

TO: CITY MANAGER 2017 March 22

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-17**
Apartment Development with Underground Parking
Broadview Community Plan

ADDRESS: 3737 Canada Way, 3748 Norfolk Street, and abutting lane and Esmond Avenue road rights-of-way (see *attached* Sketches #1 and #2)

LEGAL: Lot 7, DL 69, Group 1, NWD Plan 4369; Lot 2, DL 69, Group 1, NWD Plan LMP7656

FROM: CD Comprehensive Development District (based on RM3/RM4 Multiple Family Residential Districts), C4 Service Commercial District and R5 Residential District

TO: Amended CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Broadview Community Plan guidelines and the development plan entitled "Residential Bldg. 3737 Canada Way, Burnaby, B.C." prepared by Gerry Blonski Architect.)

APPLICANT: Norfolk Terrace Holdings Ltd.
810 Greenwood Road
West Vancouver, B.C. V7S 1X7
Attn: Abdul Ladha

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2017 April 25.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2017 April 03 and to a Public Hearing on 2017 April 25 at 7:00 p.m.
2. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.3 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. **THAT** the sale be approved in principle of City-owned property for inclusion within the subject development site in accordance with the terms outlined in Section 3.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.

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4. **THAT** the following be established as prerequisites to the completion of the rezoning:

- a. The submission of a suitable plan of development.
- b. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c. The 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 completion of the Highway Closure Bylaw.
- e. The completion of the sale of City property.
- f. The consolidation of the net project site into one legal parcel.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants, including but not necessarily limited to:
 - Section 219 Covenant requiring all disabled parking be held as common property;
 - Section 219 Covenant restricting the enclosure of balconies;
 - Section 219 Covenant ensuring compliance with the submitted acoustical analysis; and,
 - Section 219 Covenant ensuring provision, operation and continuing maintenance of the public walkway as identified on the development plans.
- h. The undergrounding of existing overhead wiring abutting the site.
- i. Compliance with the guidelines for underground parking for residential visitors.
- j. The pursuance of Stormwater Management Best Practices in line with established guidelines.
- k. The design and provision of units adaptable to persons with disabilities and the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person, with an allocated disabled parking space protected by a Section 219 Covenant.

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- l. The submission of a Site Profile and resolution of any arising requirements.
- m. The review of a detailed Sediment Control System by the Director Engineering.
- 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 provision of facilities for cyclists in accordance with Section 4.7 of the rezoning report.
- p. Compliance with the Council-adopted sound criteria.
- q. The approval of the Ministry of Transportation to the rezoning application.
- r. The undergrounding of existing overhead wiring abutting the site.
- 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.

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 four-storey apartment development with 43 units and full underground parking.

2.0 BACKGROUND

- 2.1 The site is comprised of a vacant commercial lot at 3737 Canada Way, a vacant City-owned lot at 3748 Norfolk Street, the redundant lane right-of-way north of 3737 Canada Way, and the redundant portion of Esmond Avenue road right-of-way between Canada

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Way and Norfolk Street (see *attached* Sketch #1). The southern half of the redundant Esmond Avenue road right-of-way currently accommodates a parking lot, while the northern portion contains an asphalt pedestrian walkway. Immediately to the west, as well as north and northeast across Norfolk Street, are low-rise apartment buildings developed in accordance with the Council-adopted Plan. Abutting the proposed site to the east is a vacant City-owned lot at 3754 Norfolk Street, and a small two-storey commercial building at 3757 Canada Way which would form a future consolidation for a four-storey mixed use development in accordance with the Council-adopted Plan. Vehicular access to the site is currently from Canada Way.

- 2.2 The subject site is located within the Council-adopted Broadview Community Plan area, and is designated for low-rise multiple-family development under the CD Comprehensive Development District based on the RM3 Multiple Family Residential District as a guideline (see Sketch #2 *attached*).
- 2.3 On 2016 May 30, Council received the report of the Planning and Building Department concerning the rezoning of the subject site and authorized the Department to continue to work with the applicant in the preparation of a suitable plan of development, with the understanding that a further and more detailed report would be submitted at a later date.

The applicant has submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The development proposal is for a four-storey apartment development with 43 units. The maximum proposed density of the project is 1.1 F.A.R with full underground parking. Vehicular access is to be provided from Norfolk Street.
- 3.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:
- Construction of new curb, gutter and a separated sidewalk with boulevard grass and street trees along the Norfolk Street frontage;
 - A detailed road geometric for Canada Way, from Boundary Road to Smith Avenue, in order to determine the final road standard adjacent to the site will be required; and,
 - A 6.1 m wide statutory right-of-way along the eastern edge of the site between Norfolk Street and Canada Way will be required for underground services, and provision of a public pedestrian walkway with lighting, to be constructed by the developer, and maintained by the future strata corporation.

