



**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, 2018 DECEMBER 11 AT 7:00 PM**

in the Council Chamber, Burnaby City Hall, 4949 Canada Way, Burnaby, B.C. to receive representations in connection with:

- A) proposed amendments to "Burnaby Zoning Bylaw 1965", and
- B) proposed retention and protection of historic property seeking Heritage Designation,

**A G E N D A**

**CALL TO ORDER**

**PAGE**

**ZONING BYLAW AMENDMENTS**

- A1) Burnaby Zoning Bylaw 1965,**  
**Amendment Bylaw No. 32, 2018 - Bylaw No. 13924**

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Rez. #16-38

7422, 7470 Buller Avenue

From: M1 Manufacturing District and M2 General Industrial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Royal Oak Community Plan guidelines and the development plan entitled "Proposed Multi-Family Development, 7470 and 7422 Buller Avenue, Burnaby, BC" prepared by Integra Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a three-storey stacked townhouse development (124 units) with full underground parking.

**A2) Burnaby Zoning Bylaw 1965,**  
**Amendment Bylaw No. 44, 2018 - Bylaw No. 13950**

11

Rez. #17-18

4838 Hastings Street

From: CD Comprehensive Development District (based on C2 Community Commercial District and RM3 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on C2 Community Commercial District, RM3 Multiple Family Residential District, P1 Neighbourhood Institutional District, and Hastings Street Area Plan guidelines)

The purpose of the proposed zoning bylaw amendment is to permit the operation of a child care facility for 86 children.

**A3) Burnaby Zoning Bylaw 1965,**  
**Amendment Bylaw No. 45, 2018 - Bylaw No. 13951**

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Rez. #18-42

5140 North Fraser Way

From: CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Big Bend Development Plan guidelines and in accordance with the development plan entitled “Coanda Research & Development Corporation 5140 North Fraser Way” prepared by Taylor Kurtz Architecture and Design Inc.)

The purpose of the proposed zoning bylaw amendment is to permit an expansion of the floor area of the proposed building to accommodate two mezzanines and minor exterior changes to the building.

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**HERITAGE DESIGNATION AND HERITAGE REVITALIZATION AGREEMENT****B1) Burnaby Heritage Designation  
Bylaw No. 2, 2018 - Bylaw No. 13947**

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The purpose of the proposed bylaw is to designate the Lonsdale Guardhouse Residence as a protected heritage site and authorize the listing of the subject property on the Burnaby Community Heritage Register as Protected Heritage property.

**B2) Burnaby Heritage Revitalization Agreement  
Bylaw No. 2, 2018 - Bylaw No. 13948**

6985 Canada Way

The purpose of the proposed bylaw is to provide for the retention and protection of the Lonsdale Guardhouse Residence to ensure specific design controls and provide necessary zoning variances to allow for the subdivision and development of the existing R5 Residential District property as a City heritage site.

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](mailto: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 2018 December 11 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 until 2018 December 11.

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

K. O'Connell  
CITY CLERK



Item .....
Meeting ..... 2018 November 19

## COUNCIL REPORT

**TO:** CITY MANAGER 2018 November 14

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #16-38**  
**Three-Storey Townhouse Development**  
**Royal Oak Community Plan**

**ADDRESS:** 7422 and 7470 Buller Avenue (see *attached* Sketches #1 and #2)

**LEGAL:** Lots 87 and 88, DL 97, Group 1, NWD Plan 62775

**FROM:** M1 Manufacturing District and M2 General Industrial District

**TO:** CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Royal Oak Community Plan guidelines and the development plan entitled "Proposed Multi-Family Development, 7470, 7422 Buller Avenue, Burnaby, BC" prepared by Integra Architecture Inc.)

**APPLICANT:** Integra Architecture Inc.  
2330-200 Granville Street  
Vancouver, BC V6C 1S4  
Attn: Duane Siegrist

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2018 December 11.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 November 26 and to a Public Hearing on 2018 December 11 at 7:00 p.m.
2. **THAT** Council authorize the introduction of a Burnaby Highway Closure Bylaw for approximately 943 m<sup>2</sup> (10,150 sq. ft.) (subject to detailed survey) of a portion of Prenter Street on the Prenter Street frontage of the subject development site, as outlined in Section 3.6 of this report.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a. The submission of a suitable plan of development.



To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #16-38  
 2018 November 14..... Page 2

- 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 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. Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.
- e. The consolidation of the net project site into one legal parcel.
- f. The undergrounding of existing overhead wiring abutting the site.
- g. The dedication of any rights-of-way deemed requisite.
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants, including but not limited to:
  - Statutory right-of-way for the provision of a public pedestrian walkway from Buller Avenue to Prenter Street;
  - Section 219 Covenant restricting enclosure of balconies;
  - Section 219 Covenant ensuring compliance with the approved acoustical study; and,
  - Section 219 Covenant ensuring that handicap accessible parking stalls be held in common property to be administered by the Strata Corporation.
- i. Completion of the Highway Closure Bylaw.
- j. Compliance with the guidelines for underground parking for residential visitors.
- k. The review of a detailed Sediment Control System by the Director Engineering.
- l. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.

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 Re: Rezoning Reference #16-38  
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- m. The design and provision of units adaptable to persons with disabilities, 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.
- n. 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.
- o. The submission of a Site Profile and resolution of any arising requirements.
- p. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a Section 219 Covenant and deposit of sufficient monies to guarantee its provision and continuing operation.
- q. The provision of facilities for cyclists in accordance with this report.
- r. Compliance with the Council-adopted sound criteria.
- 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.

## REPORT

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a three-storey stacked townhouse development (124 units) with full underground parking.

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 From: Director Planning and Building  
 Re: Rezoning Reference #16-38  
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## 2.0 BACKGROUND

- 2.1 The subject site is located north of Irmin Street between Buller Avenue and Prenter Street (see *attached* Sketch #1). The site is within the Council-adopted Royal Oak Community Plan area and is designated in the Plan for rezoning to the CD Comprehensive Development District based on the RM3 Multiple Family Residential District as a guideline (see *attached* Sketch #2). The site includes the properties at 7470 Buller Avenue, which is currently occupied by a multi-tenant warehouse building, and 7422 Buller Avenue, which was previously owned by Southern Railway of British Columbia Ltd. and previously improved with a section of the company's former rail spur line. This property is now vacant and has been acquired for inclusion in the development site.
- 2.2 Directly to the north is a City-owned property improved with an older industrial/warehouse building, which, subject to future Council consideration and review, is designated for a future neighbourhood park and multiple-family residential development. To the north-east across Prenter Street is the Expo SkyTrain guideway and BC Parkway, with a townhouse/low-rise apartment development (approved under Rezoning Reference #11-13) and older industrial/warehouse buildings beyond. To the south across Irmin Street is a mixture of single-family and two-family dwellings. To the west across Buller Avenue is a townhouse/low-rise apartment development, approved under Rezoning Reference #06-44.
- 2.3 Burnaby's Economic Development, Social and Environmental Sustainability Strategies, in addition to the Royal Oak Community Plan, encourage: a varied range of housing options; improved neighbourhood livability, stability and accessibility; transit access and alternative forms of transportation; as well as green building policies. Further, the City's Corporate Strategic Plan provides a vision for a world class city committed to creating and sustaining the best quality of life for our citizens; and one which is supported by goals for a safe, connected, inclusive, healthy and dynamic community.

The subject rezoning application is consistent with these municipal plans and policies.

- 2.4 At its meeting of 2016 October 03, Council received the report of the Planning and Building Department regarding the rezoning of the subject property and authorized staff to continue to work with the applicant towards a suitable plan of development in line with the RM3 Multiple Family Residential District, 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 124-unit, three-storey stacked townhouse development, with full underground parking. The maximum proposed density of the project is 1.1 FAR. Vehicular access is provided from Irmin Street.

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The subject proposal consists of 12 individual townhouse buildings separated from each other by landscaped courtyards and pedestrian walkways. Every unit has access to either a private ground floor patio area or upper level deck, and all units have access to common green areas throughout the site, including a large area suitable for children's play located at the northeast corner of the site. The provision of a common amenity space, including a two-level multi-purpose room and outdoor patio space, is provided in a building on the eastern side of the development site. In order to engage with bounding streets to the west and south, the proposed urban trail to the north and the proposed pathway to the east, units abutting the north, west and south frontages have individual access to City sidewalks and the urban trail, creating a landscaped townhouse condition, with a further pedestrian access for the development to the proposed public pedestrian pathway to the east of the site.

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 a new 3.0m asphalt urban trail on the northern edge of the development site to its final standard with landscaping, seating and pathway lighting;
- the construction of a new marked mid-block crossing with overhead signage on Buller Avenue, complete with curb bulges on both sides;
- the construction of Irmin Street to its final standard with concrete curb and gutter on both sides and with corner curb bulges at Buller Avenue; separated sidewalks with street trees, street lighting, and boulevard grassing on the north side across the development frontage; and the construction of a cul-de-sac at the east end of Irmin Street;
- the construction of Buller Avenue to its final standard with concrete curb and gutter on the east side, and corner curb bulges at Irmin Street; and separated sidewalks with street trees, street lighting, and boulevard grassing on the east side across the development frontage; and,
- the closure of a portion of Prenter Street road right-of-way for the construction of a public pedestrian pathway to its final standard complete with landscaping, seating and pathway lighting across the development frontage.

A 3.0m x 3.0m corner truncation dedication at Buller Avenue and Irmin Street will be required. Access to the site will be provided from Irmin Street.

3.3 In accordance with the City's policy for adaptable units, six units (25% of the total number of single-level residential units) has been provided meeting adaptable standards. As permitted under the adopted policy, 20 sq. ft. for each adaptable unit is exempt from FAR, resulting in a total adaptable unit FAR exemption of 11.1 m<sup>2</sup> (120 sq. ft.). Three handicap accessible parking stalls are provided in connection with this development within the residential parking area. The accessible parking stall will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.

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- 3.4 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 the enclosure of balconies;
  - Section 219 Covenant providing that all disabled parking to remain as CommonProperty;
  - Section 219 Covenant to guarantee the provision and continuing operation of stormwater management facilities;
  - Section 219 Covenant ensuring compliance with the submitted acoustical analysis; and,
  - A 7.12 m (23 ft.) statutory right-of-way on the northern side of the site for the proposed urban trail.
- 3.5 A Highway Closure Bylaw will be pursued to close a portion of Prenter Street along the eastern frontage of the development site that is not required for City road purposes. The road right-of-way will remain under City ownership and will be repurposed for the provision of a public pathway connection. The area to be closed is approximately 943 m<sup>2</sup> (10,150 sq. ft.) (subject to detailed survey).
- 3.6 In light of the proximity to Rumble Street and the Expo SkyTrain line, an acoustic study is required to ensure compliance with the Council-adopted sound criteria.
- 3.7 One car wash stall and an appropriately screened garbage handling and recycling holding area will be provided on site.
- 3.8 The provision of an approved on-site residential loading facility will be required.
- 3.9 Due to the industrial history of the site, a Site Profile and the resolution of any arising issues will be required.
- 3.10 The development is responsible for the undergrounding of overhead wiring abutting the site on Buller Avenue.
- 3.11 The Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 3.12 An on-site stormwater management system to the approval of the Director Engineering is required. A Section 219 Covenant and bonding are required to guarantee its provision and continuing operation.
- 3.13 There are no trees suitable for retention on the subject site. A tree survey 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 20.3cm (8 in.) in diameter.

