

TO: CITY MANAGER 2014 July 16

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #13-31
Townhouse Project with Underground Parking
Royal Oak Community Plan

ADDRESS: 7011, 7029, 7087 MacPherson Avenue and 5558 Short Street (see *attached* Sketches #1 and #2)

LEGAL: Lots 31-35, D.L. 98, Group 1, NWD Plan 1384

FROM: M4 Special 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 "MacPherson and Short Townhomes: A Multi-Family Residential Development Burnaby, B.C." prepared by Robert Ciccozzi Architecture Inc.)

APPLICANT: Robert Ciccozzi Architecture Inc.
200 – 2339 Columbia Street
Vancouver, BC V5Y 3Y3
(Attn: Robert Ciccozzi)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2014 August 26.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 July 21 and to a Public Hearing on 2014 August 26 at 7:00 p.m.
2. **THAT** a copy of this report be forwarded to the property owner of 5542 Short Street, Alim Holdings Ltd, 5526 Kingsway, Burnaby, BC, V5H 2G2
3. **THAT** Council approve in principle the City cost sharing contribution and the submission of an application for TransLink Bicycle Infrastructure Capital Cost Sharing (BICCS) Regional Priority Funding for the design and construction of public improvements beyond the development site, as outlined in Section 3.3 of this report, subject to details to be provided in a future report.
4. **THAT** the following be established as prerequisites to the completion of the rezoning:

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- a. The submission of a suitable plan of development.
- b. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d. The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption but not prior to Third Reading of the Bylaw. Demolition 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 or vandalism.
- e. The consolidation of the net project site into one legal parcel.
- f. The dedication of any rights-of-way deemed requisite.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h. The undergrounding of existing overhead wiring abutting the site.
- i. The granting of any necessary Section 219 Covenants including restricting enclosure of balconies, providing that all disabled parking is to remain as common property and ensuring compliance with the submitted acoustical analysis.
- j. Compliance with the guidelines for underground parking for residential visitors.
- k. 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.
- l. Due to the industrial history of the site, the submission of a Site Profile and resolution of any requirements is required.
- m. The review of a detailed Sediment Control System by the Director Engineering.
- n. Compliance with the Council-adopted sound criteria.

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- o. 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.
- p. The deposit of the applicable Parkland Acquisition Charge.
- q. The deposit of the applicable GVS & DD Sewerage Charge.
- r. The deposit of the applicable School Site Acquisition Charge.
- s. The provision of facilities for cyclists in accordance with Section 4.5 of this report.
- t. 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 (45 units) with full underground parking.

2.0 BACKGROUND

- 2.1 The subject site is located at the southwest corner of MacPherson Avenue and Short Street (see *attached* Sketch #1). The site is comprised of five lots including 5558 Short Street and 7011 MacPherson Avenue, both of which are improved with older industrial buildings, as well as 7029 (two legal lots with the same address) and 7087 MacPherson Avenue, which are vacant. Directly to the west is an industrial development constructed in 1997, while to the north across Short Street and to the east across MacPherson Avenue are older industrial properties, all of which were developed under the prevailing M4 District zoning. Directly to the south is the Expo SkyTrain line and the BC Parkway urban trail. Vehicular access to the site is currently from MacPherson Avenue and Short Street.
- 2.2 The six lot site is located within the Royal Oak Community Plan area, and is intended for rezoning to the CD Comprehensive Development District based on the RM3 Multiple Family Residential District as a guideline (see *attached* Sketch #2).
- 2.3 The applicant attempted to acquire the adjacent property located at 5542 Short Street, but was unsuccessful. Offers had been made to purchase 5542 Short Street at fair market value, but were rejected by the property owner. The Legal and Lands Department reviewed the offer at the time the application was made and advised that it reflected market value. As such, the subject site and the neighbouring future site, both of which exceed the minimum lot area and

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width for development under the RM3 District, are considered suitable for future development under separate rezoning applications. A copy of this report is proposed to be sent to the owner of 5542 Short Street for information.

