

COUNCIL REPORT

TO: CITY MANAGER 2014 November 19

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #07-49
Townhousing
Canada Way and Claude Avenue Area Plan (Rayside)

ADDRESS: 5092, 5108, 5120, 5132, 5146, 5168, 5180, 5192 Canada Way and 4981, 4991
Claude Avenue (see Sketches #1 and #2 *attached*)

LEGAL: See *attached* Schedule A

FROM: R4 Residential District and C2 Community Commercial District

TO: CD Comprehensive Development District (based on RM2 Multiple Family
Residential District, Canada Way and Claude Avenue Area Plan guidelines and in
accordance with the development plan entitled “Deer Lake Townhomes” prepared by
GBL Architects Inc.)

APPLICANT: Woodbridge NW (Deer Lake) Homes Ltd.
200 – 1450 Creekside Drive
Vancouver, BC V6J 5B3
(Attention Reid Thompson)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on
2014 December 09.

RECOMMENDATIONS:

1. **THAT** the predecessor Rezoning Bylaw, Amendment Bylaw No. 36/13, Bylaw #13255, be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 November 24 and to a Public Hearing on 2014 December 09 at 7:00 p.m.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The deposit of sufficient monies including, a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a

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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. The removal of all existing improvements from the site prior to Final Adoption of the Bylaw. 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 approval of the Ministry of Transportation to the rezoning application.
- f. The dedication of any rights-of-way deemed requisite.
- g. The consolidation of the net project site into two legal parcels.
- h. The undergrounding of existing overhead wiring abutting the site.
- i. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- j. Compliance with the Council-adopted sound criteria.
- k. The granting of Section 219 Covenants including:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - protecting the streamside protection and enhancement areas (SPEA);
 - to ensure compliance with the approved geotechnical report;
 - providing that all disabled parking is to remain as common property; and,
 - to ensure compliance with the accepted acoustical evaluation.
- l. Compliance with the guidelines for underground parking for visitors.
- m. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.

- n. The review of a detailed Sediment Control System by the Director Engineering.
- o. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- p. The review of on-site residential loading facilities by the Director Engineering.
- q. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- r. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- 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 161 unit townhouse development with under-building and underground parking.

2.0 BACKGROUND

- 2.1 Council, on 2004 January 23, adopted a community plan amendment to establish specific townhouse development guidelines for the subject site and the surrounding properties in line with the RM2 District as a guideline.
- 2.2 Council, on 2007 November 26, received the report of the Planning and Building Department concerning the rezoning of the subject site, and authorized the Department to

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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 Under a former applicant, the subject rezoning amendment was advanced to a Public Hearing on 2013 November 26, and was granted Second Reading on 2014 February 17. The current applicant, Woodbridge Northwest, has undertaken a detailed review of the development concept and pursued a detailed engineered road design for the Canada Way frontage. Arising from this further design work, minor amendments to the concept for the development are being pursued, requiring a new Public Hearing to be held.
- 2.4 The subject site is located within the Council adopted Sperling and Claude Avenue Area Plan, formerly part of the broader Canada Way / Burris Street / Trans Canada Highway / Sperling-Freeway Interchange Area Plan. The subject site encompasses ten (10) lots between Canada Way and Claude Avenue, just east of Sperling Avenue.

Directly to the northeast are six large single-family lots identified for consolidation and redevelopment in line with the RM2 District as a guideline. This future assembly includes the realignment of Claude Avenue and the improvement of Deer Lake Brook Tributary #1 and its riparian setback/conservation area. To the north across Claude Avenue is a public open space/conservation area with the Trans Canada Highway beyond. Directly to the east is a single-family enclave developed under the adopted plan. To the south across Canada Way is a mix of single-family dwellings and commercial uses. Directly to the west are two large single family lots identified for consolidation and redevelopment in line with RM2 District as a guideline.

The development being pursued is for a 161 unit townhouse development with under-building and underground parking to a maximum density of 0.9 F.A.R., utilizing the CD Comprehensive Development District (with the RM2 District as a guideline) in line with the adopted Canada Way and Claude Avenue Area Plan.

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 161 unit townhouse development with under-building and underground parking. Vehicular access is restricted to Claude Avenue. The maximum density of the project under the RM2 District guidelines is 0.9 F.A.R. with full underground parking. As noted, parking is provided underground and under-building. Full underground parking is not able to be achieved on the northern portion of the site given the high water table and poor soil conditions. The southern portion of the site fronting Canada Way is developed with underground parking. The proposed parking provision is therefore considered suitable to support the full 0.9 F.A.R. density.

