore, the existing trees may be removed, and all requirements of the Burnaby Tree Bylaw are to be met.

Overall, the proposed development is consistent with the guidelines for assessing single-family dwellings in the R3a District.

- 3.5 The Director Engineering will be requested to provide an estimate for any required services to serve the site, including but not limited to:

- Cash-in-lieu for the construction of a future separated sidewalk.

- 3.6 The owner will be required to register a Section 219 Covenant to restrict the development of the property to that presented at the Public Hearing.

- 3.7 The applicant has advised the Planning Department that he has approached the residents in the neighbourhood regarding the proposed rezoning application. Of the 10 neighbouring properties approached, nine residents signed a petition indicating they have no objection to the proposed development and one resident was unable to be contacted.

4.0 DEVELOPMENT PROPOSAL

- 4.1 Site Area - 990.24 m² (10,658.8 sq. ft.)

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-27
 Proposed single-family residence
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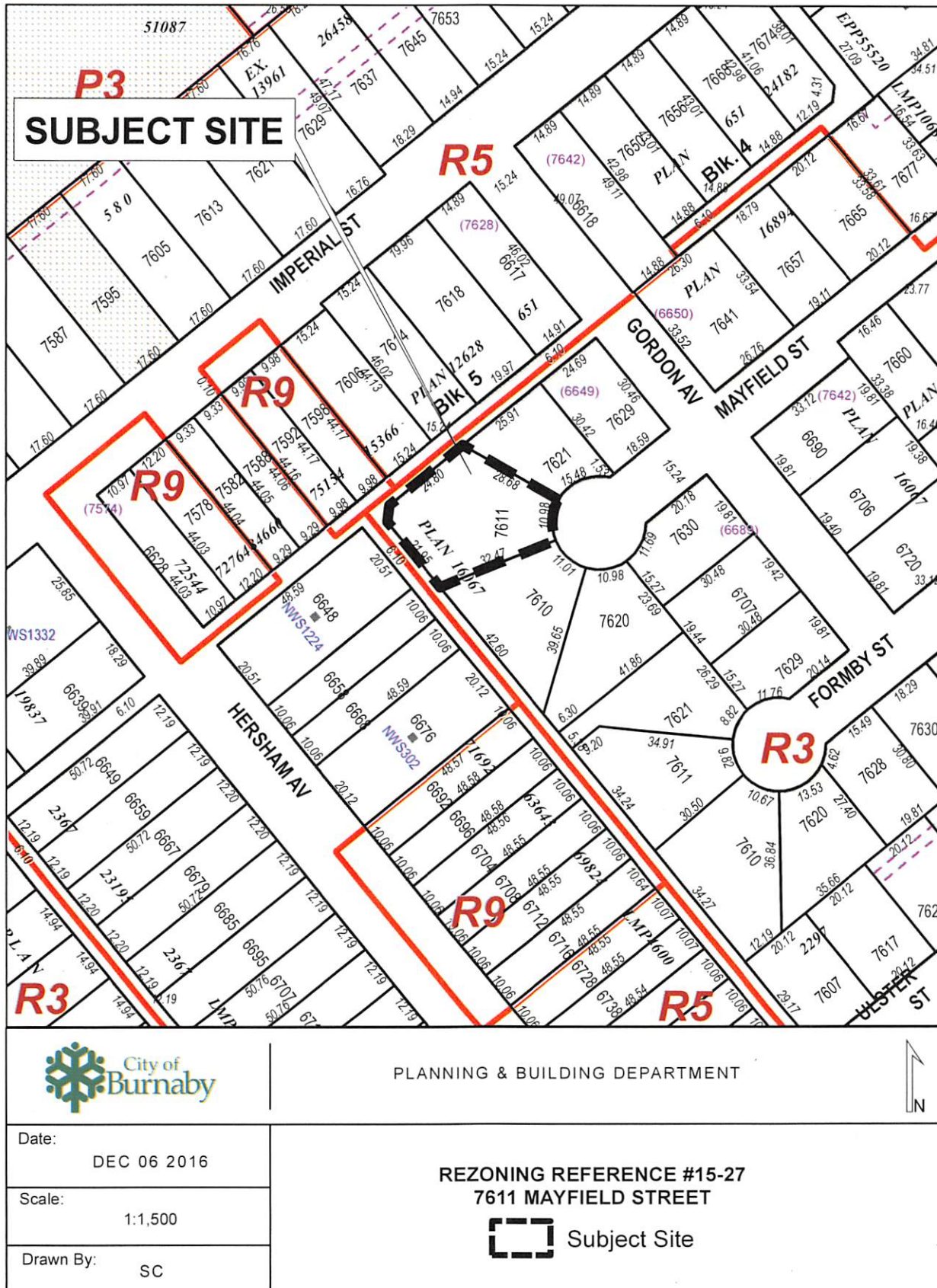
- 4.2 Lot Coverage
- | | |
|-----------|--------|
| Permitted | - 40 % |
| Proposed | - 26 % |
- 4.3 Floor Area Ratio
- | | |
|-----------|------------|
| Permitted | - 0.60 FAR |
| Proposed | - 0.59 FAR |
- 4.4 Gross Floor Area
- | | |
|-----------|--|
| Permitted | - 594.14 m ² (6,395.28 sq. ft.) |
| Proposed | - 583.15 m ² (6,277 sq. ft.) |
- 4.5 Above Grade Floor Area
- | | |
|-----------|--|
| Permitted | - 396.09 m ² (4,263.52 sq. ft.) |
| Proposed | - 382.67 m ² (4,119 sq. ft.) |
- 4.6 Building Height
- | | |
|-----------|--------------------|
| Permitted | - 2 storeys |
| | - 7.4 m (24.3 ft.) |
| Proposed | - 2 storeys |
| | - 7.4 m (24.3 ft.) |