- 2.4 On 2013 November 25, Council received the report of the Planning and Building Department concerning the rezoning of the subject site and authorized the Department to work with the applicant in the preparation of a suitable plan of development, with the understanding that a further and more detailed report would be submitted at a later date. The applicant has submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The development proposal is for a 45-unit 3-storey stacked townhouse development. The maximum proposed density of the project is 1.1 F.A.R with full underground parking. Vehicular access is provided from Short Street.
- 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 MacPherson Avenue to a 13.6 m wide standard with curb and gutter and street lighting on both sides, and the construction of a new separated sidewalk and street trees on the west side of MacPherson Avenue from Beresford Street to Short Street across the development frontage, and curb bulges at Short Street;
 - the construction of Short Street to an 11 m wide standard with curb and gutter and street lighting on both sides, and the construction of a new separated sidewalk and street trees on the south side of Short Street across the development frontage;
 - widening approximately 80 m of the existing BC Parkway urban trail to a 4.0 m wide standard and pedestrian lighting west of MacPherson Avenue, and reducing the pavement width of MacPherson Avenue to 7.0 m within the BC Parkway with curb bulges at Beresford Street;
 - the installation of new pedestrian lighting along this approximate 80 m of the existing BC Parkway urban trail;
 - the removal of the Sequoia tree currently located in the BC Parkway right-of-way; and,
 - the construction of a small seating area (plaza) at the northwest corner of MacPherson Avenue and Beresford Street.
- 3.3 As there are significant improvements that would directly benefit land proposed to be retained for public recreation purposes beyond the development frontage, and to provide access for the neighbourhood to the Royal Oak SkyTrain Station, it is proposed that a cost sharing approach be established between both the developer and the City and the developer and TransLink (see *attached* Sketch #3) to fund these improvements. Capital funds for the City's contribution are available within the Roads component of the 2014-2018 Capital Program. TransLink funds are available through Bicycle Infrastructure Capital Cost Sharing (BICCS) Regional Priority Funding.

Regarding the required works along MacPherson Avenue, the approach would include the developer being partially (50%) responsible for the services required along MacPherson Avenue between Beresford Street (north) and Beresford Street (south). Staff recommend that the City enter into a cost-share agreement with the developer and pay for 50% of the costs associated with these improvements, with the developer undertaking the necessary design and construction.

Regarding the required works to the BC Parkway urban trail, TransLink and the developer will be responsible for proportions of the works that represent a net improvement to the urban trail. TransLink will also be responsible for items that are derived from overall maintenance and upkeep of the urban trail. TransLink has agreed in principle with the appropriate share in the costs for the following items under a BICCS application. The proportion of costs associated with the required works is as follows:

- the widening of the BC Parkway urban trail (developer responsible for 25%; TransLink responsible for 75%);
- the construction of the small seating area (plaza) at the northwest corner of Beresford Street (south) and MacPherson Avenue (developer responsible for 50%, TransLink responsible for 50%); and,
- the installation of new lighting along this section of the BC Parkway urban trail and related landscape works (TransLink responsible for 100%).

In order to implement the foregoing, separate cost-share agreements between the City and TransLink and between the City and the developer are required, with the developer undertaking the necessary design and construction.

Council approval in principle is sought for the City cost sharing contribution, subject to a future report to Council, and for submission of an application for TransLink BICCS Regional Priority Funding, for the design and construction of the above noted works. A further report will be submitted for the consideration of Council once servicing details are known, the full costs associated with the required improvements have been determined, and a mutually acceptable cost share arrangement has been reached between the developer and TransLink.

- 3.4 A 3m x 3m corner truncation will be required at the northeast corner of the consolidated site.
- 3.5 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 common property;
 - Section 219 Covenant ensuring compliance with the submitted acoustical analysis;
 - Section 219 Covenant to ensure the provision and continuing operation of stormwater management facilities; and,
 - 1.25 m (4.1 ft.) statutory right-of-way on MacPherson Avenue.