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### 3.14 Applicable Development Cost Charges are:

- a) Parkland Acquisition Charge
- b) School Site Acquisition Charge
- c) GVS&DD Sewerage Charge

## 4.0 DEVELOPMENT PROPOSAL

4.1	<u>Site Area</u>	-	13,751.53 m <sup>2</sup> (148,020 sq.ft.)
4.2	<u>Density</u>		
	FAR Permitted and Provided	-	1.1 FAR
	Gross Floor Area (GFA) Permitted	-	15,126.7 m <sup>2</sup> (162,822 sq.ft.)
	Gross Floor Area (GFA) Provided	-	15,071.5 m <sup>2</sup> (162,228 sq.ft.)
	Adaptable Unit Exemption (20 sq. ft./unit)	-	11.2 m <sup>2</sup> (120 sq. ft.)
	Amenity Space Exemption	-	230.02 m <sup>2</sup> (2,476 sq. ft.)
	Site Coverage	-	33.4 %
4.3	<u>Height</u>	-	3 Storeys
4.4	<u>Unit Mix</u>		
	48 Two-bedroom units:	-	92.6 m <sup>2</sup> (997 sq.ft.)
	24 Two-bedroom + den units:	-	83.3 – 83.6 m <sup>2</sup> (897 – 900 sq.ft.)
	52 Three-bedroom units:	-	165.9 – 168.0 m <sup>2</sup> (1,786 - 1,808 sq.ft.)
	<b>Total Number Of Units</b>	-	<b>124 units (inclusive of 6 adaptable units)</b>
4.5	<u>Vehicle Parking and Loading</u>		
	Residential @ 1.75 spaces/unit		
		<u>Required</u>	<u>Provided</u>
		- 217	220 (incl. 31 visitor parking spaces)
	<b>Total Parking Provided</b>	-	<b>220</b>
	Car Wash Stall Required and Provided	-	1
	Disabled spaces (included in parking total)	-	3 residential spaces provided underground
		-	1 visitor space provided underground

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4.6	<u>Bicycle Parking</u>		<u>Required</u>	<u>Provided</u>
	Secure Residential @ 1 locker/unit	-	124	135
	Visitor Racks @ 0.2 spaces/unit			
	Required and Provided	-	25	25

4.7 Communal Facilities (Excluded from FAR Calculations)

Communal facilities for residents are located within the easternmost building of the development. Amenities include a two-level, multi-purpose room with a handicapped accessible elevator from the underground parking level and an adjacent amenity patio area. The total amenity area measures 230.02 m<sup>2</sup> (2,476 sq. ft.), which is less than the 765.6 m<sup>2</sup> (8,241 sq.ft.) permitted to be excluded from Gross Floor Area (GFA) by the Zoning Bylaw.

  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

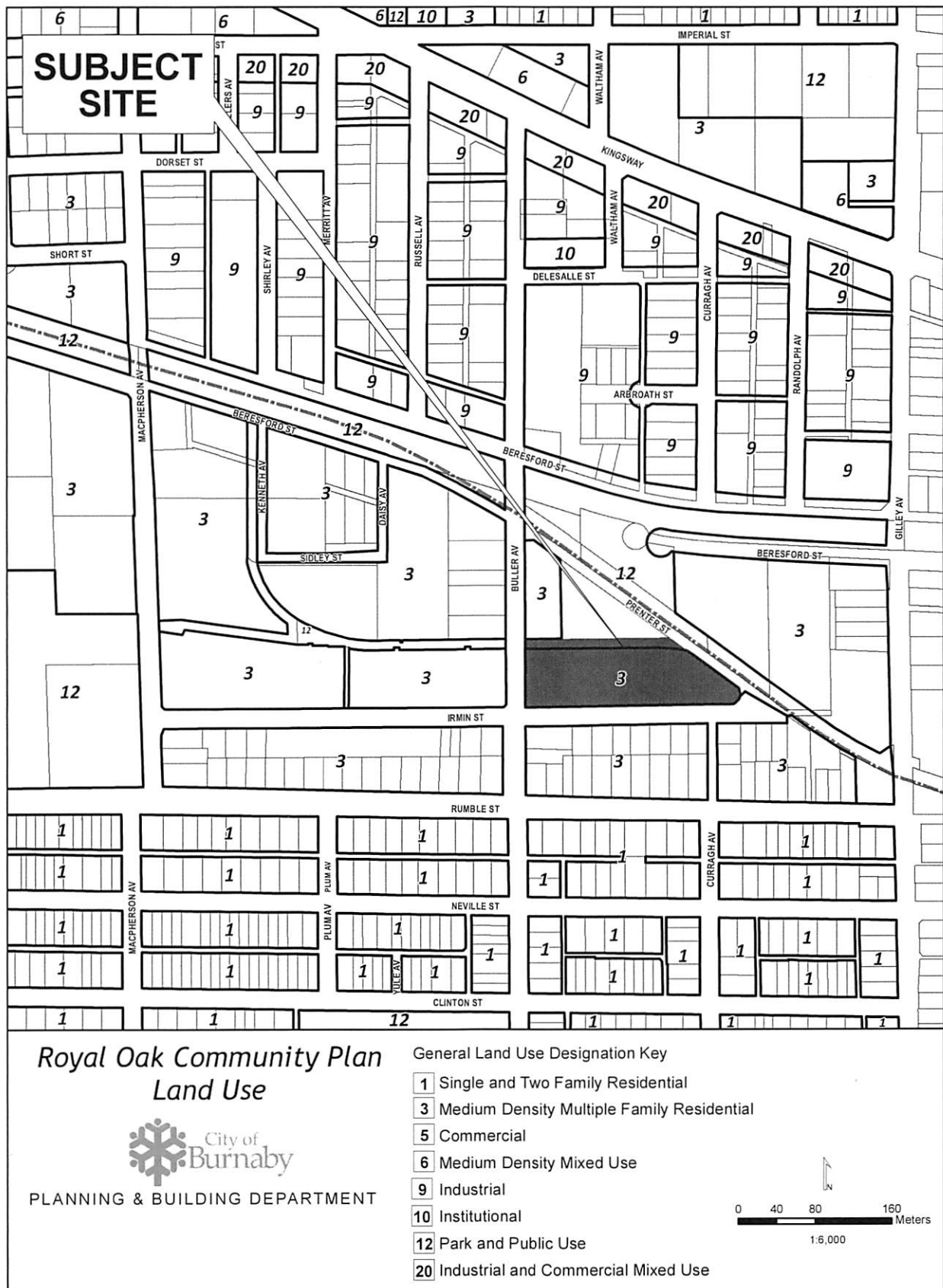
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*Attachments*

cc: City Solicitor  
 City Clerk

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Item .....
Meeting ..... 2018 November 19

## COUNCIL REPORT

**TO:** CITY MANAGER 2018 November 14

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #17-18**  
**Licensed Child Care Facility**  
**(86 children)**

**ADDRESS:** 4838 Hastings Street

**LEGAL:** Lot 3, Lot 4, and Partial Lot 2, District Lot 122, Plan EPS3581

**FROM:** CD Comprehensive Development District (based on C2 Community Commercial District and RM3 Multiple Family Residential District)

**TO:** Amended CD Comprehensive Development District (based on C2 Community Commercial District, RM3 Multiple Family Residential District, P1 Neighbourhood Institutional District, and Hastings Street Area Plan guidelines)

**APPLICANT:** Arcus Consulting Ltd.  
 #120 – 1200 West 73<sup>rd</sup> Avenue  
 Vancouver, BC V6P 6G5  
 Attn: Ramon Gonzalez

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2018 December 11.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 November 26 and to a Public Hearing on 2018 December 11 at 7:00 p.m.
2. **THAT** the following be established as a prerequisite to the completion of the rezoning:
  - a) The submission of a suitable plan of development.

**REPORT**

To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #17-18  
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## **1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit the operation of a child care facility for 86 children.

## **2.0 BACKGROUND**

- 2.1 The subject property is located on the southeast corner of Gamma Avenue and Hastings Street within the Council-adopted Hastings Street Area Plan area, and is currently improved with a new four-storey mixed-use building. Retail and service commercial uses are located to the west and north of the subject site fronting Hastings Street. Single-family dwellings are located to the east across Hastings Street and south across the lane. Vehicular access to the site is from the lane.
- 2.2 On 2014 December 08, Council gave Final Adoption to Rezoning Reference #14-06 to permit the construction of a four-storey mixed-use building with grade-level retail – including three commercial retail units (CRUs) fronting Hastings Street and one CRU fronting Gamma Avenue – and three residential storeys above, utilizing CD (C2, RM3) District zoning.
- 2.3 On 2015 May 25, Council received a report regarding Rezoning Reference #15-19 to permit a child care facility with 86 children and 20 staff on the subject property. That rezoning, advanced by the developer, was subsequently withdrawn. On 2017 July 24, Council received a report regarding the subject rezoning on behalf of a child care operator and authorized the Department to continue to work with the applicant 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 at a Public Hearing.

## **3.0 GENERAL COMMENTS**

- 3.1 The applicant is requesting the rezoning in order to permit a child care facility with 86 children on the subject property. The proposed facility would have 11 staff and accommodate four group child care programs for children aged 30 months old to school age, with one group of 13 children, two groups of 24 children, and one group of 25 children. The hours of operation would be from 7:30 am to 5:30 pm, Monday to Friday. The intent is to operate the child care facility within the eastern two and one-half CRUs fronting Hastings Street, occupying approximately 461.63 m<sup>2</sup> (4,969 sq. ft.) of internal floor area. In addition, a fully fenced and landscaped outdoor play area, approximately 327.2 m<sup>2</sup> (3,522 sq. ft.) in size, is proposed to be connected to the indoor area on the east side of the building. The outdoor play area includes an existing patio, various play structures, and extensive hard and soft landscaping; supplemental planting is proposed east of the play area. Metal architectural fencing to match the existing is proposed around the play area, with cedar hedges and, where necessary, privacy screening proposed along

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the lane. Along the Hastings Street frontage, the play area is proposed to be separated from the sidewalk by the architectural fencing, existing street trees, landscaping, and arbours.

- 3.2 A parking and access management plan has been submitted by the applicant, and the subject site has a total of 23 off-street underground commercial parking spaces located on the P1 level. Based on Zoning Bylaw requirements, there is sufficient parking on site to accommodate the proposed child care facility, as well as the uses in the remaining CRUs, and nine of the child care facility's 14 required parking spaces are proposed to be designated for pick-up and drop-off.
- 3.3 As indicated in previous reports to Council, the subject rezoning amendment to the prevailing CD District is necessary to include the P1 Public and Institutional District zoning as a guideline in order to permit a child care use. While recent amendments to the Zoning Bylaw now also allow child care facilities in a number of Commercial Districts, rezoning in this case is still required due to site's CD zoning, and the use of the P1 District is required in order to conform with previous proposals presented to Council. Under the proposed amendment, the subject space would retain C2 District zoning, in addition to the proposed P1 District zoning, in order to allow reversion of the space for other commercial uses without further rezoning, should the proposed child care facility cease operations in the future.

The P1 District requires a minimum lot area and width of 890 m<sup>2</sup> (9,580.19 sq. ft.) and 24.5 m (80.38 ft.) respectively, except that the lot area shall be increased by 19 m<sup>2</sup> (204.52 sq. ft.) for each child over 20 in number accommodated by a child care facility. The overall lot has an area of 2,149.86 m<sup>2</sup> (23,141 sq. ft.), which exceeds the minimum lot area of 2,144 m<sup>2</sup> (23,077.82 sq. ft.) which would be required for 86 children.

- 3.4 Fraser Health Authority approves child care facilities through administration of the Child Care Licensing Regulation (CCLR) of the Community Care and Assisted Living Act. With respect to this proposal, the applicant has submitted a letter from the Fraser Health Authority indicating that, based on submitted plans, they are able to approve in principal the physical space of the facility.
- 3.5 The proposed child care facility will contribute to the limited supply of licensed child care spaces in Burnaby. It is noted that there is only one group child care facility in the immediate area, a 25-space child care facility for children aged 30 months to school age at 380 Hythe Avenue, located approximately 200 m (656 ft.) east of the subject site.
- 3.6 While the provision of satisfactory child care facilities for children is essential, the assessment of their location relative to other uses is also an important consideration. The proposed child care facility is not likely to have any significant impact on adjacent land uses. No conflicts are seen with the building's other commercial uses, which are located away from the outdoor play area, with commercial uses across Hastings Street to the

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north or across Gamma Avenue to the west, with the subject building's residential units, or with residential uses to the south across the lane. As indicated above, sufficient parking is provided for the use in the underground parking area, which is proposed to include designated pick-up and drop-off spaces, and is accessed via the lane.