 Lou Pelletier, Director
 PLANNING AND BUILDING

LS:spf
Attachment

cc: Director Engineering
 City Solicitor
 City Clerk

P:\REZONING\Applications\2015\15-00027 7611 Mayfield Street\Rezoning Reference 15-27 PH Report 2016\212.docx



Sketch #1



PROPOSED DEVELOPMENT SUMMARY FOR ADVISORY PLANNING COMMISSION (APC)

REZONING REFERENCE # 15-00004

Meeting Date: 2017 January 19

ADDRESS: 5521, 5523, 5525 (Lots' 9 and 10) Hastings Street

DEVELOPMENT PROPOSAL:

Permit a mixed-use development with commercial at grade fronting Hastings Street, live-work units on the second level and residential units on two levels above.

- | | |
|-------------------------|---|
| 1. Site Area: | Gross Site Area 1,619.5 m ² (17,432 sq.ft.) = Net Site Area 1,579.3 m ² (16,999 sq.ft.) + Road Dedication Area 40.2 m ² (433 sq.ft.) |
| 2. Existing Use: | Commercial, single family dwelling, vacant |
| Adjacent Use: | Commercial, multi-family residential, car lot |
| Proposed Use: | Mixed-use (commercial, multi-family residential) |

	Permitted/Required	Proposed/Provided
3. Gross Floor Area:	3,312.6 m ² (35,657 sq.ft.)	3,312.6 m ² (35,657 sq.ft.)
4. Site Coverage:	87%	87%
5. Building Height:	South Elevation, Hastings St. - 4 Storeys North Elevation - 3 Storeys	South Elevation, Hastings St. - 4 Storeys North Elevation - 3 Storeys
6. Vehicular Access from:	Ellesmere Avenue	Ellesmere Avenue
7. Parking Spaces:	Residential-32 Spaces, Live-Work Units-22 Spaces & Commercial-10 Spaces	Residential-32 Spaces, Live-Work Units-22 Spaces & Commercial-10 Spaces
8. Loading Spaces:	1 Loading Space	1 Loading Space
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

P:\REZONING\FORMS\APC STAT SHEET



Item
Meeting2016 December 12

COUNCIL REPORT

TO: CITY MANAGER 2016 December 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-04**
Four-Storey Mixed-Use Development
Capitol Hill Area Plan, Apartment Study 'B'

ADDRESS: 5521, 5523, 5525 (Lots' 9 and 10) Hastings Street
 (see *attached* Sketches #1 and #2)

LEGAL: Lots' 7, 8, 9 & 10, Block 80, DL 127, Group 1, Plan NWD 4953

FROM: C2 Community Commercial District

TO: CD Comprehensive Development District (C2 Community Commercial District, RM4 Multiple Family Residential District and the Apartment Study 'B' [Capitol Hill Plan] as guidelines, and in accordance with the development plan entitled "Alto on Capitol Hill" prepared by Vivid Green Architecture Inc.)