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The subject proposal consists of twenty-three individual townhouse buildings separated from each other by landscaped courtyards, pedestrian walkways and driveways. A broad mix of unit forms and types have been pursued for the site to both react to the varying topography and market conditions within the area, resulting in a diverse townhouse community unique to Burnaby. The proposal is for a total of 161 units as compared to the previous 132 unit concept. Whereas the previous proposal consisted of 131 three bedroom units and 1 four bedroom unit, the revised proposal consists of 129 three bedroom units, 20 two bedroom units and 12 studio units. The addition of two-bedroom and studio townhouse/flat units to the concept provides a more diverse community makeup and promotes affordability for a highly sought after ground oriented housing. The revised concept also reoriented many of the units, reducing the number of back to back townhomes, providing greater light and cross ventilation for residents. Every unit has access to a private ground floor patio area, upper level decks and common green areas throughout the site, including a large area suitable for children's play. A further addition to the site concept includes the provision of a common amenity space, including a fitness facility and multi-purpose entertainment room. In order to engage with bounding streets, units fronting Canada Way have individual access to the City sidewalk, creating a landscaped row house concept to soften Canada Way and connect the development to the broader community, with a further pedestrian access to the lane east of the site.

Below is a brief summary of the previous and current development proposal for the subject site.

	Net Site Area	Buildings	Units	Total FAR	Height
Previous Proposal	189,692 sq.ft.	16	132	0.9 FAR	3 storeys
Current Proposal	195,752 sq.ft.	23	161	0.9 FAR	3 storeys*

* The rear side of buildings facing Canada Way are 4 storeys at the courtyard level. All other buildings and frontages are a maximum of 3 storeys.

A detailed geotechnical report, prepared by a Certified Professional Engineer, is required for the site prior to issuance of a Building Permit to ensure that there are no adverse effects to adjacent properties, road rights-of-way, and riparian areas a result of the proposed development. All development on the site is required to meet the BC Building Code. Further a Section 219 Covenant will be registered against title to ensure that any future development conforms to the recommendations of the report.

- 3.2 The ten individual lots comprising the development site will be consolidated and re-subdivided into the net development site and a City lot comprising the landscaped riparian setback from Deer Lake Brook. In the future, with the development of the properties to the west, a portion of 4951 Claude Avenue will also be dedicated for park and riparian setback purposes to complete the Deer Lake Brook Park and Conservation area lands. Given the

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area of the proposed park dedication required from the site in relation to its net area, it is proposed that the development density associated with this park portion, equal to 186.73 m² (2,010 sq.ft.) be contributed to the net development site.

3.3 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:

- the construction of Claude Avenue, with concrete curb and gutter and separated sidewalks on the south side, complete with boulevard grass, street trees and street lighting across the development frontage;
- the construction of Canada Way to its final standard, with relocated concrete curb and gutter and separated sidewalks on the north side, complete with boulevard grass, street trees and street lighting across the development frontage; and,
- environmental enhancement of a portion of Deer Lake Brook Tributary 1.

As a result of a detailed civil design for Canada Way, the road dedication for Canada Way has been confirmed of between 1.8m (6ft.) and 2.7m (9ft.) for the provision of separated sidewalks.

3.4 A detailed review of proposed road designs and traffic patterns was undertaken as a result of the previous Public Hearing held for this application. It has been determined that in support of future multiple-family development on the subject site, the surrounding road network and its final design has been appropriately planned and designated to meet projected vehicle demand. Furthermore, as a result of comments made at the previous public hearing, improvements to the intersection at Rayside Street and Canada Way were installed, restricting movements to right-in and right-out.

3.5 Any necessary easements, Section 219 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 providing that all disabled parking is to remain as common property;
- Section 219 Covenant to ensure the provision and ongoing maintenance of on-site stormwater best management practices;
- Section 219 Covenant for the retention of identified existing trees within riparian setback areas on site;
- Section 219 Covenant to ensure compliance with the accepted acoustical evaluation;
- Section 219 Covenant to ensure compliance with the approved geotechnical report;
- Section 219 Covenant and Statutory right-of-way for the protection and ongoing maintenance of the Deer Lake Brook - Tributary I Streamside Protection and Enhancement Area (SPEA);