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- 3.6 In light of the proximity to SkyTrain, a noise study is required to ensure compliance with the Council-adopted sound criteria.
- 3.7 One car wash stall is required and an appropriately screened garbage handling and recycling holding area will be provided on site.
- 3.8 The developer is responsible for the undergrounding of overhead wiring on the west side of MacPherson Avenue and the south side of Short Street, abutting the site.
- 3.9 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption. The proposed Sediment Control System will then be the basis, after Final Adoption, for the necessary Preliminary Plan Approval and Building Permit.
- 3.10 A suitable on-site stormwater management system is required to the approval of the Director Engineering. A Section 219 Covenant to guarantee its provision and continuing operation will also be required.
- 3.11 Due to the existing M4 Special Industrial District zoning of the site, submission of a Site Profile will be required, as well as resolution of any arising requirements.
- 3.12 Applicable Development Cost Charges are:
 - a) Parkland Acquisition Charge of \$3.84 per sq. ft. of residential gross floor area
 - b) School Site Acquisition Charge of \$800.00 per unit
 - c) GVS&DD Sewerage Charge of \$1,515 per townhouse unit

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area:

Gross Site	-	4,405.4 m ² (47,419 sq.ft.)
Dedications	-	4.5 m ² (48 sq.ft.)
Net Site	-	4,400.9 m ² (47,371 sq.ft.)
		(Subject to detailed survey)

4.2 Density:

F.A.R. Permitted & Provided	-	1.1 FAR
Gross Floor Area (G.F.A.) Permitted	-	4,841.0 m ² (52,108 sq.ft.)
Gross Floor Area (G.F.A.) Proposed	-	4,812.86 m ² (51,802 sq.ft.)
Site Coverage	-	39 %

4.3 Height

- 3 Storeys

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4.4 Unit Mix

24 – 2 Bedroom Townhouse units	-	78.9 m ² to 100 m ² (849 sq.ft. – 1,076 sq.ft.)
21 - 3 Bedroom Townhouse units	-	117.2 m ² to 129.3 m ² (1,262 sq.ft. – 1,392 sq.ft.)

45 Total units

4.5 Vehicle Parking:

Required: Residential @ 1.75 spaces/unit	-	79 (incl. 11 visitor parking spaces)
Provided:	-	88 total spaces (incl. 11 visitor parking spaces)
Disabled spaces	-	1 space
Car Wash Stall	-	1 space