APPLICANT: Vivid Green Architecture Inc.
 1141 – 11871 Horseshoe Way
 Richmond, BC V7A 5H5
 Attn: Rosa Salcido

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2017 January 31.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2016 December 12 and to a Public Hearing on 2017 January 31 at 7:00 p.m.
2. **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

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-04
 Four-Storey Mixed-Use Development
 2016 December 07..... Page 2

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 submission of an undertaking to remove all existing improvements from the site prior to or within six months of the rezoning bylaw being effected. Demolition of any improvements will be permitted at any time, provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Second Reading, Third Reading and/or Final Adoption of the Rezoning Bylaw.
- e) The undergrounding of existing overhead wiring abutting the site.
- f) The consolidation of the net project site into one legal parcel.
- g) The granting of any necessary statutory rights-of-way and easements.
- h) The granting of any necessary Section 219 Covenants including, but not limited to:
 - restricting enclosure of balconies;
 - restricting uses permitted within the live-work components;
 - ensuring continued use of the outdoor amenity space for noncommercial recreational, social, or meeting space purposes only;
 - ensuring compliance with the approved acoustic study; and,
 - ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation.
 - Statutory Right of Way (1.0 m on Hastings Street, and a 3.0 m x 3.0 m corner truncation) for separated sidewalk and enhanced boulevard provisions.
- i) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.

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- j) The design and provision of units adaptable to persons with disabilities and the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person, with allocated disabled parking spaces protected by a Section 219 Covenant.
- k) The review of a detailed Sediment Control System by the Director Engineering.
- l) The submission of a Site Profile and resolution of any arising requirements.
- m) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- n) The submission of an acoustical study to ensure compliance with the Council-adopted sound criteria.
- o) Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- p) 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.
- q) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- r) The submission of a detailed comprehensive sign plan.
- s) The deposit of the applicable Parkland Acquisition Charge.
- t) The deposit of the applicable GVS & DD Sewerage Charge.
- u) The deposit of the applicable School Site Acquisition Charge.
- v) 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

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REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a four-storey mixed-use development with a live-work component.

2.0 BACKGROUND

- 2.1 The subject site is identified as a part of the Commercial Core of the Apartment Study 'B' (Capitol Hill) Area Plan. On 1997 June 19, Council adopted the amended designations for the Capitol Hill Commercial Core and designated the subject site for medium density mixed-use development (based on the RM3 Multiple Family Residential District and the C1, C2 and C3 Commercial Districts) with a residential density of 1.1 Floor Area Ratio (FAR) and a maximum commercial density of 1.0 FAR. It is noted that the Area B adopted design guidelines permit increased residential density should the project demonstrate superior design.
- 2.2 On 2015 March 25, Council received the rezoning report from the Planning and Building Department regarding the subject site and 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.
- 2.3 The subject site is comprised of four lots (5521, 5523 and two legal lots addressed to 5525 Hastings Street). One of the lots is vacant, one is occupied with a single family dwelling and two are occupied with an older single-storey commercial building. To the north is an older multi-family development; to the west is a used car lot; to the east, across Ellesmere Avenue are single storey commercial buildings; and, to the south, across Hastings Street, are two-storey commercial buildings.
- 2.4 The development being pursued is for a mixed-use development with commercial at grade fronting Hastings Street, live-work units on the second level and residential units on levels three and four above.