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A road widening dedication from 3737 Canada Way measuring 7.6 m at the west end tapering to 7.3 m at the east end will be required to replace the existing statutory right-of-way, that currently accommodates road, sidewalk, and boulevard works.

- 3.3 The property at 3748 Norfolk Street is City-owned and is intended to be sold to the applicant and consolidated into the proposed development site as a requirement of the subject rezoning. The property has an area of approximately 1,143 m² (12,303 sq.ft.) (subject to detailed survey). The completion of the sale of City-owned property is a prerequisite of this rezoning application. The Realty and Lands Division of the Public Safety and Community Services Department will determine a recommended purchase price for the City-owned property, which will be submitted to Council for its consideration and approval as part of a future report prior to Third Reading of the rezoning bylaw amendment.

The proposed development site encompasses the closure of a redundant east-west lane right-of-way and a portion of the Esmond Avenue road right-of-way for inclusion in the proposed development site. The proposed road closure area to be sold to the applicant is approximately 1,154 m² (12,422 sq.ft.) after required road dedications of approximately 147.9 m² (1,592 sq.ft.) (subject to detailed survey). A Highway Closure Bylaw will be required, contingent upon the granting by Council of Second Reading of the Subject Rezoning Bylaw. The Realty and Lands Division will determine a recommended purchase price for the City-owned property, which will be submitted to Council for its consideration and approval as part of a future report prior to Third Reading of the rezoning bylaw amendment.

- 3.4 In line with Council-adopted policy on adaptable housing, the development is providing eight adaptable units, with a corresponding floor area exemption of 14.9 m² (160 sq.ft.). One disabled accessible parking stall will be provided in accordance with the Zoning Bylaw. The disabled accessible parking stall will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.
- 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 requiring all disabled parking be held as common property;
 - Section 219 Covenant restricting the enclosure of balconies;
 - Section 219 Covenant ensuring compliance with the submitted acoustical analysis; and,
 - Section 219 Covenant ensuring provision, operation and continuing maintenance of the public walkway as identified on the development plans.
- 3.6 In light of the proximity to Canada Way, a noise study is required to ensure compliance with the Council-adopted sound criteria.

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- 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 applicant is responsible for the undergrounding of overhead wiring along the east side of the site, from Norfolk Street to the redundant lane right-of-way.
- 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 Given that the development site area is less than one acre, stormwater management best practices in line with established guidelines will be required.
- 3.11 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 \$590 per unit
- 3.12 Due to the commercial history of the site, a site profile and resolution of any resultant conditions is required.
- 3.13 Due to the development footprint and provision of underground parking, there are no trees suitable for retention on the subject site. The removal of any trees over 20 cm (8 in.) in diameter will require a Tree Cutting Permit.

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area (Subject to detailed survey)

Gross Site (Includes road and lane areas)	-	3,073.6 m ² (33,084 sq.ft.)
Road and Lane Closure Area	-	1,301.9 m ² (14,014 sq.ft.)
Road Dedication	-	147.9 m ² (1,592 sq.ft.)
Net Site	-	2,925.7 m ² (31,492 sq.ft.)

4.2 Density and Gross Floor Area

Floor Area Ratio	-	1.1 F.A.R.
Gross Floor Area	-	3,218.3 m ² (34,641 sq.ft.)

4.3 Site Coverage - 30 %

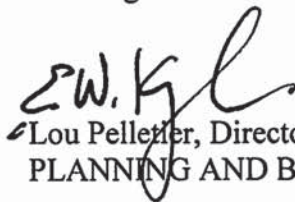
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- 4.4 **Height**
- 4 Storeys (Canada Way Frontage)
 - 3 Storeys (Norfolk Street Frontage)
- 4.5 **Unit Mix**
- 4 studio units: - 40.1 m² (432 sq.ft.)
 - 22 one-bedroom: - 56.1 – 56.9 m² (604 sq.ft.) – (612 sq.ft.)
 - 17 two-bedrooms: - 71.8 – 105.4 m² (773 sq.ft.) – (1,134 sq.ft.)
 - 43 Total Units
- 4.6 **Vehicle Parking**
- Vehicle @ 1.6 spaces / unit - 71 (includes 11 visitor spaces)
 - Disabled Space - 1 space (included in total)
 - Car Wash Stall - 1 space
- 4.7 **Bicycle Parking**
- Secure Residential @ 1 space / unit - 43
 - Visitor Racks @ 0.2 spaces / unit - 9

