



Item .....
Meeting ..... 2015 March 30

COUNCIL REPORT

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**TO:** CITY MANAGER 2015 March 25

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #13-30**  
**Townhouse Development with Under-unit Parking**  
**Canada Way and Claude Avenue Area Plan**

**ADDRESS:** 5037, 5057 and 5067 Claude Avenue (*attached* Sketches #1 and #2)

**LEGAL:** Westerly Half of Lot 9 Except: The Westerly 75 Feet; DL 85, Group 1, NWD Plan 3304; West Half of the Easterly Half Lot 9, DL 85, Group 1, NWD Plan 3304; East Half of the East Half Lot 9, DLs 79 & 85, Group 1, NWD Plan 3304

**FROM:** R4 Residential District

**TO:** CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Canada Way and Claude Avenue Area Plan guidelines and in accordance with the development plan entitled "Rayside Townhouse Development" prepared by Robert Jordan Kutev Architect Inc.)

**APPLICANT:** Jordan Kutev Architect Inc.  
180 – 2250 Boundary Road  
Burnaby, BC V5M 3Z3  
(Attn: Jordan Kutev)

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2015 April 28

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2015 April 13 and to a Public Hearing on 2015 April 28 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The submission of a suitable plan of development.
  - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a

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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 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 review of a detailed Sediment Control System by the Director Engineering.
- f) The pursuance of Stormwater Management Best Practices in line with established guidelines.
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
  - a Section 219 Covenant restricting the enclosure of balconies;
  - a Section 219 Covenant ensuring that all disabled parking remain as common property; and,
  - a Section 219 Covenant protecting the streamside protection and enhancement areas (SPEA).
- h) 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.
- i) The approval of the Ministry of Transportation to the rezoning application.
- j) The dedication of any rights-of-way deemed requisite.
- k) The deposit of the applicable Parkland Acquisition Charge.

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- l) The deposit of the applicable GVS & DD Sewerage Charge.
- m) The deposit of the applicable School Site Acquisition Charge.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) 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.

## **R E P O R T**

### **1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a 3-storey (27 unit) townhouse development with underground parking.

### **2.0 BACKGROUND**

- 2.1 The subject site, comprised of 5037, 5057 and 5067 Claude Avenue, and is identified within the adopted Canada Way and Claude Avenue Area Plan (Rayside) (see *attached* Sketch #2) for consolidation and medium density multiple-family residential redevelopment under the CD Comprehensive Development District (utilizing the RM2 District as a guideline).
- 2.2 Council, on 2013 November 25, 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 now submitted a plan of development suitable for presentation to a Public Hearing.
- 2.3 The adopted Plan designates a portion of the subject site for road and open space purposes, in order to realign Wilton Avenue to connect better to Claude Avenue. The subject site is influenced by Deer Lake Brook Tributary 1, a Class A watercourse which runs through and adjacent to the eastern portion of the site, which requires a 25 metre setback from the top of bank. As such, the applicant was required to apply to the City's Environmental Review Committee (ERC). At its 2014 January 29 meeting, the ERC

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determined that the planned road alignment would have substantial impact to the creek and that a superior environmental benefit could be obtained by leaving the roads in their current alignment and provide for greater habitat enhancements on the subject development site. As such, it was proposed that the roads be kept within their existing alignment, that a streamside protection and enhancement area (SPEA) be established on the development site, and that the development's setback from the existing top of bank of Deer Lake Brook Tributary 1 be varied from 25 metres to 20 meters. The ERC decision is supported by Transportation Planning staff based on anticipated traffic volumes and the limited role of the road in the City's broader transportation network. It should also be noted that site would be unable to develop under its designation in the plan if both the road realignment and standard streamside setbacks were required.

### **3.0 GENERAL COMMENTS**

- 3.1 The development proposal is for a 27 unit, three-storey stacked townhouse development with under-unit parking. The maximum density permitted under the RM2 District guideline is 0.7 F.A.R.
- 3.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site including, but not necessarily limited to:
- the construction of Claude Avenue to its final standard with a concrete curb and gutter on both sides, a separated sidewalk, boulevard grassing and street trees on the south side and an urban trail on the north side; and,
  - the construction of Wilton Avenue to its final standard with concrete curb and gutter, separated sidewalks, boulevard grassing and street trees on both sides of the street.
- 3.3 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 restricting ensuring that all disabled parking remain as common property;
  - Section 219 Covenant protecting the streamside protection and enhancement areas (SPEA);
  - a Statutory right of way for access to the creek and sewer lines for maintenance purposes; and,
  - a Section 219 Covenant ensuring compliance with the approved acoustic study .
- 3.4 A 3x 3 metre corner truncation at the northeastern corner of the site is required.
- 3.5 As the site is influenced by traffic noise from the Trans-Canada Highway, an acoustical report will need to be undertaken to ensure compliance with Council-adopted sound criteria.