With respect to the outdoor play area, the child care facility's director has submitted an operational plan indicating that the proposed play area will be utilized by the child care facility only, and only during the facility's operating hours. The operational plan also indicates that outdoor activity programming will be planned with neighbours in mind, with music not be played outside, children taught to be mindful of their outdoor environment, and teachers trained to explain and enforce the rules of outdoor play. Furthermore, given the size of the play area and Fraser Health requirements, it is noted that only two groups of children, to a maximum of 49 children, would utilize the outdoor play area at any one time. Finally, the proposed play area is proposed to be screened along the lane to further minimize conflicts with residential uses to the south.

3.7 No servicing is required in relation to this rezoning application.

3.8 Given that no additional gross floor area is proposed as part of the subject rezoning application, a GVS&DD Sewerage Charge is not required in conjunction with this rezoning application.

#### 4.0 DEVELOPMENT PROPOSAL

4.1	<u>Site Area (no change)</u>	-	2,149.86 m <sup>2</sup> (23,141 sq. ft.)
4.2	<u>Floor Area (Child Care Facility)</u>		
	Subject Unit	-	461.63 m <sup>2</sup> (4,968.94 sq. ft.)
	Outdoor Play Area	-	327.2 m <sup>2</sup> (3,522 sq. ft.)
4.3	<u>Parking</u>	<u>Required</u>	<u>Provided</u>
	Parking (Child Care Facility)	- 14	14
4.4	<u>Loading (no change)</u>	- 1	1

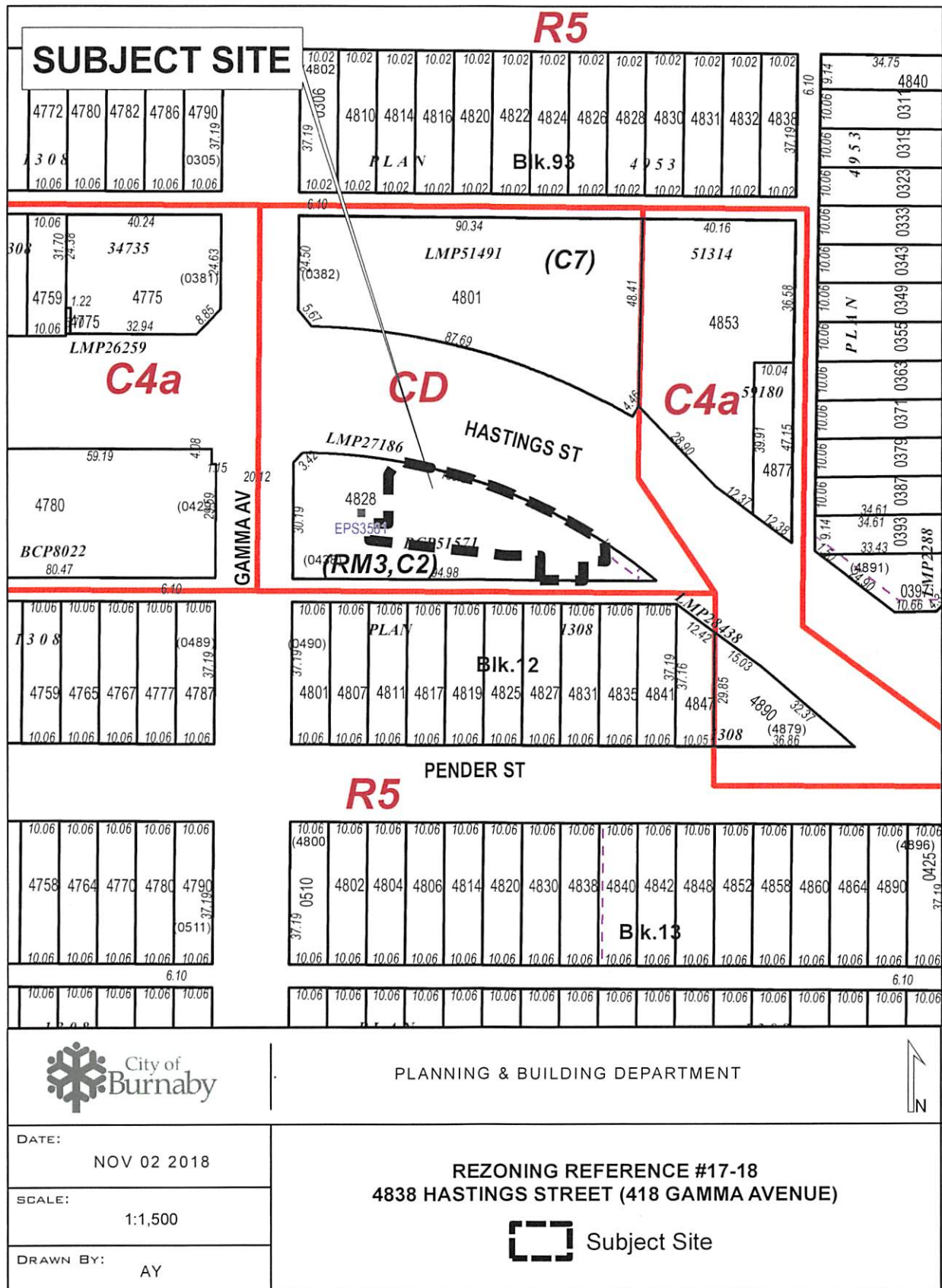
  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

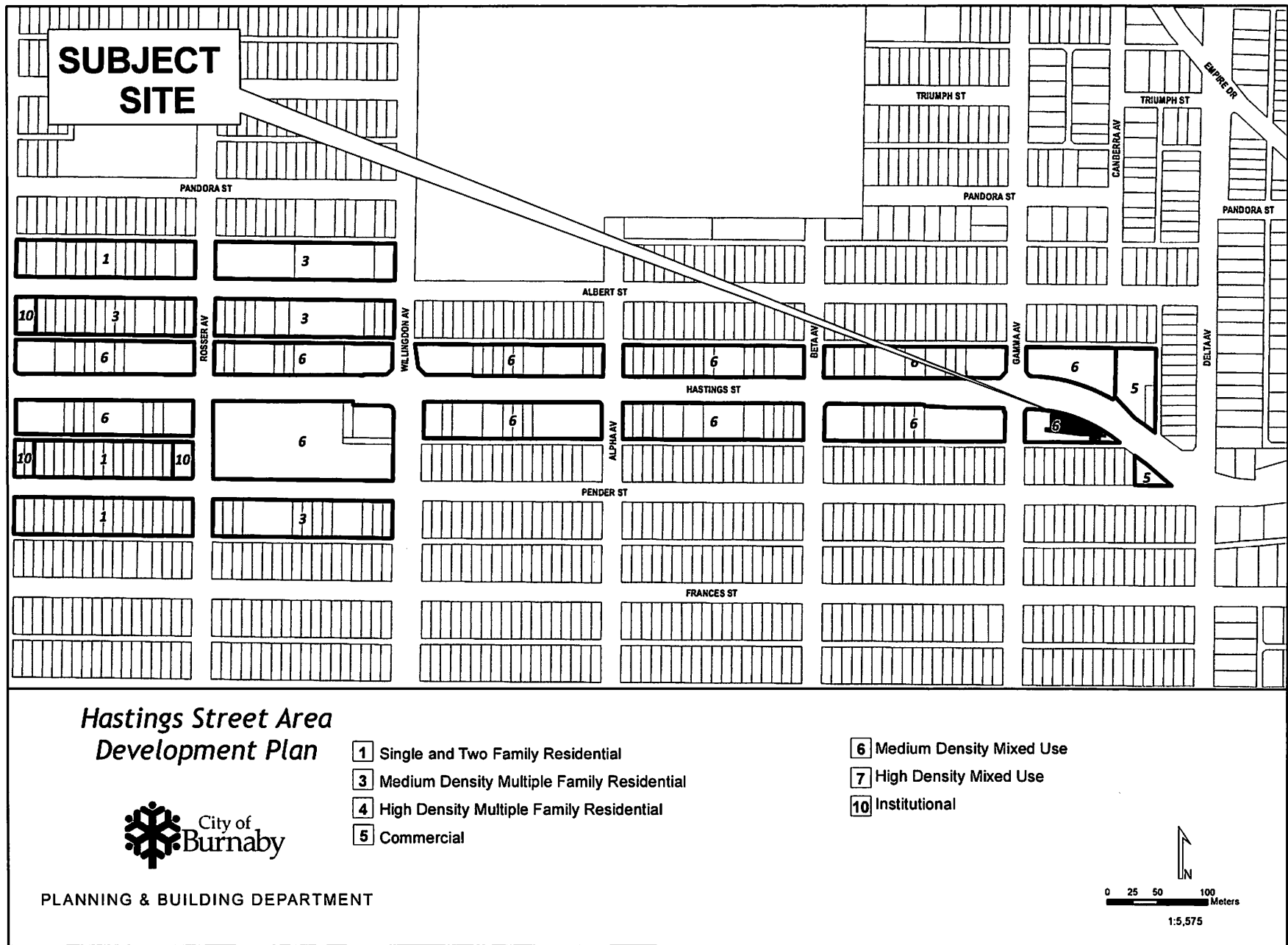
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#### Attachments

cc: Director Engineering City Solicitor City Clerk

P:\49500 Rezoning\20 Applications\2017\17-18 4828 Hastings St (418 Gamma Ave)\Council Reports\Rezoning Reference 17-18 PH Report 2018.11.14.docx





Printed on November 2, 2018

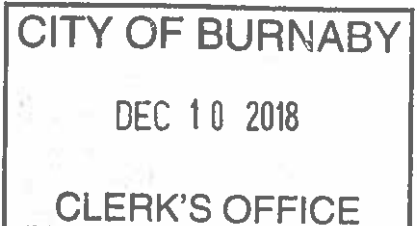
Sketch #2

Rez Ref # 17-18  
Bylaw # 13950

Dear Sir/Madam :

I am Sally Tam Resident of 4817 Pender st.  
I can not come to the public hearing of  
the rezone of 4838 Hasting Street. I want  
to let you know I oppose this rezone change

Sally Tam





**Bui, Kimberly**

---

**From:** Edwin Wong [REDACTED]  
**Sent:** December-10-18 9:18 PM  
**To:** Clerks  
**Subject:** Bylaw no. 13950

**Rez Ref #** 17-18

**Bylaw #** 13950

To whom it may concern:

I am against this proposal to rezone the property on 4838 Hastings Street to allow for the development of a child care facility for 86 children. The parking around this building is totally inadequate to support the needs of a childcare facility for parents of 86 children. I live at 4801 Pender Street directly south of the property in question and there were frequent violations of parking bylaws that were not enforced during the construction of the property. I have no doubt that the increased demand for parking from a child care facility will result in a large increase in parking violations and the city will not live up to its obligations to enforce parking bylaws just as it failed to do when parking in the area was in high demand during construction of the property at the heart of this bylaw.

I am a renter at 4801 Pender Street and my only option for parking is street parking. The new condo building has already increased the demand for parking and it is a regular occurrence that I can not park in front of my residence.

If this bylaw passes in spite of my strong objection, the city must ensure adequate parking before allowing this child care facility to be built.

Sincerely,

Edwin Wong  
 4801 Pender Street  
 Burnaby, BC

**Bui, Kimberly**

---

**From:** Mike W. [REDACTED]  
**Sent:** December-10-18 11:57 PM  
**To:** Clerks  
**Subject:** Bylaw No. 13950

**Rez Ref #** 17 - 18

**Bylaw #** 13950

Dear Sir/Madam

I am writing to express my concerns regarding Bylaw No. 13950 (to permit the operation of a child care facility for 86 children) at 4838 Hastings Street.

Parking is restricted for the 4800-block of Hastings Street and limited for the 400-block of Gamma Avenue. I am concerned the back lane will be congested with parked cars when parents pick up or drop off their children.

Also, I am concerned about traffic safety as I have observed speeding west-bound vehicles ignore the do-not-enter sign at the east end of the back lane. Perhaps the installation of speed bumps or the closure of the east end of the back lane be considered to help calm traffic.

Thank you for your attention to this matter.