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 four-storey mixed-use development with five commercial retail units at grade fronting Hastings Street, 10 live-work units on the second floor and 20 residential units on levels three and four, with full underground

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parking. The proposed zoning is CD (C2, RM4) with C2 uses permitted in both the commercial retail units and the commercial component of the live-work units.

The applicant has proposed a commercial FAR of 0.69 FAR and a residential FAR of 1.4 FAR, for a total proposed density of 2.09 FAR. The adopted design guidelines for the Apartment Study Area 'B' (Capitol Hill) Plan notes that the "allowable commercial density shall not exceed 1.0 FAR" and the "maximum allowable residential density shall not exceed 1.1 FAR, except where a superior design meeting the area guidelines and objectives can be achieved through a minor increase." A total density of 2.1 FAR is permitted within the approved design guidelines.

In regard to "superior design" it is felt that this development sets a positive precedent for this area with respect to design and use. With articulated facades, stepped height profiles, and high-quality building materials such as metal cladding and cedar paneling it establishes strong architectural design in the evolving commercial centre and speaks to the predominately residential neighbourhood beyond. The development also incorporates live-work uses that will provide needed local services to the area. As such, it is felt that the slight increase in residential density is warranted in this case.

The primary objective for this area, as a designated Urban Village Centre in the 1998 Official Community Plan, is to provide residential uses in proximity to commercial services, transit and social and recreational amenities such that residents are able to live, work and play in a "complete community" and additionally, that development be oriented to the pedestrian as opposed to the automobile, to further enhance the desirability of walking. The design guidelines for Area B recognize that the provision of residential opportunities in an Urban Village Centre is a key component in creating a vibrant mixed use centre. In this regard the addition of the live-work component is considered appropriate as it meets the intended objectives within the plan.

- 3.2 On 2010 October 03, Council granted Final Adoption to Rezoning Reference #46-97, located one block south-east of the subject properties at 5656 Hastings Street, for the development of a mixed-used residential/commercial development with underground parking to CD Comprehensive Development District (utilizing RM4 Multiple Family Residential District, C2 Community Commercial District and Apartment Study Area "B" as guidelines) with a maximum residential density of 1.5 FAR and a maximum commercial density of 0.298 FAR for a total project density of 1.798 FAR. It is noted that this development was approved by Council for a residential density above the maximum allowable residential density of 1.1 FAR because it demonstrated superior design in line with the rational outlined in the approved design guidelines.
- 3.3 The proposed zoning for the small component of live-work units is C2/RM4 with the full range of C2 uses permitted within the commercial component. Permitted density provides flexibility for future owners to utilize live-work units as entirely commercial or a split

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between residential and commercial uses with no more than 50% of the floor area of each unit for residential uses. A Section 219 Covenant would protect the live-work purpose of the units and require a minimum of 50% of floor area in each live-work unit to be used for commercial purposes.

- 3.4 Design requirements for the live-work component of the subject development include live-work units exclusively on the second storey, a separate entrance for live-work occupants and visitors (made possible by the steeply sloping grade), a separate commercial elevator, commercial treatments in the common corridors including six foot corridors and glazing into the units, and a common meeting room for the exclusive use of live-work proprietors.
- 3.5 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:
 - construction of Hastings Street to its final standard with new concrete curb and gutter and separated sidewalks, and street trees and street lighting across the development frontage; and,
 - construction of Ellesmere Avenue to its final standard with separated sidewalks, street trees and street lighting across the development frontage, and corner curb bulges at Hastings Street.
- 3.6 A 1.0 m dedication is required along Hastings Street to allow for a separated sidewalk and improved boulevard provisions.
- 3.7 In line with Council-adopted policy on adaptable housing, the subject development is providing six adaptable units, with a corresponding floor area exemption of 11.1 m² (120 sq.ft.). Two handicap accessible parking stalls will be provided in accordance with the zoning bylaw. These parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.
- 3.8 Any necessary easements, covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant restricting uses permitted within the live-work components;
 - Section 219 Covenant ensuring continued use of the outdoor amenity space for non-commercial recreational, social, or meeting space purposes only;
 - Section 219 Covenant ensuring compliance with the approved acoustic study;