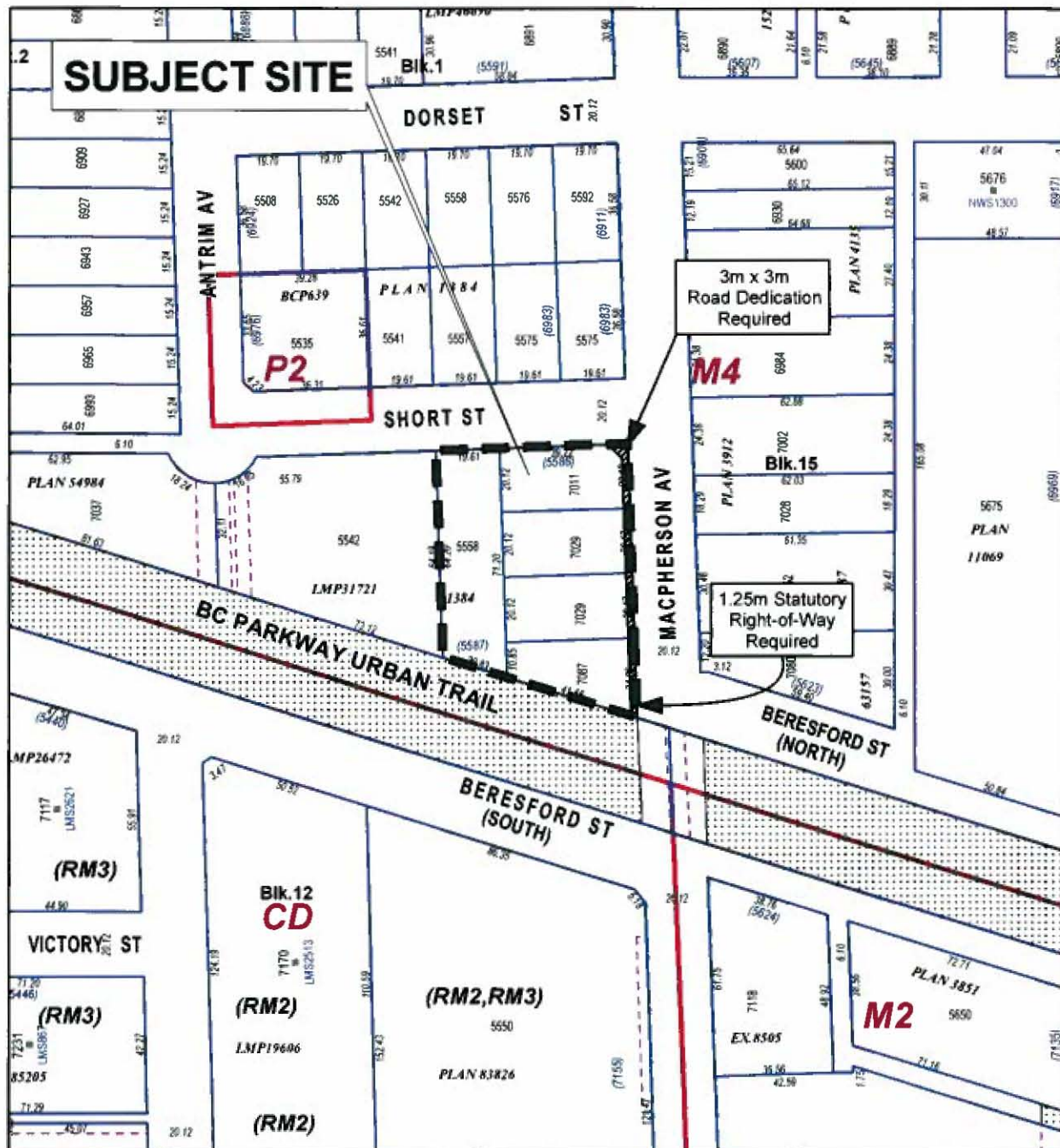
<u>Bicycle Parking</u>	Required	Provided
Secure Residential @ 1 locker/unit	45	45
Visitor Racks @ 0.2 spaces/unit	9	10