4.8 **Communal Facilities**

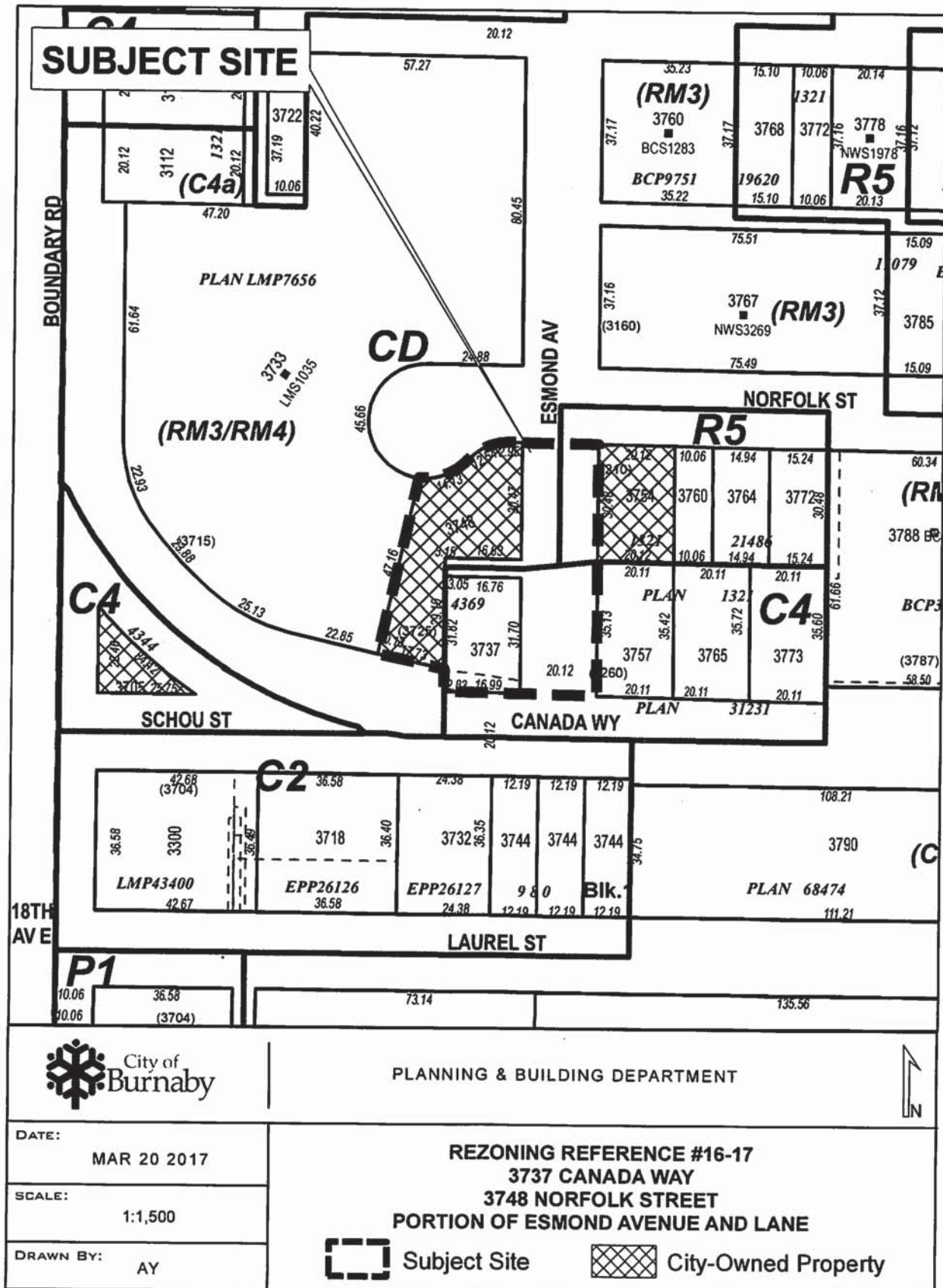
Communal facilities are proposed for the ground floor in the form of a common room and outdoor patio. The proposed 69.2 m² (745 sq.ft.) of gross floor area to be exempted from F.A.R. calculations, is below the permitted maximum exemption of 5% of the permitted gross floor area, or 160.9 m² (1,732 sq.ft.) permitted in the Zoning Bylaw.