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- Section 219 Covenant ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation; and,
 - Statutory Right of Way (1.0 m on Hastings Street, and a 3.0 m x 3.0 m corner truncation) for separated sidewalk and enhanced boulevard provisions.
- 3.9 As this site is influenced by traffic on Hastings Street, an acoustical study will be required to ensure compliance with the Council-adopted sound criteria.
- 3.10 Provision of one separate car wash stall is required.
- 3.11 Undergrounding of overhead wiring abutting the site on Hastings Street will be required. If undergrounding is determined to be unfeasible, preducting and a cash deposit for future undergrounding will be required.
- 3.12 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.
- 3.13 A suitable on-site stormwater management system and a Section 219 Covenant to ensure its installation and maintenance will be required.
- 3.14 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 3.15 A tree survey and arborist's report for the site will be required to determine whether any existing trees are suitable for retention. The removal of trees over 20 cm (8 inches) in diameter will require a tree removal permit.
- 3.16 Bicycle storage space and surface parking racks are to be provided for the residential tenants and visitors of the development.
- 3.17 A Comprehensive Sign Plan detailing sign numbers, locations, sizes and attachment details will be required.
- 3.18 The following Development Cost Charges apply:
- Parkland Acquisition Charge of \$3.55 per sq.ft. of gross floor area;
 - School Site Acquisition Charge of \$700.00 per unit; and,
 - GVS & DD Sewerage Development Cost Charge of \$1,082.00 per apartment unit and \$0.811 per sq.ft. of commercial gross floor area.

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4.0 DEVELOPMENT PROPOSAL – 5521, 5523, AND 5525 HASTINGS STREET

4.1 Site Area

Gross Site Area	- 1,619.49 m ² (17,432 sq.ft.)
Road Dedication Area	- 40.23 m ² (433 sq.ft.)
Net Site Area	- 1,579.26 m ² (16,999 sq.ft.)
	- (Subject to detailed survey)

4.2 Density

Floor Area Ratio (FAR)	<u>Permitted and Provided</u>
Commercial Uses	- 0.29
Work Uses (Commercial)	- 0.40
Live Uses (Residential)	- 0.25
Residential	- 1.15
 Total FAR	 - 2.09
 Gross Floor Area (GFA) provided	 - 3,312.6 m ² (35,657 sq.ft.)
Adaptable Unit Exemption (20 sq. ft. / unit)	- 11.1 m ² (120 sq.ft.)
 Total GFA	 - 3,301.5 m ² (35,537 sq. ft.)
 <u>Site Coverage</u>	 - 87%

4.3 <u>Height</u>	- 4 storeys (south elevation – Hastings Street)
	- 3 storeys (north elevation)

4.4 Residential Unit Mix

10 live-work studio	- 75.6 – 81.5 m ² (814 – 877 sq.ft.)
6 one-bedroom	- 56.7 – 58.5 m ² (610 – 630 sq.ft.)
6 one-bedroom + den	- 63.2 – 74.3 m ² (680 – 800 sq.ft.)
2 two-bedroom	- 74.5 m ² (802 sq.ft.)
4 two-bedroom + den	- 93.5 m ² (1,006 sq.ft.)
2 three-bedroom	- 108.0 m ² (1,163 sq.ft.)
 Total units	 - 30 units (inclusive of 6 adaptable units)