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- Statutory right-of-way for sanitary sewer between Canada Way and Claude Avenue; and,
 - Easement for vehicular access in favour of 4951 Claude Avenue and 5070 Canada Way.
- 3.6 In light of the proximity to Canada Way and the Trans Canada Highway, a noise study is required to ensure compliance with the Council-adopted sound criteria.
- 3.7 Provision of an adequately sized and sited garbage handling and recycling material holding space, as well, separate car wash stalls are required.
- 3.8 A very large portion of the site will be excavated for development. As such, an arbourist's report, tree survey and nesting raptors survey will be required prior to Final Adoption. A detailed landscape and tree planting plan has been provided as part of the suitable plan of development. The applicant will be required to obtain a tree removal permit for all trees over 20 cm (8 inches) in diameter. All trees to be retained on site, will require a Section 219 Covenant to ensure their protection and ongoing maintenance.
- 3.9 The developer is responsible for the undergrounding of the overhead wiring abutting the site on Claude Avenue and Canada Way across the development frontage.
- 3.10 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 3.11 A suitable engineered design to the approval of the Director Engineering will be required for the on-site stormwater management system as well as a Section 219 Covenant to guarantee its provision and continuing operation. The deposit of sufficient monies to guarantee the provision of the stormwater drainage and landscape features will be required.
- 3.12 Given the poor condition of existing soils there is a need to preload and excavate existing peat soils. To support the site preparation and construction process, in order to protect the nearby Deer Lake Brook and Deer Lake Brook Tributary I a detailed construction management plan will be required for the site.
- 3.13 Bicycle storage space and surface parking racks are to be provided for the residential tenants and visitors of the development.
- 3.14 Development Cost Charges:
- a) Parkland Acquisition Charge of \$3.84 per sq.ft. of gross floor area
 - b) School Site Acquisition Charge of \$800.00 per unit
 - c) GVS&DD Sewerage Charge of \$1,515.00 per townhouse unit

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4.0 DEVELOPMENT PROPOSAL

4.1 Site Area

Site Area:	-	18,510.00 m ²	(199,240 sq.ft.)
Road Dedication Area:	-	324.05 m ²	(3,488 sq.ft.)
Park Dedication Area (Density Transfer):	-	186.73 m ²	(2,010 sq.ft.)
Net Site Area:		17,999.22 m ²	(193,742 sq.ft.)
Net Site Area for Calculation of Density:	-	18,185.95 m ²	(195,752 sq.ft.)

4.2 Density

F.A.R. Permitted and Provided	-	0.9 F.A.R.
Floor Area (G.F.A.) Permitted	-	16,367.38 m ² (176,177 sq.ft.)
F.A.R. Amenity Exclusion	-	137.50 m ² (1,480 sq.ft.)
Site Coverage	-	35%

4.3 Height - 3 storeys

4.4 Unit Mix

12 studio	-	41.06 m ²	(442 sq.ft.)
20 two-bedroom	-	82.13 – 107.77 m ²	(884 – 1,160 sq.ft.)
129 three-bedroom	-	102.94 – 120.59 m ²	(1,108 - 1,298 sq.ft.)

Total 161 Units

4.5	<u>Parking:</u>	<u>Required</u>	<u>Provided</u>
	Vehicle Parking:		
	Required Resident Parking 1.5/ unit (Tandem @ 1.5 for 2 tandem)	- 242 spaces	250 spaces (29 tandem = 44)
	Required Visitor Parking 0.25/unit	- 40 spaces	40 spaces
	Covered Car Wash Stalls Provided	- 2	2
	Bicycle Parking:		
	Secure Residential @ 1 /unit	- 161 lockers	99 in lockers 62 in garage
	Visitors racks @ 0.2 spaces/unit	- 32 in racks	32 in racks

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4.6 Communal Facilities:

Communal facilities include common greenspace courtyards, naturalized riparian planting areas, public seating and pathways, children's play area, fitness facility and multi-purpose room. The proposed 137.50 m² (1,480 sq.ft.) of gross floor area to be exempted from F.A.R. calculations, is below the permitted maximum exemption of 5% of the total Gross Floor Area permitted in the Zoning Bylaw.