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- 3.6 One car wash stall and an appropriately screened garbage handling and recycling holding area will be provided on site.
- 3.7 Engineering Environmental Services Division will need to review the 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.
- 3.8 The developer is responsible for the undergrounding of wiring on the south side of Claude Avenue, abutting the site.
- 3.9 Applicable Development Cost Charges are:
  - a) Parkland Acquisition Charge of \$3.84 per sq. ft. of gross floor area.
  - b) GVS & DD Sewerage Charge of \$1,515 per dwelling unit.
  - c) School Site Acquisition Charge of \$800 per unit.
- 3.10. 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.

#### 4.0 DEVELOPMENT PROPOSAL

- 4.1 Gross Site Area: - 5,229.4 m<sup>2</sup> (56,289 sq.ft.)  
 Dedications - 4.5 m<sup>2</sup> (48.5 sq.ft.)  
 Net Site Area - 5,224.9 m<sup>2</sup> (56,240.5 sq.ft.)  
 (Subject to detailed survey)
  - 4.2 Density:  
 F.A.R. - 0.66 F.A.R.  
 Total Floor Area - 3,429.6 m<sup>2</sup> (36,916 sq.ft.)  
Site Coverage: - 26.7 %
  - 4.3 Height: - 3 Storeys
  - 4.4 Unit Mix:
    - 12 – 2 Bedroom and den units - 110.0 – 115.9 m<sup>2</sup> (1,184 sq.ft – 1,247 sq.ft.)
    - 15 – 3 Bedroom and den units - 126.9 m<sup>2</sup> to 146.0 m<sup>2</sup> (1,366 sq.ft. to 1,572 sq.ft.)
- 27 Total units**

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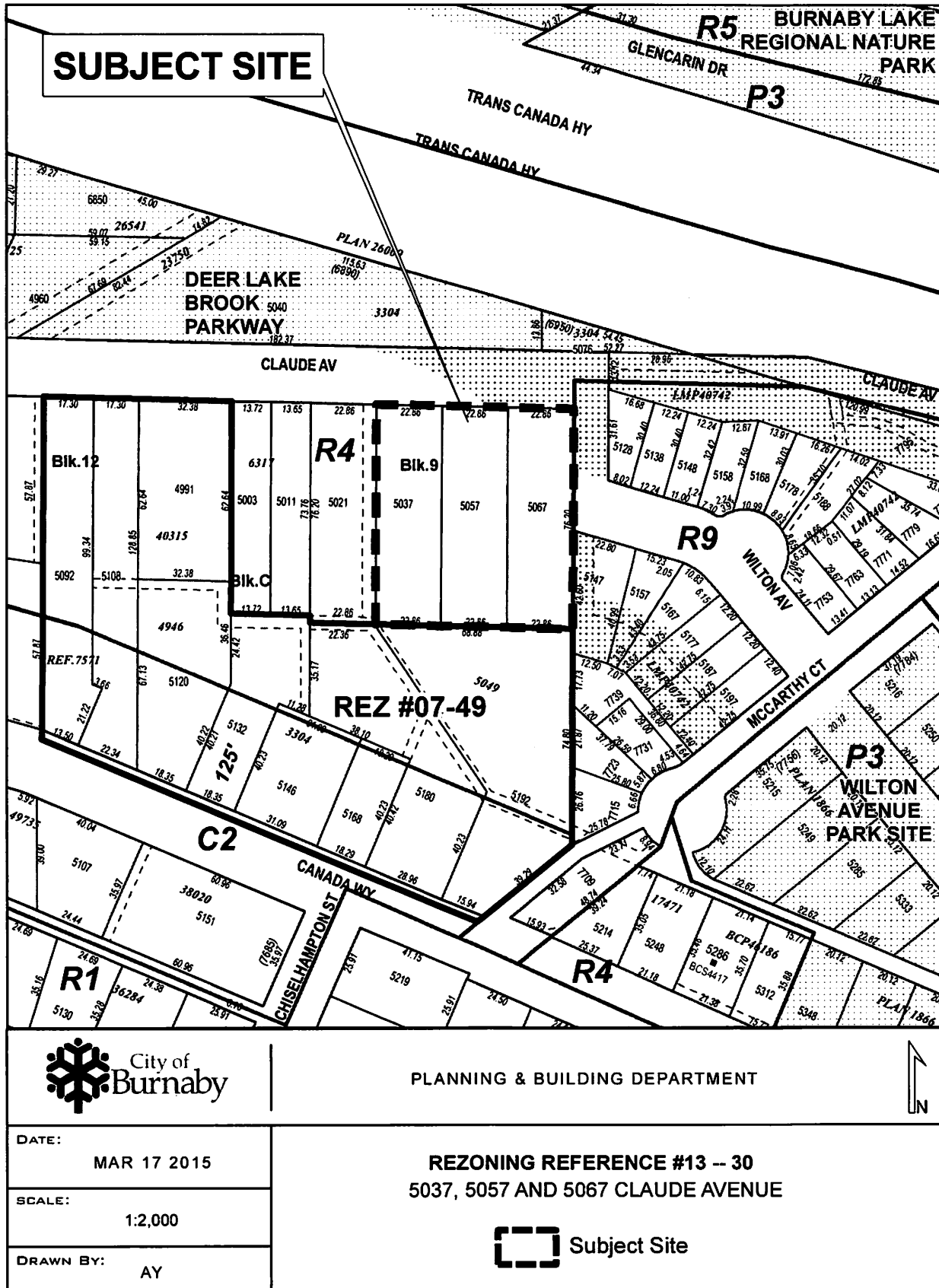
4.5	<u>Parking:</u>		<u>Required</u>	<u>Provided</u>
	<b>Vehicle Parking:</b>			
	Required Resident Parking 1.5/ unit (Tandem @ 1.5 for 2 tandem)	-	41 spaces	41 spaces (54 tandem = 41)
	Required Visitor Parking 0.25/unit (including one combined visitor/carwash space)	-	7 spaces	7 spaces
	<b>Bicycle Parking:</b>			
	Secure Residential @ 1 /unit	-	27 spaces	27 spaces
	Visitors racks @ 0.2 spaces/unit	-	6 in racks	6 in racks