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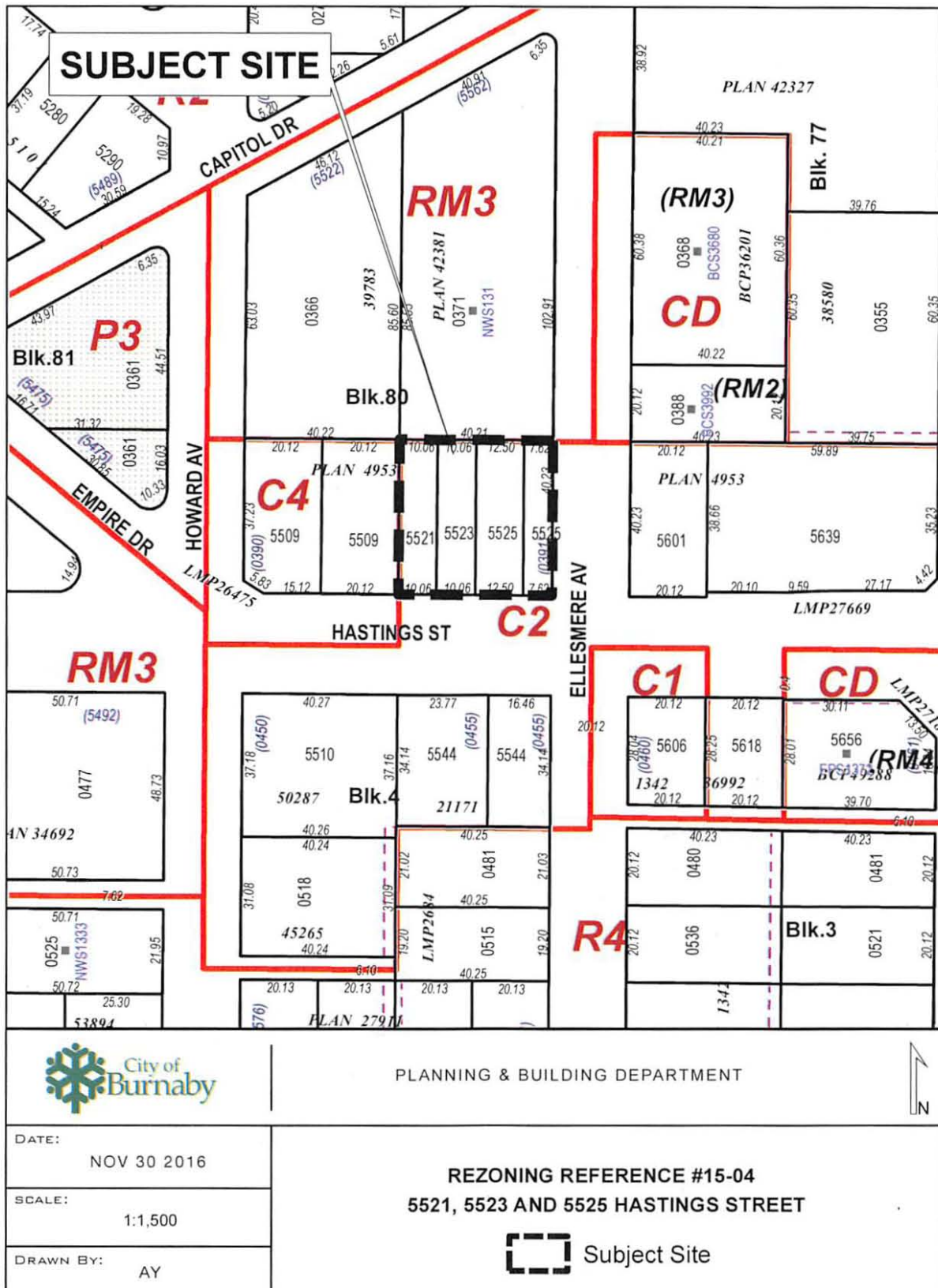
4.5 Parking