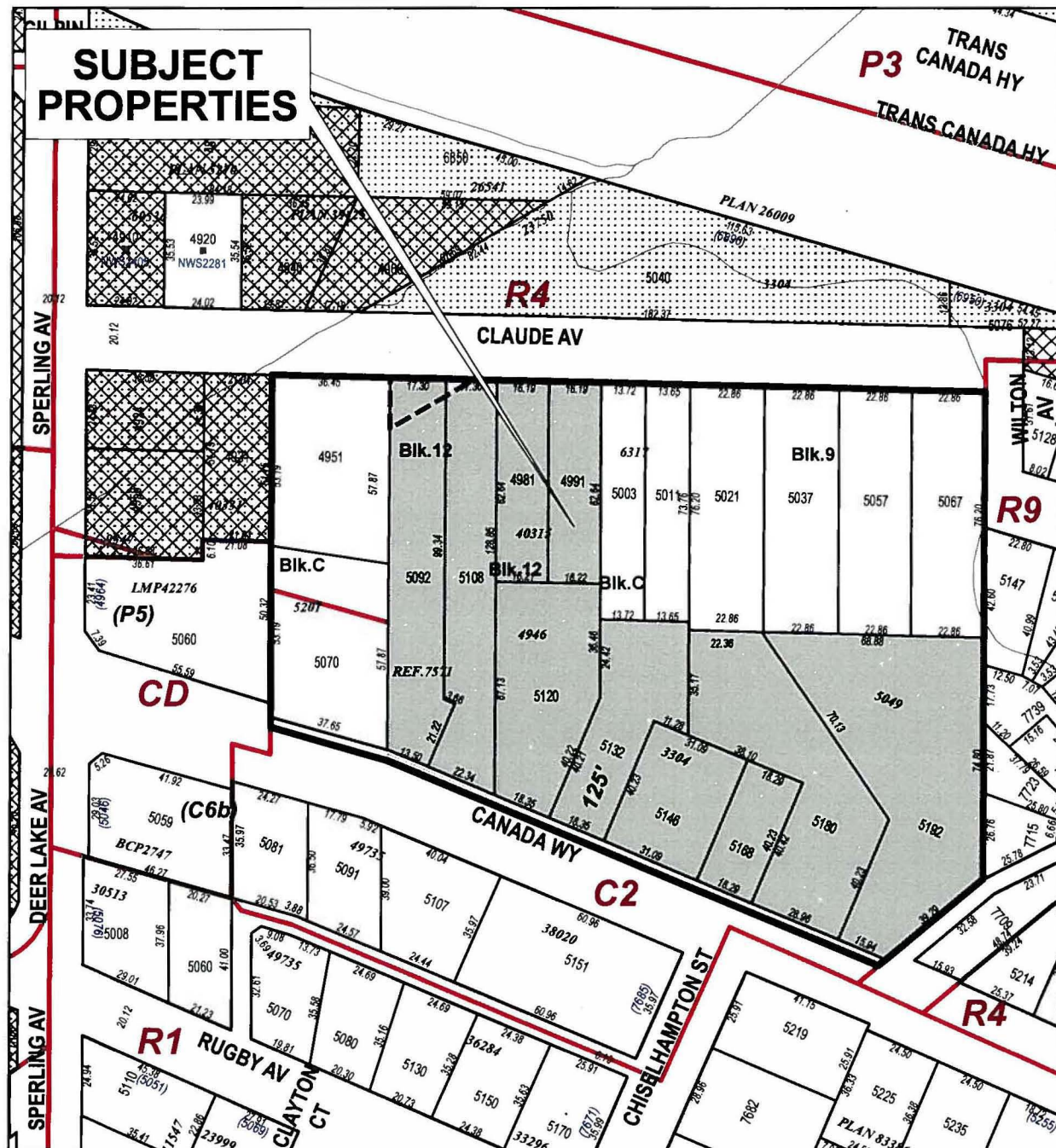

Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf/tn
Attachments

cc: Director Parks, Recreation and Cultural Facilities
Director Engineering
City Solicitor
City Clerk

Schedule A
Rezoning Reference #07-49

5092 Canada Way	-	Lot 1, D.L. 85, Group 1, NWD Plan 7571
5108 Canada Way	-	Lot 2, D.L. 85, Group 1, NWD Plan 7571
5120 Canada Way	-	Lot B Except: the northerly 205.5 ft., D.L. 85, Group 1, NWD Plan 4946
5132 Canada Way	-	Lot 3, D.L. 85, Group 1, NWD Plan 6317
5146 Canada Way	-	Lot 11 Except: Easterly 60 ft. having a frontage of 60 ft. on Douglas Road with a uniform width the full depth of said lot and adjoining Lot 10, NWD Plan 3304
5168 Canada Way	-	The Easterly 60 ft. of Lot 11, D.L. 85, Group 1, having a frontage of 60 ft. on Douglas Road with a uniform width the full depth of said lot and adjoining lot 10, NWD Plan 3304
5180 Canada Way	-	Lot A, D.L. 85, Group 1, NWD Plan 5049
5192 Canada Way	-	Lot B, D.L. 85, Group 1, NWD Plan 5049
4981 Claude Avenue	-	Lot 170, D.L. 85, Group 1, NWD Plan 40315
4991 Claude Avenue	-	Lot 171, D.L. 85, Group 1, NWD Plan 40315