Sincerely,  
 Mike Wong  
 4827 Pender Street, Burnaby



Item .....
Meeting ..... 2018 November 19

## COUNCIL REPORT

**TO:** CITY MANAGER 2018 November 14

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #18-42**  
**Expansion of Floor Area of Proposed Building**  
**Big Bend Development Plan**

**ADDRESS:** 5140 North Fraser Way (see *attached* Sketches #1 and #2)

**LEGAL:** Lot 1, DL 165, Group 1, NWD Plan EPP79251

**FROM:** CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

**TO:** Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Big Bend Development Plan guidelines and in accordance with the development plan entitled "Coanda Research & Development Corporation 5140 North Fraser Way" prepared by Taylor Kurtz Architecture and Design Inc.)

**APPLICANT:** Beedie Development Group  
3030 Gilmore Diversion  
Burnaby, BC V5G 3B4  
Attn: Jaret Lang

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2018 December 11.

---

**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 November 26 and to a Public Hearing on 2018 December 11 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 the applicable GVS & DD Sewerage Charge.

To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #18-42  
 2018 November 14..... Page 2

## REPORT

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit an expansion of the floor area of the proposed building to accommodate two mezzanines and minor exterior changes to the building.

### 2.0 BACKGROUND

The subject site was rezoned under Rezoning Reference #17-10 to permit the construction a two-storey light industrial office building with a total floor area of 6,991.1 m<sup>2</sup> (75,251 sq.ft.). The rezoning received Final Adoption on 2018 August 27.

The property owners are now proposing a minor addition to the floor area of 110.8 m<sup>2</sup> (1,193 sq. ft.) within the building as well as some minor exterior changes to the building in the form of a ventilation louvre and additional exit door. The subject rezoning application is required in order to approve the requested exterior changes and the minor expansion to accommodate two mezzanines, revising the total gross floor area to be accommodated in the subject building.

### 3.0 GENERAL COMMENTS

- 3.1 The subject site is situated within the Big Bend Development Plan and is designated for business centre and light industrial uses in accordance with the Plan (see Sketches #1 and #2 *attached*).
- 3.2 The required servicing for the subject site has been provided for under Rezoning Reference #17-10. No further off-site services are required as a part of the subject rezoning application.
- 3.3 The expanded floor area will increase the required number of parking stalls from 99 to 101 spaces. The additional parking can be accommodated within the existing 128 parking spaces on-site.
- 3.4 The GVS & DD Sewerage Development Cost Charge is required for the proposed additional floor area.

### 4.0 DEVELOPMENT PROPOSAL

- 4.1 Site Area: 1.77 ha (4.37 acres) (unchanged)
- 4.2 Site Coverage: 40% (unchanged)

To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #18-42  
 2018 November 14..... Page 3

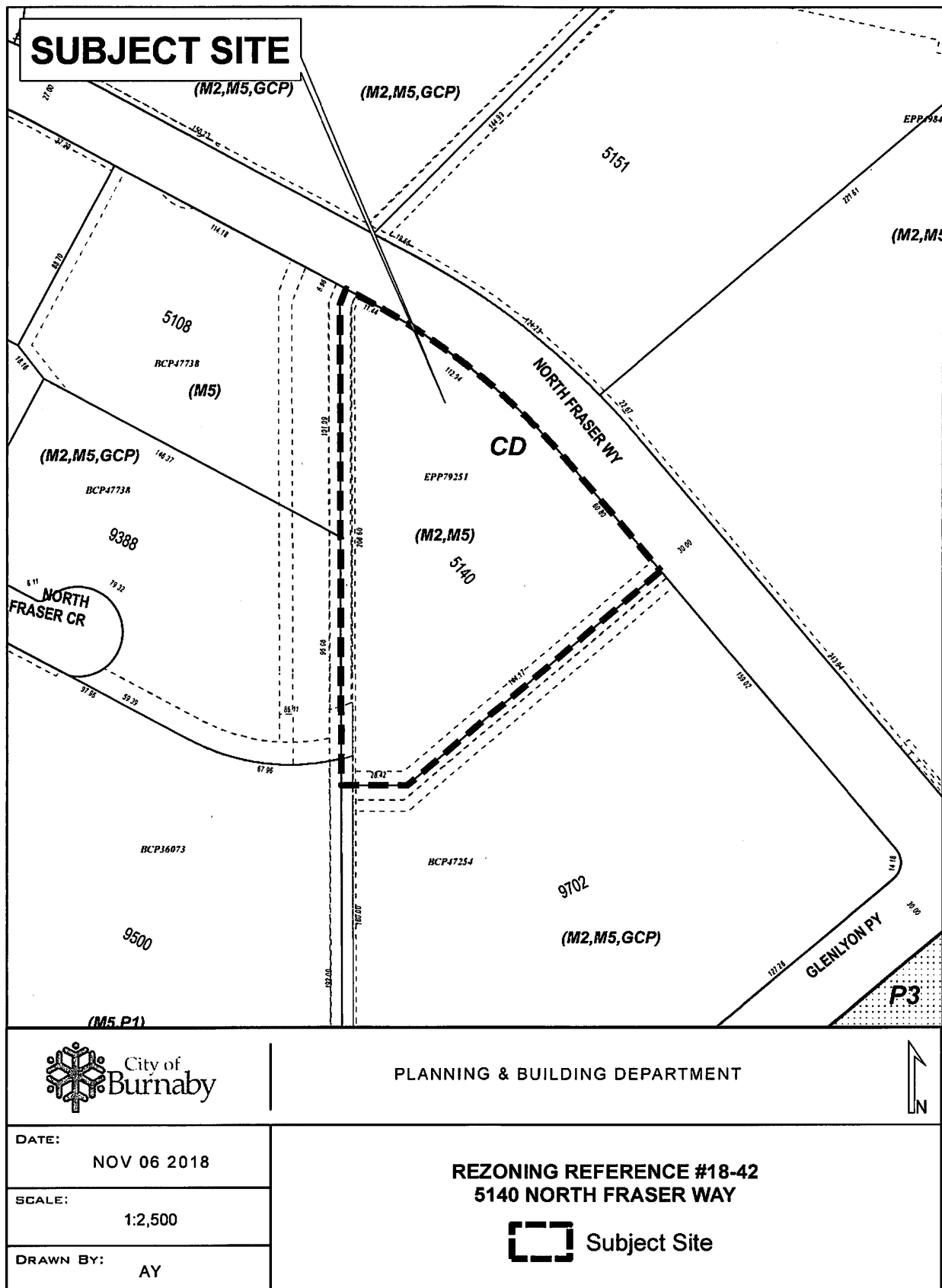
4.3	Current Approved Gross Floor Area:		
	Office	-	2,220.1 m <sup>2</sup> (23,897 sq. ft.)
	Laboratory / Manufacturing	-	3,260.0 m <sup>2</sup> (35,090 sq. ft.)
	Warehouse / Storage	-	<u>1,511.0 m<sup>2</sup> (16,264 sq. ft.)</u>
	Total Current Floor Area	-	6,991.1 m <sup>2</sup> (75,251 sq. ft.)
4.4	Proposed Gross Floor Area:		
	Office	-	2,220.1 m <sup>2</sup> (23,897 sq. ft.)
	Laboratory / Manufacturing	-	3,370.8 m <sup>2</sup> (36,283 sq. ft.)
	Warehouse / Storage	-	<u>1,511.0 m<sup>2</sup> (16,264 sq. ft.)</u>
	Total Proposed Floor Area	-	7,101.9 m <sup>2</sup> (76,444 sq. ft.)
4.5	Vehicle Parking:		
	Office	-	2,220.1 m <sup>2</sup> @ 1/46 m <sup>2</sup> = 49 spaces
	Laboratory / Manufacturing	-	3,370.8 m <sup>2</sup> @ 1/93 m <sup>2</sup> = 36 spaces
	Warehouse / Storage	-	1,511.0 m <sup>2</sup> @ 1/93 m <sup>2</sup> = 16 spaces
	Total Required	-	101 spaces
	Total Provided	-	128 spaces
4.6	Bicycle Parking:		
	Required and Provided	-	12 spaces (unchanged)
4.7	Loading:		
	Required	-	3 (unchanged)
	Provided	-	7 (unchanged)

  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

SMN:tn  
**Attachments**

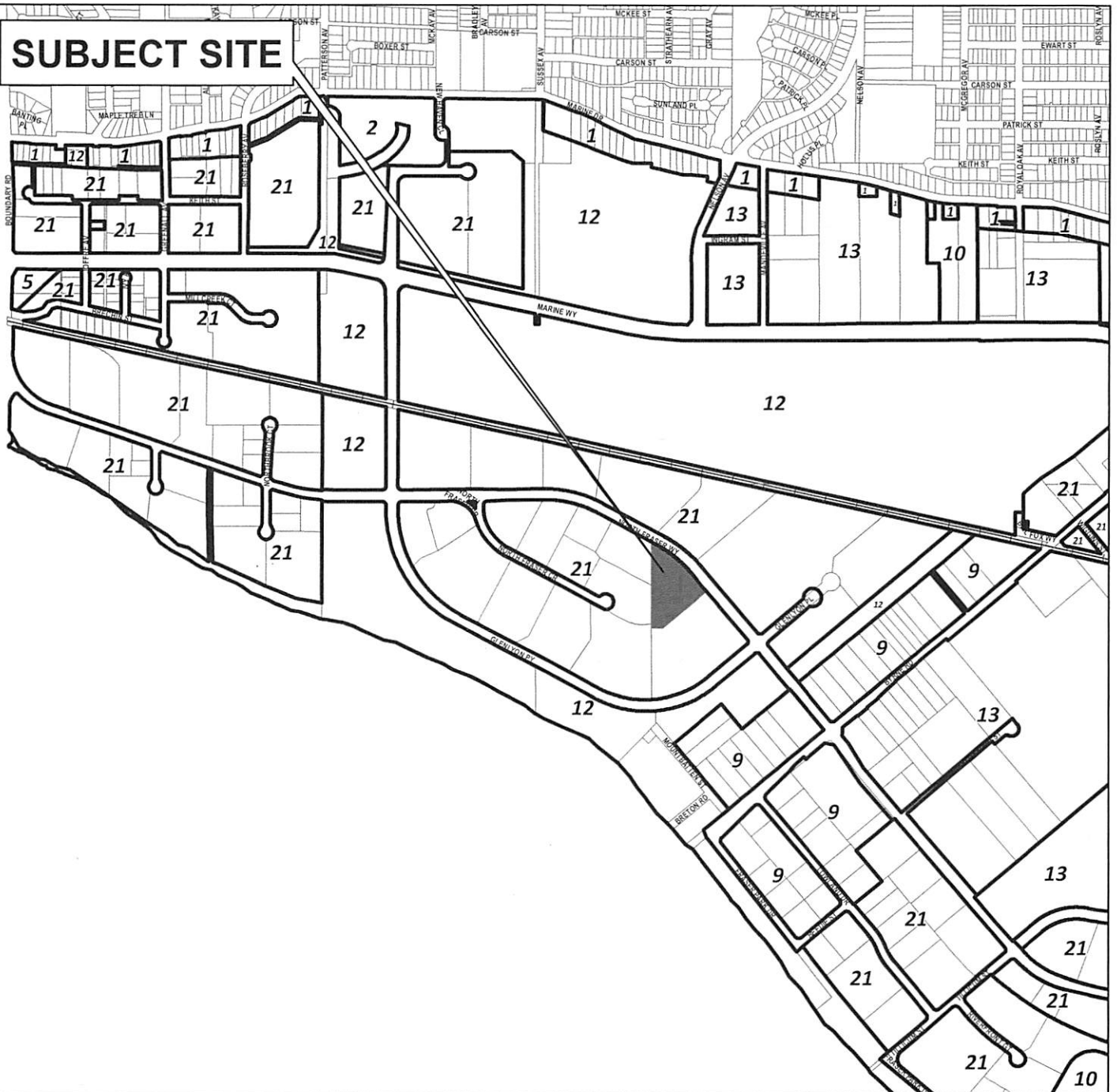
cc: City Solicitor  
 City Clerk

P:\49500 Rezoning\20 Applications\2018\18-42 5140 N. Fraser Way\Council Reports\Rezoning Reference 18-42 PH Report 2018.11.19.docx



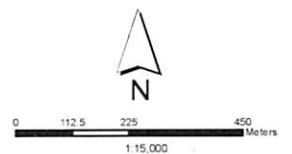
Sketch #1

# SUBJECT SITE



- 1 Single and Two Family Residential
- 2 Low Density Multiple Family Residential
- 5 Commercial
- 9 Industrial

- 10 Institutional
- 12 Park and Public Use
- 13 Agricultural
- 21 Big Bend Business Centre



PLANNING & BUILDING DEPARTMENT

## Big Bend Community Plan



Meeting 2018 Sep 06

## COMMISSION REPORT

---

**TO:** CHAIR AND MEMBERS  
COMMUNITY HERITAGE COMMISSION

**DATE:** 2018 September 04

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 77000 05  
*Reference: HRA and HDB*

**SUBJECT: HERITAGE DESIGNATION BYLAW /  
HERITAGE REVITALIZATION AGREEMENT  
LONSDALE GUARDHOUSE RESIDENCE  
6985 CANADA WAY**

**PURPOSE:** To seek Council authorization to prepare a Heritage Designation Bylaw and Heritage Revitalization Agreement to provide for the retention of the Lonsdale Guardhouse Residence.