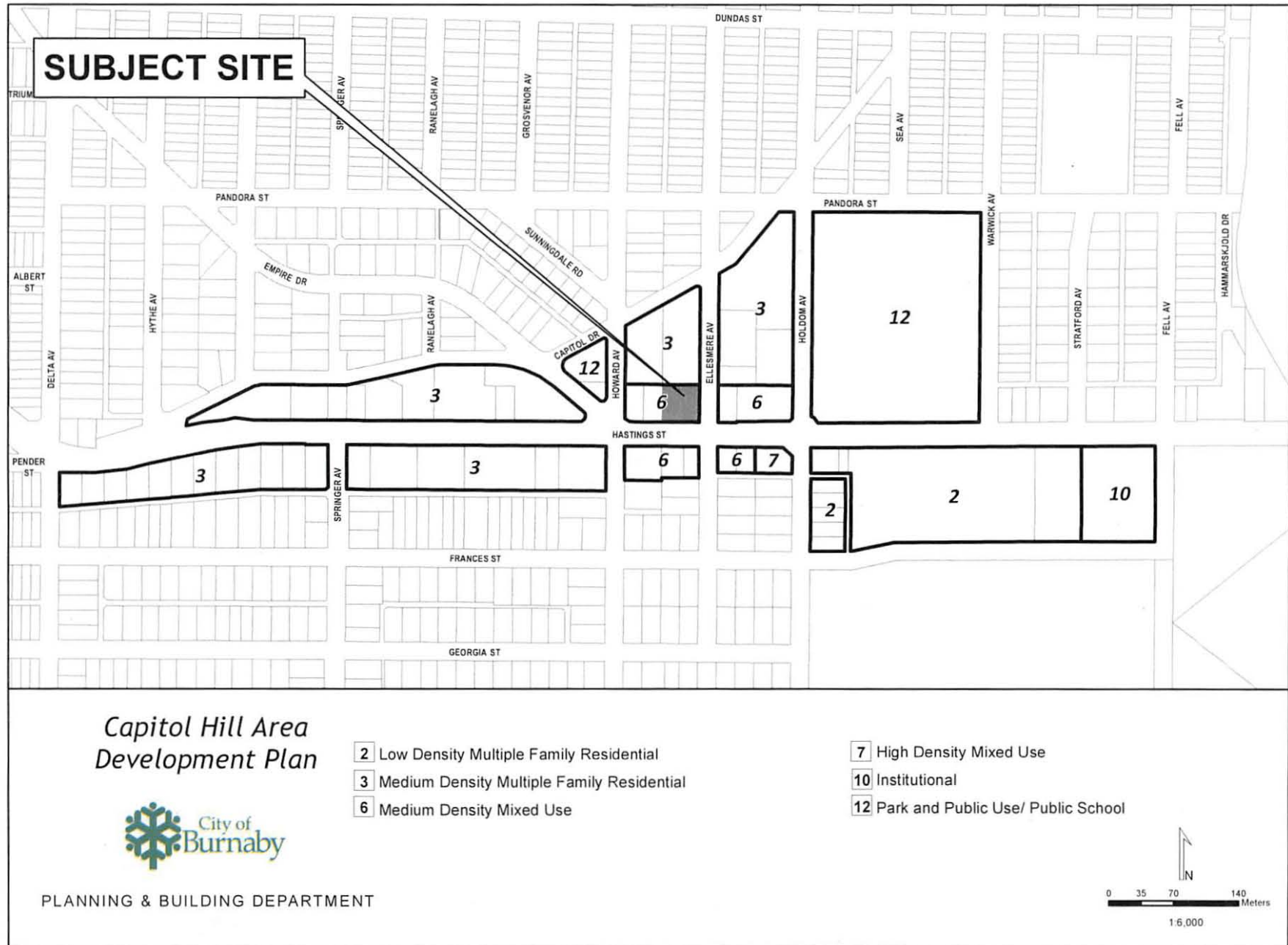
Vehicle Parking	<u>Required</u>	<u>Provided Spaces</u>
20 Residential Units @ 1.6 spaces/unit	- 32	32 (inclusive of 5 visitor spaces and 1 handicapped parking stall)
1,022 m ² Live-Work @ 1 space/46m ²	- 22	22 (inclusive of 9 visitor spaces and 1 handicapped parking stall)
463 m ² Commercial @ 1 space/46m ²	- 10	10
Total Vehicle Parking	- 64	64
Commercial Loading	- 1	1
Car Wash Stalls	- 1	1
Bicycle Parking:	<u>Required</u>	<u>Provided Spaces</u>
20 Residential Units @ 1 space/unit	- 20	20
10 Live-work units @ 1 space/unit	- 10	10
Visitor racks @ 0.2 spaces/unit + 10% of Commercial off-street parking	- 7	10
Total Bicycle Parking	- 37	40


 Lou Pelletier, Director
 PLANNING AND BUILDING

JS:spf
Attachments

cc: Director Engineering
 City Solicitor
 City Clerk





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Sketch #2