PLANNING & BUILDING DEPARTMENT



DATE:
NOV 04 2014

SCALE:
1:2,000

DRAWN BY:
AY

REZONING REFERENCE #07-49
PORTION OF CANADA WAY - CLAUDE AVENUE AREA PLAN



Subject Properties



City-Owned Property

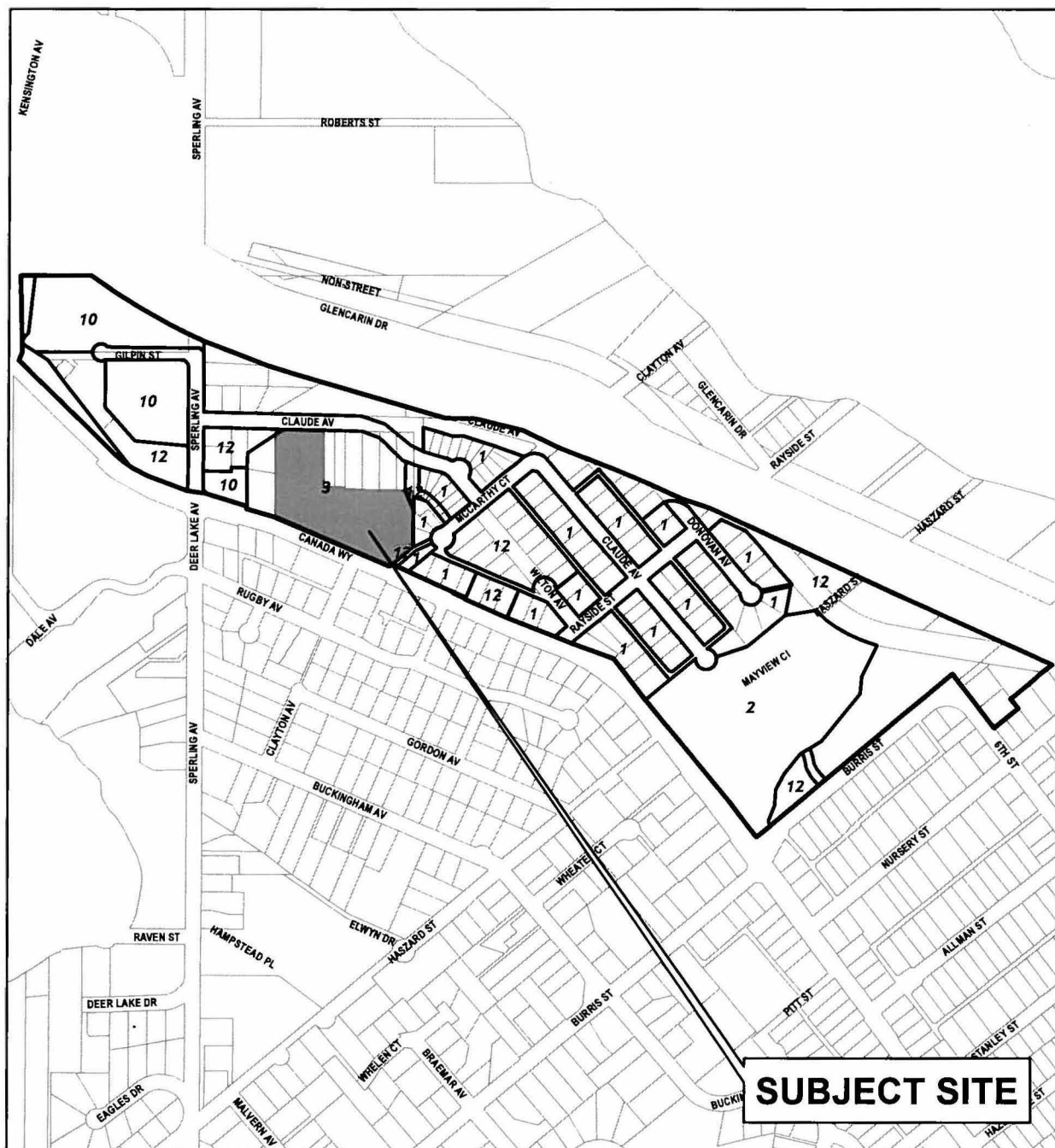


Plan Boundary



To Be Dedicated

Sketch #1



Rayside



PLANNING & BUILDING DEPARTMENT

- 1 Single and Two Family Residential
- 2 Low Density Multiple Family Residential
- 3 Medium Density Multiple Family Residential
- 10 Administration and Public Assembly
- 12 Park and Public Use