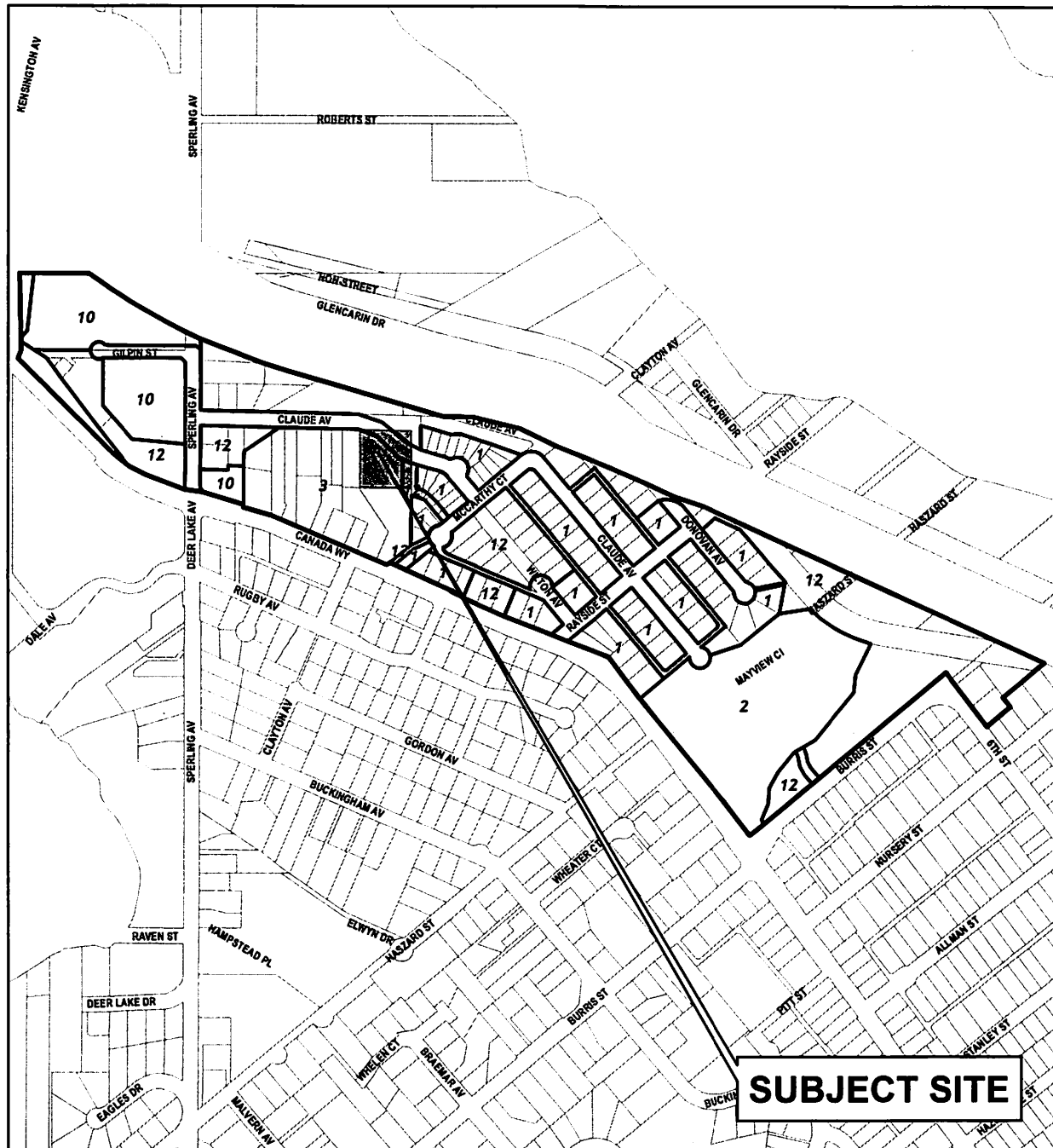
  
Lou Pelletier, Director  
PLANNING AND BUILDING

DR:tn

***Attachments***

cc: Director Engineering  
City Solicitor  
City Clerk





*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