Lou Pelletier, Director
PLANNING AND BUILDING

GT:spf

Attachments

cc: Director Engineering
City Solicitor
City Clerk




PLANNING & BUILDING DEPARTMENT

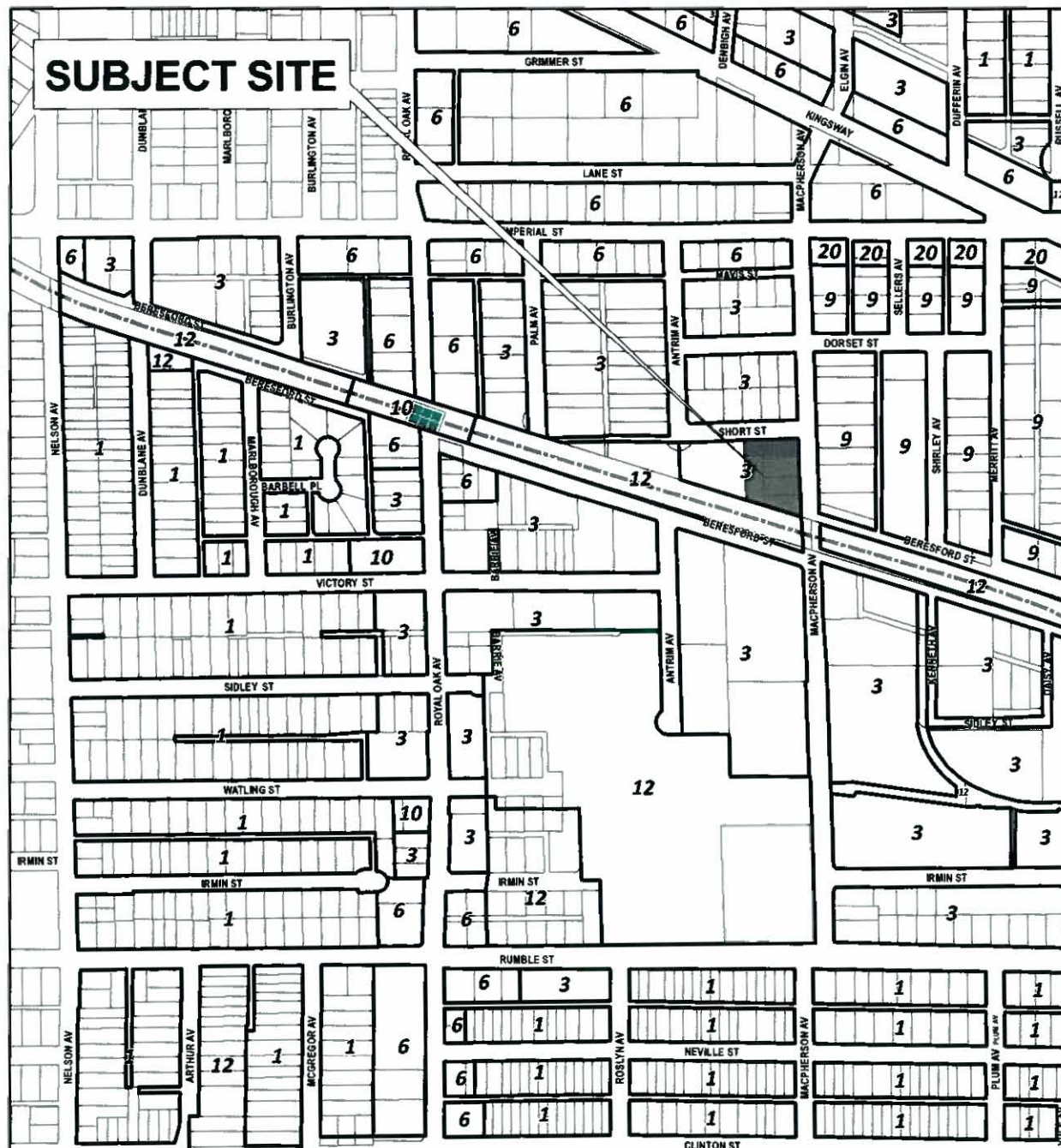


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REZONING REFERENCE #13 -- 31
7011, 7029 AND 7087 MACPHERSON AVENUE
AND 5558 SHORT STREET