Lou Pelletier, Director
PLANNING AND BUILDING

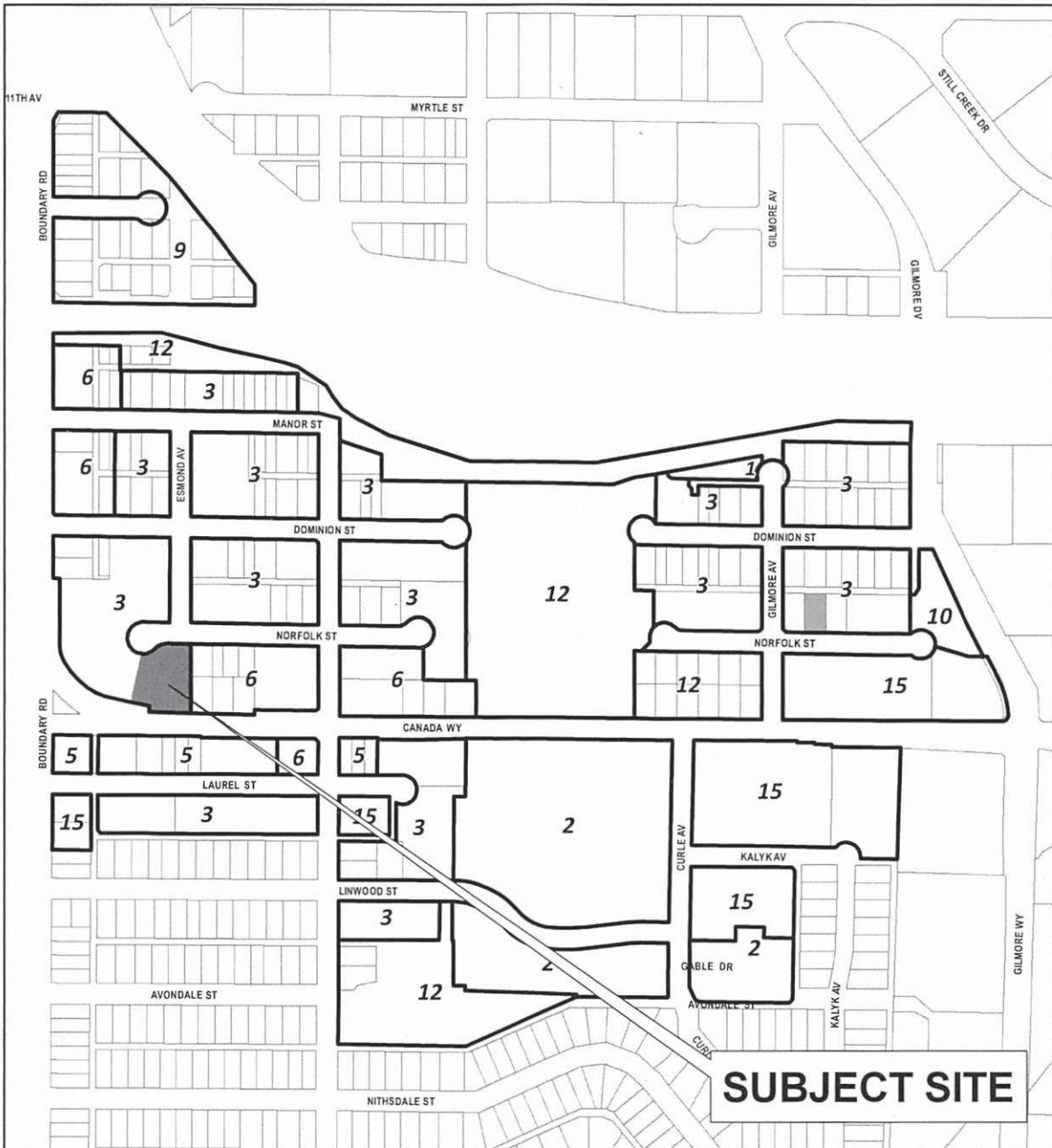
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Attachments

cc: Director Engineering
City Solicitor
City Clerk



Sketch #1



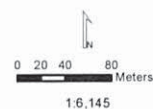
General Land Use Designations

- | | |
|--|--------------------------------------|
| 1 Single and Two Family Residential | 9 Industrial |
| 2 Low Density Multiple Family Residential | 10 Institutional |
| 3 Medium Density Multiple Family Residential | 12 Park and Public Use/Public School |
| 5 Commercial | 15 Community Institutional |
| 6 Medium Density Mixed Use | |



Planning and Building Dept

Broadview Community Plan (Community Plan Eight)



Printed on March 13, 2017

Sketch #2