---

**RECOMMENDATIONS:**

THAT the Community Heritage Commission receive this Heritage Designation Bylaw and Heritage Revitalization Agreement proposal and forward this report to Council with the following recommendations:

1. **THAT** Council authorize the preparation of a Heritage Revitalization Agreement Bylaw to provide for the retention and protection of the Lonsdale Guardhouse Residence.
2. **THAT** a Heritage Designation Bylaw be prepared to designate the Lonsdale Guardhouse Residence as a protected heritage site.
3. **THAT** the Heritage Revitalization Agreement and Heritage Designation Bylaw be forwarded to a public hearing at a future date.
4. **THAT** Council approve the listing of the Lonsdale Guardhouse Residence on the Burnaby Community Heritage Register as a protected heritage property.

**REPORT****1.0 BACKGROUND**

The Planning and Building Department received an enquiry from the owner of 6985 Canada Way regarding development options for this existing R5 Residential District property. At present, the property is occupied by the Lonsdale Guardhouse Residence (the “Guardhouse” Residence), a heritage building identified on the City’s heritage inventory. Under the current



To: Community Heritage Commission  
 From: Director Planning and Building  
 Re: Heritage Designation Bylaw/Heritage Revitalization Agreement  
 Lonsdale Guardhouse Residence  
 6985 Canada Way

2018 September 04..... Page 2

zoning, the owner can demolish the existing house and construct a new single family dwelling on the property in accordance with the prevailing R5 zoning regulations (see **Attachment #1**).

In consideration of the City's Heritage Program and the owner's desire to retain and protect this historic and architecturally significant house as a designated City heritage site, the Planning Department has worked with the owner to develop a suitable proposal for the property utilizing a Heritage Revitalization Agreement. The proposal would allow for the creation of two lots: Lot 1 would provide for the retention, conservation and designation by bylaw of the existing Guardhouse Residence fronting Canada Way; and Lot 2 would provide for a new single-family dwelling fronting Rosewood Street which would be subject to design review and development guidelines.

## **2.0 HERITAGE DESIGNATION**

### **2.1 Local Government Act – Heritage Designation Bylaw Process**

Under the terms of the *Local Government Act*, provision is made for the designation by bylaw of property that “.... has heritage value or character....” (Section 611). The intention of the designation bylaw is to protect this heritage building and site.

Section 612 of the *Local Government Act* specifies the formal procedures of the designation process which are as follows:

- that a Public Hearing be held;
- that 10 days prior to the Public Hearing, notice must be served to all owners and occupants of the property;
- that newspaper notices be published in two consecutive issues of a newspaper with the last publication to be at least three days prior but not more than 10 days prior to the Public Hearing;
- that a report be prepared and made available to the public, and which includes:
  - the heritage value or heritage character of the property;
  - the compatibility of conservation with the official community plan and any other community planning objectives in the area in which the property is located;
  - the compatibility of conservation with lawful uses of the property and adjoining lands;
  - the condition and economic viability of the property;
  - the possible need for financial or other support to enable appropriate compensation;
- that notice of the completed bylaw be given in the Land Title Office and to the owners.

#### **2.1.1 Heritage Character Statement**

The Lonsdale Guardhouse Residence is one of Burnaby's landmark heritage homes in the historic neighborhood of Edmonds. As the residence retains significant heritage value to the

To: Community Heritage Commission  
 From: Director Planning and Building  
 Re: Heritage Designation Bylaw/Heritage Revitalization Agreement  
 Lonsdale Guardhouse Residence  
 6985 Canada Way

2018 September 04..... Page 3

City, it is listed on the City's heritage inventory and qualifies for inclusion on the Burnaby Heritage Register.

This two-and-one-half storey residence was constructed in 1914 by Lonsdale L. Guardhouse. Similar to many houses at the time, the Guardhouse Residence was built from Craftsman-style pattern book designs, which were readily available in magazines and brochures. This residence is notable for its unusual sloped roofline, which features gently curved eaves, lapped and shingled siding and rustic brick (see *Attachment #2*).

### ***2.1.2 Compatibility of Conservation with Community Plan and Adjoining Land Use***

The planning for the conservation of heritage resources is outlined in Burnaby's Official Community Plan. Burnaby has established a goal "*To provide opportunities for increased awareness and the conservation of the City's unique natural, cultural, archaeological and built heritage.*" The conservation of this heritage house is considered compatible within its well-developed neighbourhood context of predominantly single and two-family dwellings. The retention, conservation and designation of this house through bylaw will add another significant heritage building to the City's list of protected heritage resources. The Lonsdale Guardhouse Residence is an important landmark in the historic Edmonds neighborhood and its preservation provides a good opportunity to retain and interpret the early history and heritage of Burnaby.

### ***2.1.3 Condition and Economic Viability of the Property***

The Lonsdale Guardhouse Residence has been well-maintained by previous owners and remains in excellent condition. Changes made to the house over the years include the front verandah, which has been altered through the removal of its floor structure, and a rear addition to the main house constructed in 1985. These alterations will be removed and the original design of the building restored by the proposed agreement. The economic viability of the property is considered secure given that the Heritage Revitalization Agreement provides the owner the opportunity to create a new single family lot and would provide sufficient financial incentive to retain and restore the existing heritage house.

### ***2.1.4 Possible Need for Financial Support to Enable Conservation***

The building will continue to be owned as a private dwelling and maintained accordingly. The adoption of the Heritage Revitalization Agreement by Council will allow for subdivision utilizing the provisions of the R5 District to create two lots with some minor variances to the zoning bylaw. The provision of an additional lot would assist the property owner with additional revenue in order to relocate and restore the heritage building. There are no additional economic incentives that would be required to ensure its continued protection and conservation. Staff would continue to work in cooperation with the current and future owners of the property to ensure that the heritage character of this City heritage site is protected and conserved.



To: Community Heritage Commission  
 From: Director Planning and Building  
 Re: Heritage Designation Bylaw/Heritage Revitalization Agreement  
 Lonsdale Guardhouse Residence  
 6985 Canada Way  
 2018 September 04..... Page 4

### **3.0 HERITAGE REVITALIZATION AGREEMENT**

#### **3.1 Local Government Act – Heritage Revitalization Agreement Process**

A Heritage Revitalization Agreement (HRA) is a written agreement between a local government and private property owner and provides the authority under the *Local Government Act* to vary or supplement provisions of a bylaw which concerns land use designation and subdivision. A local government must hold a Public Hearing on the matter before entering into a Heritage Revitalization Agreement if it would permit a change to the use or density of use that is not otherwise authorized by the existing zoning of the property.

The purpose of this Heritage Revitalization Agreement is to provide for the long-term protection and conservation of the Lonsdale Guardhouse Residence, a significant Burnaby heritage building located in the Edmonds neighborhood. The current owner of the property wishes to ensure that this heritage house is protected by the City of Burnaby as a City heritage site. The City's Official Community Plan statement concerning the conservation of heritage has specifically outlined the need to establish incentives to encourage the conservation and facilitate the retention of significant privately-owned heritage buildings.

It is proposed that the City enter into a HRA to ensure specific design controls and provide necessary zoning variances to allow for the subdivision and development of the existing R5 Residential District property in order to retain and protect the landmark Lonsdale Guardhouse Residence as a City heritage site. As the proposed HRA for the Guardhouse Residence will provide for variances to the property's R5 zoning to accommodate the creation of an additional lot, a Public Hearing is required (see *Attachment #3*).

#### **3.2 Proposed Heritage Revitalization Agreement**

The subject property is zoned R5 Residential District which provides guidelines for the development of small lots. The Burnaby Zoning Bylaw states that each new lot created in the R5 zoning for Single Family Dwelling – Small, where 30 percent or more of the existing lots in the block front have a width of 13.72 m (45.0 ft.) or less, shall have an area of not less than 334.40 m<sup>2</sup> (3,600 sq. ft.) and a width of not less than 9.15 m (30.0 ft.). While these conditions do not exist within the block front of the subject lot, the adjacent lots have been redeveloped with duplex residences and small lots exist on the block south of the subject site. Therefore, the proposed provisions would be compatible with the duplex strata lots and with the character of the neighbourhood.

In consideration of the City's Heritage Program, it has been deemed desirable to retain and protect the historic and architecturally significant Lonsdale Guardhouse Residence as a designated City heritage site. The applicant has prepared a plan and guidelines for the retention of the Guardhouse Residence. The proposal is for the creation of two small single-family lots based on the provisions of the existing R5 District, and the use of a Heritage Revitalization

To: Community Heritage Commission  
 From: Director Planning and Building  
 Re: Heritage Designation Bylaw/Heritage Revitalization Agreement  
 Lonsdale Guardhouse Residence  
 6985 Canada Way  
 2018 September 04..... Page 5

Agreement to vary provisions of the Burnaby Zoning Bylaw with regards to lot area, height, setbacks and floor area. The subdivision would be based on the layout as shown in **Attachment #3**, and all other Zoning Bylaw, BC Building Code and other City regulations and requirements would continue to apply.

#### 4.0 DEVELOPMENT PROPOSAL

##### 4.1 Proposed Lot 1 (Existing Heritage House)

The existing heritage house is to be retained under the HRA and designated as a City heritage site with the following design guidelines and variances to the Burnaby Zoning Bylaw:

- (i) A lot created under the HRA would vary the Zoning Bylaw and meet the minimum lot width and lot area under the R5 single family dwelling – small, with a total lot area of 414.85 m<sup>2</sup> (4,650.5 sq. ft.).
- (ii) The heritage house will be protected by a Heritage Designation Bylaw as a City heritage site.
- (iii) The heritage house will be relocated on the site to accommodate its preservation and sited to the eastern portion of the property, adjacent to Canada Way. It is noted that the proposal will include the demolition of the existing modern rear addition built in 1985.
- (iv) The exterior of the heritage house will be restored following the submitted Heritage Conservation Plan that shall include restoration of the exterior design of the dwelling, including the repair of the rear elevation following the removal of the modern addition and reconstruction of the original front verandah.
- (v) The proposed Gross Floor Area (GFA) is 345 m<sup>2</sup> (3,713.5 sq. ft.) and Above Grade Floor Area (AFGA) is 194 m<sup>2</sup> (2,084.97 sq. ft.). The maximum GFA for the existing house will exceed the permitted GFA by approximately 86 m<sup>2</sup>. (923 sq. ft.), which will accommodate development of a full basement for the relocated dwelling.
- (vi) The proposed height of the principal building shall not exceed 9.6 m (31.5 ft.). The maximum permitted height of 9.0 m (29.5 ft.) will be exceeded by approximately two feet to provide for the relocation of the house and provide for the design of the new foundation and basement living area.
- (vii) The proposed front yard setback is 6.0 m (19.7 ft.), which meets the Zoning Bylaw provision of not less than 6.0 m (19.7 ft.). The proposal will be exempt from the application of front yard average provisions of the Zoning Bylaw. Additionally, it is further noted that the front verandah will encroach into the front yard setback area by approximately 1.52 m (5 ft.). This would exceed the 1.2 m (3.94 ft.) exemption by .32 m (1 ft.).
- (viii) A reduced rear yard setback of 6.4 m (21 ft.) is proposed. The minimum rear yard of 7.5 m (24.6 ft.) will be reduced by 1.1 m (3.6 ft.).
- (ix) A carport or garage not exceeding 42 m<sup>2</sup> (452.1 sq. ft.) is proposed. This accessory building will be exempt from all other provisions of the Zoning Bylaw in respect to siting and setbacks.