 Subject Site

Sketch #1



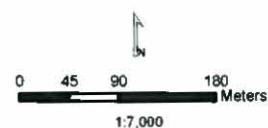
Royal Oak Community Plan Land Use

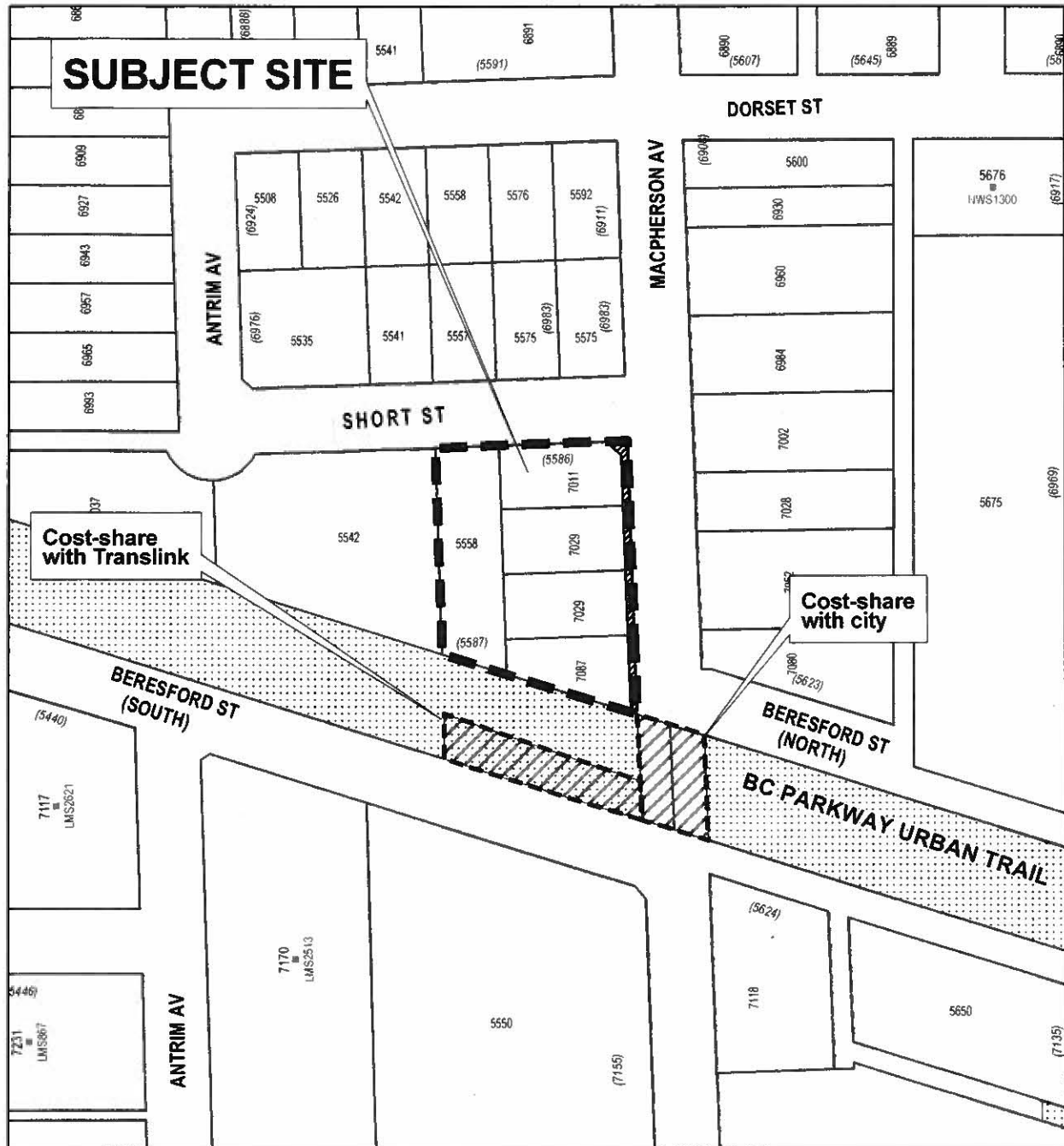


PLANNING & BUILDING DEPARTMENT

General Land Use Designation Key

- 1 Single and Two Family Residential
- 3 Medium Density Multiple Family Residential
- 5 Commercial
- 6 Medium Density Mixed Use
- 9 Industrial
- 10 Institutional
- 12 Park and Public Use
- 20 Industrial and Commercial Mixed Use






PLANNING & BUILDING DEPARTMENT



DATE:	JUL 09 2014
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REZONING REFERENCE #13 -- 31
REQUIRED OFF-SITE IMPROVEMENTS
 7011, 7029 AND 7087 MACPHERSON AVENUE
 AND 5558 SHORT STREET

 Subject Site