To: Community Heritage Commission  
 From: Director Planning and Building  
 Re: Heritage Designation Bylaw/Heritage Revitalization Agreement  
 Lonsdale Guardhouse Residence  
 6985 Canada Way

2018 September 04..... Page 6

- (x) A Section 219 restrictive covenant will be registered on the property's land title outlining the provisions of the Heritage Revitalization Agreement.
- (xi) The design of the restoration of the residence will be subject to the submission of a suitable conservation plan for review and approval.

Note: Calculations and measurements are subject to an up-to-date survey plan.

#### 4.2 Proposed Lot 2 (New Residence)

A new residence will be constructed under the HRA with the following design guidelines and variances to the Burnaby Zoning Bylaw:

- (i) A lot created under the HRA would vary the Zoning Bylaw to meet the minimum lot width and lot area under the R5 Single Family Dwelling – Small, with a total proposed lot area of 396.03 m<sup>2</sup> (4,262.83 sq. ft.).
- (ii) The required setbacks for the new single family dwelling are proposed as follows:
  - Front Yard: 4.5 m (14.7 ft.)\* [\* Exempt from front yard averaging]
  - Rear Yard: 3.65 m (11.97 ft.)
  - Side Yard – West: 1.5 m (4.9 ft.)
  - Side Yard – East: 6.0 m (19.6 ft.)
- (iii) A maximum lot coverage of 158.41 m<sup>2</sup> (1,705.1 sq. ft.) of the lot area and total GFA of 237.6 m<sup>2</sup> (2,557.5 sq. ft.) as restricted by the required front, rear and side yard setbacks.
- (iv) The incorporation of a garage/carport not to exceed 42 m<sup>2</sup> (452.1 sq. ft.) into the envelope of the proposed new dwelling.
- (v) A Section 219 restrictive covenant will be registered on this property outlining the terms of the Heritage Revitalization Agreement.
- (vi) The design of the dwelling will be subject to review and approval.

Note: Calculations and measurements are subject to an up-to-date survey plan.

#### 5.0 POLICY SECTION

The designation of the Lonsdale Guardhouse Residence as a protected heritage resource, along with the proposed Heritage Revitalization Agreement which will ensure its retention and protection, as outlined in this report, is aligned with the City of Burnaby's Corporate Strategic Plan by supporting the following three goals and three sub-goals of the plan:

##### A Connected Community

- Partnership

##### A Healthy Community

- Community Involvement



To: Community Heritage Commission  
 From: Director Planning and Building  
 Re: Heritage Designation Bylaw/Heritage Revitalization Agreement  
 Lonsdale Guardhouse Residence  
 6985 Canada Way  
 2018 September 04 ..... Page 7

## A Dynamic Community

- Community Development

To learn more about the City of Burnaby's Corporate Strategic Plan, please visit [www.burnaby.ca/CSP](http://www.burnaby.ca/CSP).

## 6.0 CONCLUSION

The proposed Heritage Revitalization Agreement conforms with the use and development of the R5 zone for small single family lots with variances to the floor area, height and rear yard setback for the heritage house on Lot 1, and to the floor area, front yard and rear yard setbacks for the new house on Lot 2.

The protection of the Lonsdale Guardhouse Residence through a Heritage Designation Bylaw and Heritage Revitalization Agreement offers the City of Burnaby an opportunity to protect and revitalize a significant heritage building in the Edmonds neighborhood and an important City heritage resource. Utilizing the opportunity presented by the current proposal to achieve heritage designation of the Guardhouse Residence through an HRA will ensure the long-term protection of this heritage house.

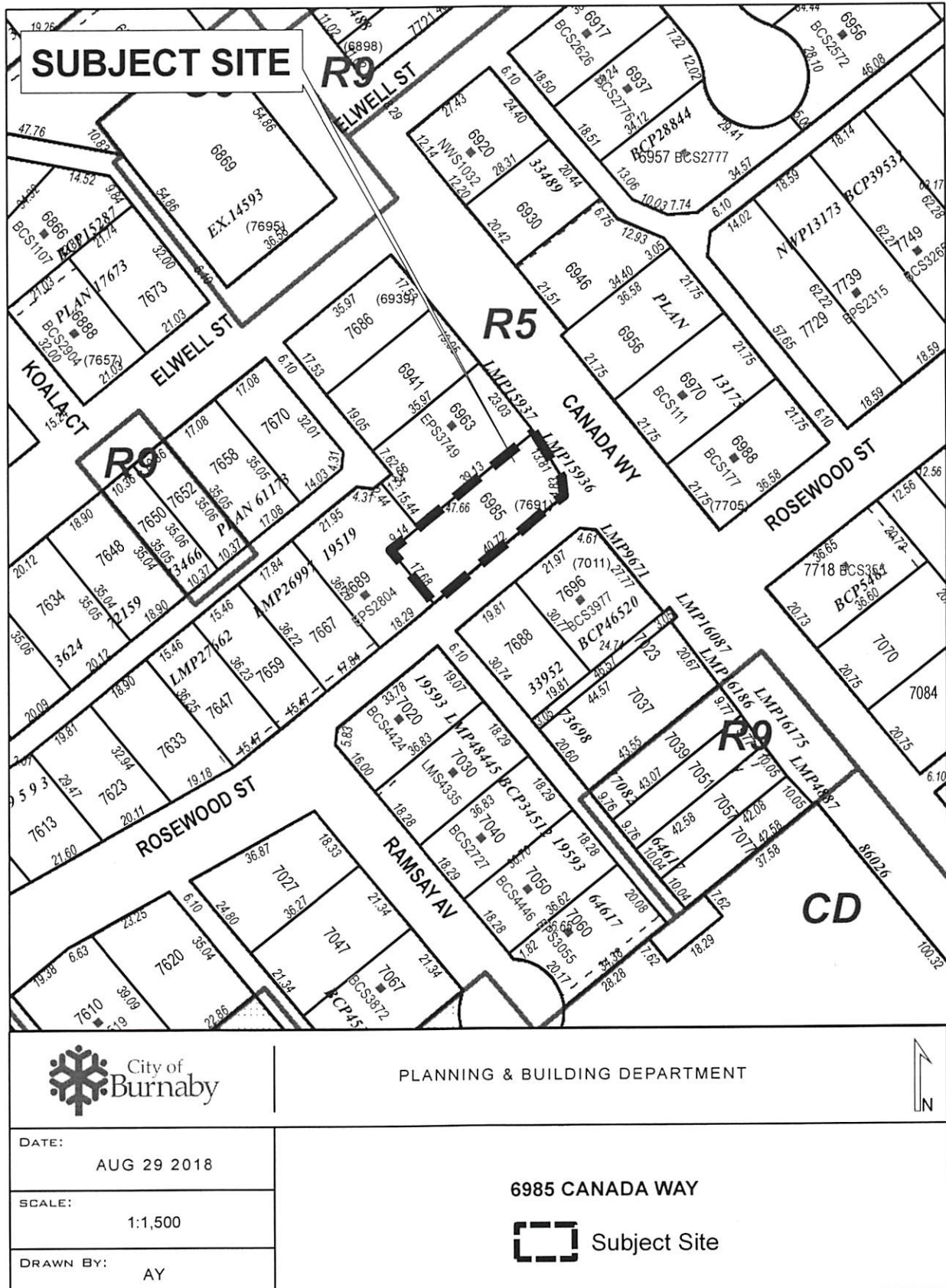
This project is guided by the Official Community Plan objective to protect the City's significant cultural heritage resources. The Heritage Revitalization Agreement presented in this report provides a suitable plan for public review and consideration at this time. With Council approval of the recommendations of this report, the subject bylaws would be prepared and advanced to Public Hearing at a future date.

  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

HL/JW:sa/sla  
*Attachments*

cc: City Manager  
 Chief Building Inspector  
 City Solicitor  
 City Clerk

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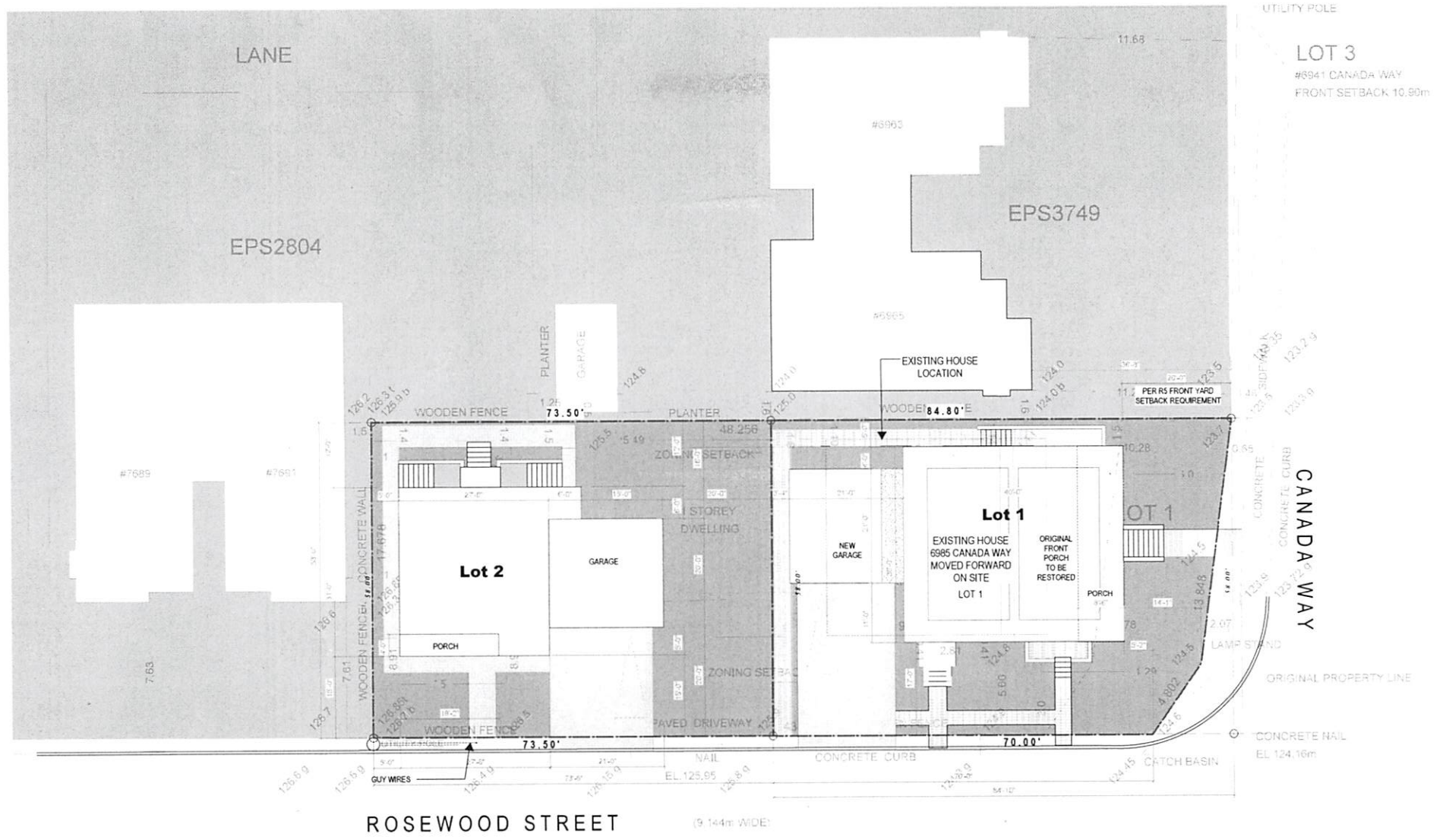
Attachment #1

**Lonsdale L. Guardhouse Residence**  
**6985 Canada Way**





-34-



PLAN OF TOPOGRAPHY OF LOT 1, EXCEPT PART  
IN PLAN IMP 15938 BLOCK 16 DISTRICT 30 GROUP 1

ALL ELEVATIONS ARE EXISTING GROUND ELEVATIONS.

R5 ZONING SETBACKS  
AVE. FRONT (CANADA WAY) 11.25  
AVE. FRONT (ROSEWOOD ST) 7.75  
FRONT YARD 10.90



**COMMUNITY HERITAGE COMMISSION**

*HIS WORSHIP, THE MAYOR  
AND COUNCILLORS*

**SUBJECT: HERITAGE DESIGNATION BYLAW /  
HERITAGE REVITALIZATION AGREEMENT  
LONSDALE GUARDHOUSE RESIDENCE  
6985 CANADA WAY**

**RECOMMENDATIONS:**

1. THAT Council authorize the preparation of a Heritage Revitalization Agreement Bylaw to provide for the retention and protection of the Lonsdale Guardhouse Residence.
2. THAT a Heritage Designation Bylaw be prepared to designate the Lonsdale Guardhouse Residence as a protected heritage site.
3. THAT the Heritage Revitalization Agreement and Heritage Designation Bylaw be forwarded to a public hearing at a future date.
4. THAT Council approve the listing of the Lonsdale Guardhouse Residence on the Burnaby Community Heritage Register as a protected heritage property.

**REPORT**

The Community Heritage Commission, at its meeting held on 2018 September 06, received and adopted the attached report seeking Council authorization to prepare a Heritage Designation Bylaw and a Heritage Revitalization Agreement to provide for the retention and protection of the Lonsdale Guardhouse Residence at 6985 Canada Way.

Respectfully submitted,

Councillor C. Jordan  
Chair

Councillor S. Dhaliwal  
Vice Chair

Copied to:	City Manager Director Planning & Building City Solicitor Chief Building Inspector
------------	--



Meeting 2018 Sep 06

## COMMISSION REPORT

---

**TO:** CHAIR AND MEMBERS  
COMMUNITY HERITAGE COMMISSION

**DATE:** 2018 September 04

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 77000 05  
*Reference: HRA and HDB*

**SUBJECT: HERITAGE DESIGNATION BYLAW /  
HERITAGE REVITALIZATION AGREEMENT  
LONSDALE GUARDHOUSE RESIDENCE  
6985 CANADA WAY**

**PURPOSE:** To seek Council authorization to prepare a Heritage Designation Bylaw and Heritage Revitalization Agreement to provide for the retention of the Lonsdale Guardhouse Residence.

---

**RECOMMENDATIONS:**

THAT the Community Heritage Commission receive this Heritage Designation Bylaw and Heritage Revitalization Agreement proposal and forward this report to Council with the following recommendations:

1. **THAT** Council authorize the preparation of a Heritage Revitalization Agreement Bylaw to provide for the retention and protection of the Lonsdale Guardhouse Residence.
2. **THAT** a Heritage Designation Bylaw be prepared to designate the Lonsdale Guardhouse Residence as a protected heritage site.
3. **THAT** the Heritage Revitalization Agreement and Heritage Designation Bylaw be forwarded to a public hearing at a future date.
4. **THAT** Council approve the listing of the Lonsdale Guardhouse Residence on the Burnaby Community Heritage Register as a protected heritage property.

**REPORT****1.0 BACKGROUND**

The Planning and Building Department received an enquiry from the owner of 6985 Canada Way regarding development options for this existing R5 Residential District property. At present, the property is occupied by the Lonsdale Guardhouse Residence (the "Guardhouse" Residence), a heritage building identified on the City's heritage inventory. Under the current



To: Community Heritage Commission  
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 Lonsdale Guardhouse Residence  
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zoning, the owner can demolish the existing house and construct a new single family dwelling on the property in accordance with the prevailing R5 zoning regulations (see **Attachment #1**).

In consideration of the City's Heritage Program and the owner's desire to retain and protect this historic and architecturally significant house as a designated City heritage site, the Planning Department has worked with the owner to develop a suitable proposal for the property utilizing a Heritage Revitalization Agreement. The proposal would allow for the creation of two lots: Lot 1 would provide for the retention, conservation and designation by bylaw of the existing Guardhouse Residence fronting Canada Way; and Lot 2 would provide for a new single-family dwelling fronting Rosewood Street which would be subject to design review and development guidelines.

## **2.0 HERITAGE DESIGNATION**

### **2.1 Local Government Act – Heritage Designation Bylaw Process**

Under the terms of the *Local Government Act*, provision is made for the designation by bylaw of property that “.... has heritage value or character....” (Section 611). The intention of the designation bylaw is to protect this heritage building and site.

Section 612 of the *Local Government Act* specifies the formal procedures of the designation process which are as follows:

- that a Public Hearing be held;
- that 10 days prior to the Public Hearing, notice must be served to all owners and occupants of the property;
- that newspaper notices be published in two consecutive issues of a newspaper with the last publication to be at least three days prior but not more than 10 days prior to the Public Hearing;
- that a report be prepared and made available to the public, and which includes:
  - the heritage value or heritage character of the property;
  - the compatibility of conservation with the official community plan and any other community planning objectives in the area in which the property is located;
  - the compatibility of conservation with lawful uses of the property and adjoining lands;
  - the condition and economic viability of the property;
  - the possible need for financial or other support to enable appropriate compensation;
- that notice of the completed bylaw be given in the Land Title Office and to the owners.

#### **2.1.1 Heritage Character Statement**

The Lonsdale Guardhouse Residence is one of Burnaby's landmark heritage homes in the historic neighborhood of Edmonds. As the residence retains significant heritage value to the

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City, it is listed on the City's heritage inventory and qualifies for inclusion on the Burnaby Heritage Register.

This two-and-one-half storey residence was constructed in 1914 by Lonsdale L. Guardhouse. Similar to many houses at the time, the Guardhouse Residence was built from Craftsman-style pattern book designs, which were readily available in magazines and brochures. This residence is notable for its unusual sloped roofline, which features gently curved eaves, lapped and shingled siding and rustic brick (see *Attachment #2*).

### ***2.1.2 Compatibility of Conservation with Community Plan and Adjoining Land Use***

The planning for the conservation of heritage resources is outlined in Burnaby's Official Community Plan. Burnaby has established a goal "*To provide opportunities for increased awareness and the conservation of the City's unique natural, cultural, archaeological and built heritage.*" The conservation of this heritage house is considered compatible within its well-developed neighbourhood context of predominantly single and two-family dwellings. The retention, conservation and designation of this house through bylaw will add another significant heritage building to the City's list of protected heritage resources. The Lonsdale Guardhouse Residence is an important landmark in the historic Edmonds neighborhood and its preservation provides a good opportunity to retain and interpret the early history and heritage of Burnaby.

### ***2.1.3 Condition and Economic Viability of the Property***

The Lonsdale Guardhouse Residence has been well-maintained by previous owners and remains in excellent condition. Changes made to the house over the years include the front verandah, which has been altered through the removal of its floor structure, and a rear addition to the main house constructed in 1985. These alterations will be removed and the original design of the building restored by the proposed agreement. The economic viability of the property is considered secure given that the Heritage Revitalization Agreement provides the owner the opportunity to create a new single family lot and would provide sufficient financial incentive to retain and restore the existing heritage house.

### ***2.1.4 Possible Need for Financial Support to Enable Conservation***

The building will continue to be owned as a private dwelling and maintained accordingly. The adoption of the Heritage Revitalization Agreement by Council will allow for subdivision utilizing the provisions of the R5 District to create two lots with some minor variances to the zoning bylaw. The provision of an additional lot would assist the property owner with additional revenue in order to relocate and restore the heritage building. There are no additional economic incentives that would be required to ensure its continued protection and conservation. Staff would continue to work in cooperation with the current and future owners of the property to ensure that the heritage character of this City heritage site is protected and conserved.



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### **3.0 HERITAGE REVITALIZATION AGREEMENT**

#### **3.1 Local Government Act – Heritage Revitalization Agreement Process**

A Heritage Revitalization Agreement (HRA) is a written agreement between a local government and private property owner and provides the authority under the *Local Government Act* to vary or supplement provisions of a bylaw which concerns land use designation and subdivision. A local government must hold a Public Hearing on the matter before entering into a Heritage Revitalization Agreement if it would permit a change to the use or density of use that is not otherwise authorized by the existing zoning of the property.

The purpose of this Heritage Revitalization Agreement is to provide for the long-term protection and conservation of the Lonsdale Guardhouse Residence, a significant Burnaby heritage building located in the Edmonds neighborhood. The current owner of the property wishes to ensure that this heritage house is protected by the City of Burnaby as a City heritage site. The City's Official Community Plan statement concerning the conservation of heritage has specifically outlined the need to establish incentives to encourage the conservation and facilitate the retention of significant privately-owned heritage buildings.

It is proposed that the City enter into a HRA to ensure specific design controls and provide necessary zoning variances to allow for the subdivision and development of the existing R5 Residential District property in order to retain and protect the landmark Lonsdale Guardhouse Residence as a City heritage site. As the proposed HRA for the Guardhouse Residence will provide for variances to the property's R5 zoning to accommodate the creation of an additional lot, a Public Hearing is required (see *Attachment #3*).

#### **3.2 Proposed Heritage Revitalization Agreement**

The subject property is zoned R5 Residential District which provides guidelines for the development of small lots. The Burnaby Zoning Bylaw states that each new lot created in the R5 zoning for Single Family Dwelling – Small, where 30 percent or more of the existing lots in the block front have a width of 13.72 m (45.0 ft.) or less, shall have an area of not less than 334.40 m<sup>2</sup> (3,600 sq. ft.) and a width of not less than 9.15 m (30.0 ft.). While these conditions do not exist within the block front of the subject lot, the adjacent lots have been redeveloped with duplex residences and small lots exist on the block south of the subject site. Therefore, the proposed provisions would be compatible with the duplex strata lots and with the character of the neighbourhood.

In consideration of the City's Heritage Program, it has been deemed desirable to retain and protect the historic and architecturally significant Lonsdale Guardhouse Residence as a designated City heritage site. The applicant has prepared a plan and guidelines for the retention of the Guardhouse Residence. The proposal is for the creation of two small single-family lots based on the provisions of the existing R5 District, and the use of a Heritage Revitalization

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Agreement to vary provisions of the Burnaby Zoning Bylaw with regards to lot area, height, setbacks and floor area. The subdivision would be based on the layout as shown in **Attachment #3**, and all other Zoning Bylaw, BC Building Code and other City regulations and requirements would continue to apply.

#### 4.0 DEVELOPMENT PROPOSAL

##### 4.1 Proposed Lot 1 (Existing Heritage House)

The existing heritage house is to be retained under the HRA and designated as a City heritage site with the following design guidelines and variances to the Burnaby Zoning Bylaw:

- (i) A lot created under the HRA would vary the Zoning Bylaw and meet the minimum lot width and lot area under the R5 single family dwelling – small, with a total lot area of 414.85 m<sup>2</sup> (4,650.5 sq. ft.).
- (ii) The heritage house will be protected by a Heritage Designation Bylaw as a City heritage site.
- (iii) The heritage house will be relocated on the site to accommodate its preservation and sited to the eastern portion of the property, adjacent to Canada Way. It is noted that the proposal will include the demolition of the existing modern rear addition built in 1985.
- (iv) The exterior of the heritage house will be restored following the submitted Heritage Conservation Plan that shall include restoration of the exterior design of the dwelling, including the repair of the rear elevation following the removal of the modern addition and reconstruction of the original front verandah.
- (v) The proposed Gross Floor Area (GFA) is 345 m<sup>2</sup> (3,713.5 sq. ft.) and Above Grade Floor Area (AFGA) is 194 m<sup>2</sup> (2,084.97 sq. ft.). The maximum GFA for the existing house will exceed the permitted GFA by approximately 86 m<sup>2</sup>. (923 sq. ft.), which will accommodate development of a full basement for the relocated dwelling.
- (vi) The proposed height of the principal building shall not exceed 9.6 m (31.5 ft.). The maximum permitted height of 9.0 m (29.5 ft.) will be exceeded by approximately two feet to provide for the relocation of the house and provide for the design of the new foundation and basement living area.
- (vii) The proposed front yard setback is 6.0 m (19.7 ft.), which meets the Zoning Bylaw provision of not less than 6.0 m (19.7 ft.). The proposal will be exempt from the application of front yard average provisions of the Zoning Bylaw. Additionally, it is further noted that the front verandah will encroach into the front yard setback area by approximately 1.52 m (5 ft.). This would exceed the 1.2 m (3.94 ft.) exemption by .32 m (1 ft.).
- (viii) A reduced rear yard setback of 6.4 m (21 ft.) is proposed. The minimum rear yard of 7.5 m (24.6 ft.) will be reduced by 1.1 m (3.6 ft.).
- (ix) A carport or garage not exceeding 42 m<sup>2</sup> (452.1 sq. ft.) is proposed. This accessory building will be exempt from all other provisions of the Zoning Bylaw in respect to siting and setbacks.



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- (x) A Section 219 restrictive covenant will be registered on the property's land title outlining the provisions of the Heritage Revitalization Agreement.
- (xi) The design of the restoration of the residence will be subject to the submission of a suitable conservation plan for review and approval.

Note: Calculations and measurements are subject to an up-to-date survey plan.

#### **4.2 Proposed Lot 2 (New Residence)**

A new residence will be constructed under the HRA with the following design guidelines and variances to the Burnaby Zoning Bylaw:

- (i) A lot created under the HRA would vary the Zoning Bylaw to meet the minimum lot width and lot area under the R5 Single Family Dwelling – Small, with a total proposed lot area of 396.03 m<sup>2</sup> (4,262.83 sq. ft.).
- (ii) The required setbacks for the new single family dwelling are proposed as follows:
  - Front Yard: 4.5 m (14.7 ft.)\* [\* Exempt from front yard averaging]
  - Rear Yard: 3.65 m (11.97 ft.)
  - Side Yard – West: 1.5 m (4.9 ft.)
  - Side Yard – East: 6.0 m (19.6 ft.)
- (iii) A maximum lot coverage of 158.41 m<sup>2</sup> (1,705.1 sq. ft.) of the lot area and total GFA of 237.6 m<sup>2</sup> (2,557.5 sq. ft.) as restricted by the required front, rear and side yard setbacks.
- (iv) The incorporation of a garage/carport not to exceed 42 m<sup>2</sup> (452.1 sq. ft.) into the envelope of the proposed new dwelling.
- (v) A Section 219 restrictive covenant will be registered on this property outlining the terms of the Heritage Revitalization Agreement.
- (vi) The design of the dwelling will be subject to review and approval.

Note: Calculations and measurements are subject to an up-to-date survey plan.

#### **5.0 POLICY SECTION**

The designation of the Lonsdale Guardhouse Residence as a protected heritage resource, along with the proposed Heritage Revitalization Agreement which will ensure its retention and protection, as outlined in this report, is aligned with the City of Burnaby's Corporate Strategic Plan by supporting the following three goals and three sub-goals of the plan:

##### **A Connected Community**

- Partnership

##### **A Healthy Community**

- Community Involvement



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## A Dynamic Community

- Community Development

To learn more about the City of Burnaby's Corporate Strategic Plan, please visit [www.burnaby.ca/CSP](http://www.burnaby.ca/CSP).

## 6.0 CONCLUSION

The proposed Heritage Revitalization Agreement conforms with the use and development of the R5 zone for small single family lots with variances to the floor area, height and rear yard setback for the heritage house on Lot 1, and to the floor area, front yard and rear yard setbacks for the new house on Lot 2.

The protection of the Lonsdale Guardhouse Residence through a Heritage Designation Bylaw and Heritage Revitalization Agreement offers the City of Burnaby an opportunity to protect and revitalize a significant heritage building in the Edmonds neighborhood and an important City heritage resource. Utilizing the opportunity presented by the current proposal to achieve heritage designation of the Guardhouse Residence through an HRA will ensure the long-term protection of this heritage house.

This project is guided by the Official Community Plan objective to protect the City's significant cultural heritage resources. The Heritage Revitalization Agreement presented in this report provides a suitable plan for public review and consideration at this time. With Council approval of the recommendations of this report, the subject bylaws would be prepared and advanced to Public Hearing at a future date.

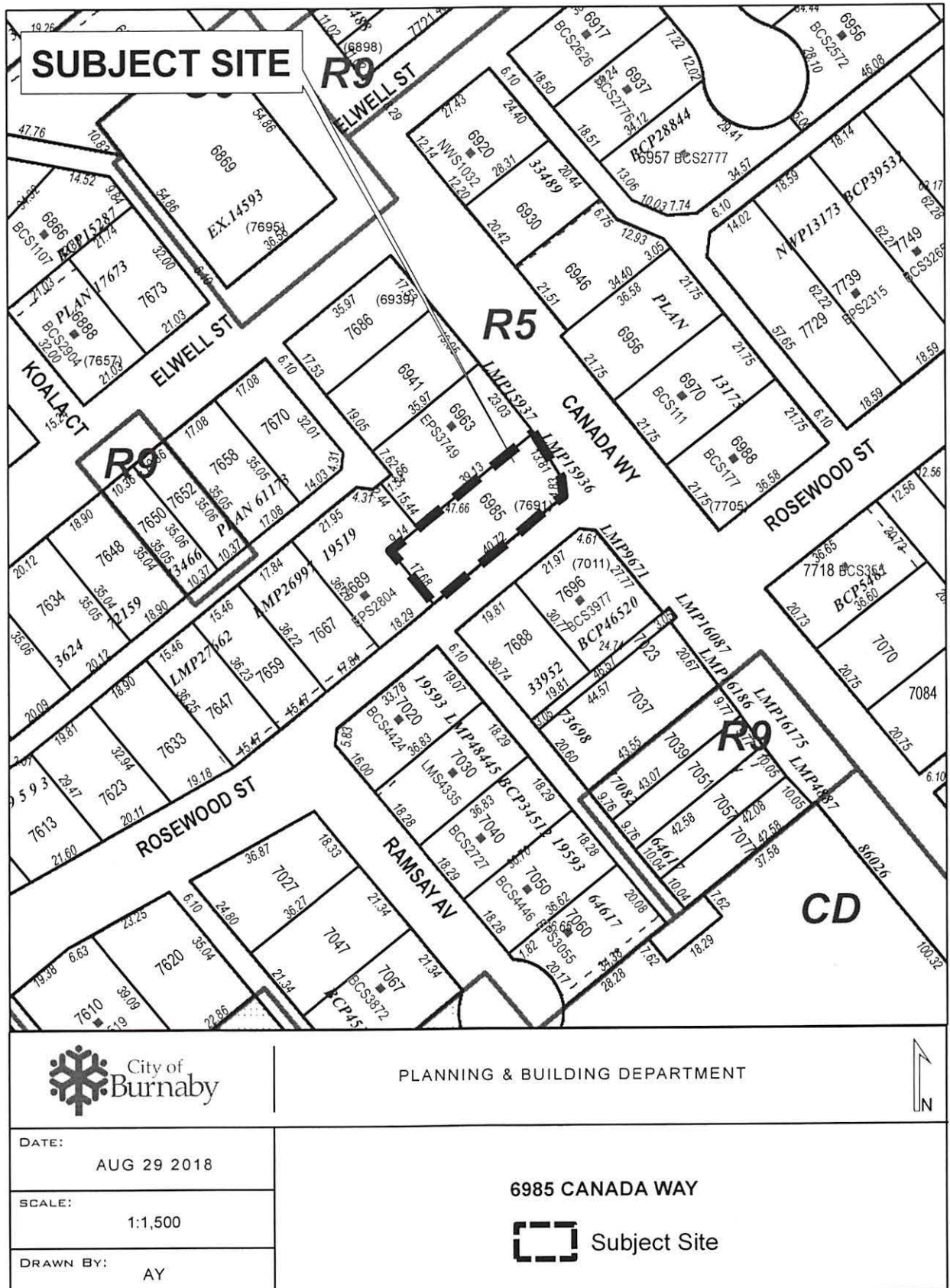
  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

HL/JW:sa/sla

### *Attachments*

cc: City Manager  
 Chief Building Inspector  
 City Solicitor  
 City Clerk

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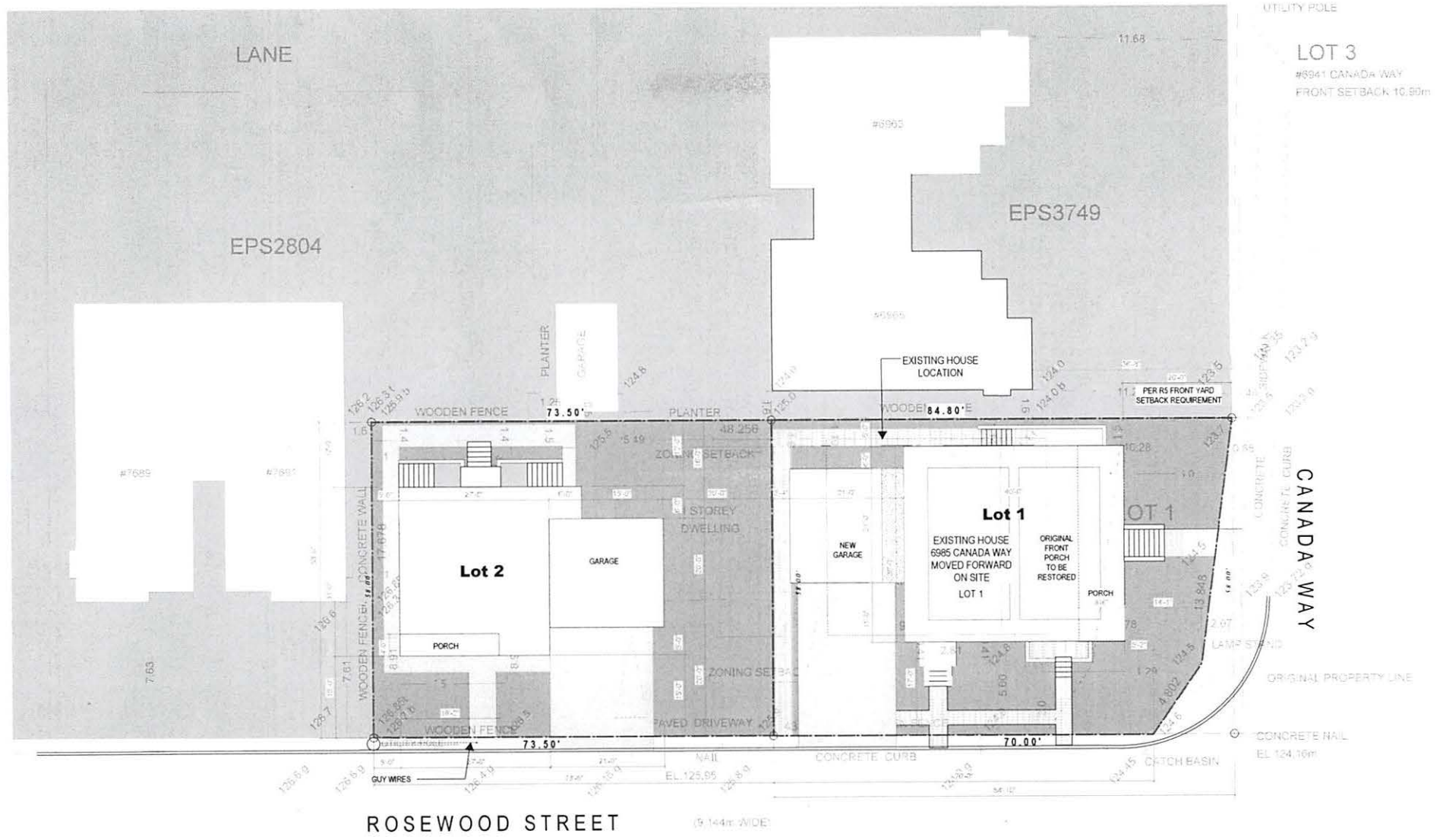
Attachment #1



**Lonsdale L. Guardhouse Residence**  
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PLAN OF TOPOGRAPHY OF LOT 1, EXCEPT PART  
IN PLAN IMP 15936 BLOCK 16 DIST. 30 GROUP 1

ALL ELEVATIONS ARE EXISTING GROUND ELEVATIONS.

R5 ZONING SETBACKS:  
AVE. FRONT (CANADA WAY) 11.25  
AVE. FRONT (ROSEWOOD ST.) 7.75