



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.

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 m² (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.

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- 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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- 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.

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 three-storey stacked townhouse development (124 units) with full underground parking.

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 m² (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.

- 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 m² (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 Site Area - 13,751.53 m² (148,020 sq.ft.)

4.2 Density

FAR Permitted and Provided	-	1.1 FAR
Gross Floor Area (GFA) Permitted	-	15,126.7 m ² (162,822 sq.ft.)
Gross Floor Area (GFA) Provided	-	15,071.5 m ² (162,228 sq.ft.)
Adaptable Unit Exemption (20 sq. ft./unit)	-	11.2 m ² (120 sq. ft.)
Amenity Space Exemption	-	230.02 m ² (2,476 sq. ft.)
Site Coverage	-	33.4 %

4.3 Height - 3 Storeys

4.4 Unit Mix

48	Two-bedroom units:	-	92.6 m ² (997 sq.ft.)
24	Two-bedroom + den units:	-	83.3 – 83.6 m ² (897 – 900 sq.ft.)
52	Three-bedroom units:	-	165.9 – 168.0 m ² (1,786 - 1,808 sq.ft.)

Total Number Of Units - **124 units** (inclusive of 6 adaptable units)

4.5 Vehicle Parking and Loading

Residential @ 1.75 spaces/unit		<u>Required</u>	<u>Provided</u>
	-	217	220 (incl. 31 visitor parking spaces)

Total Parking Provided - **220**

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

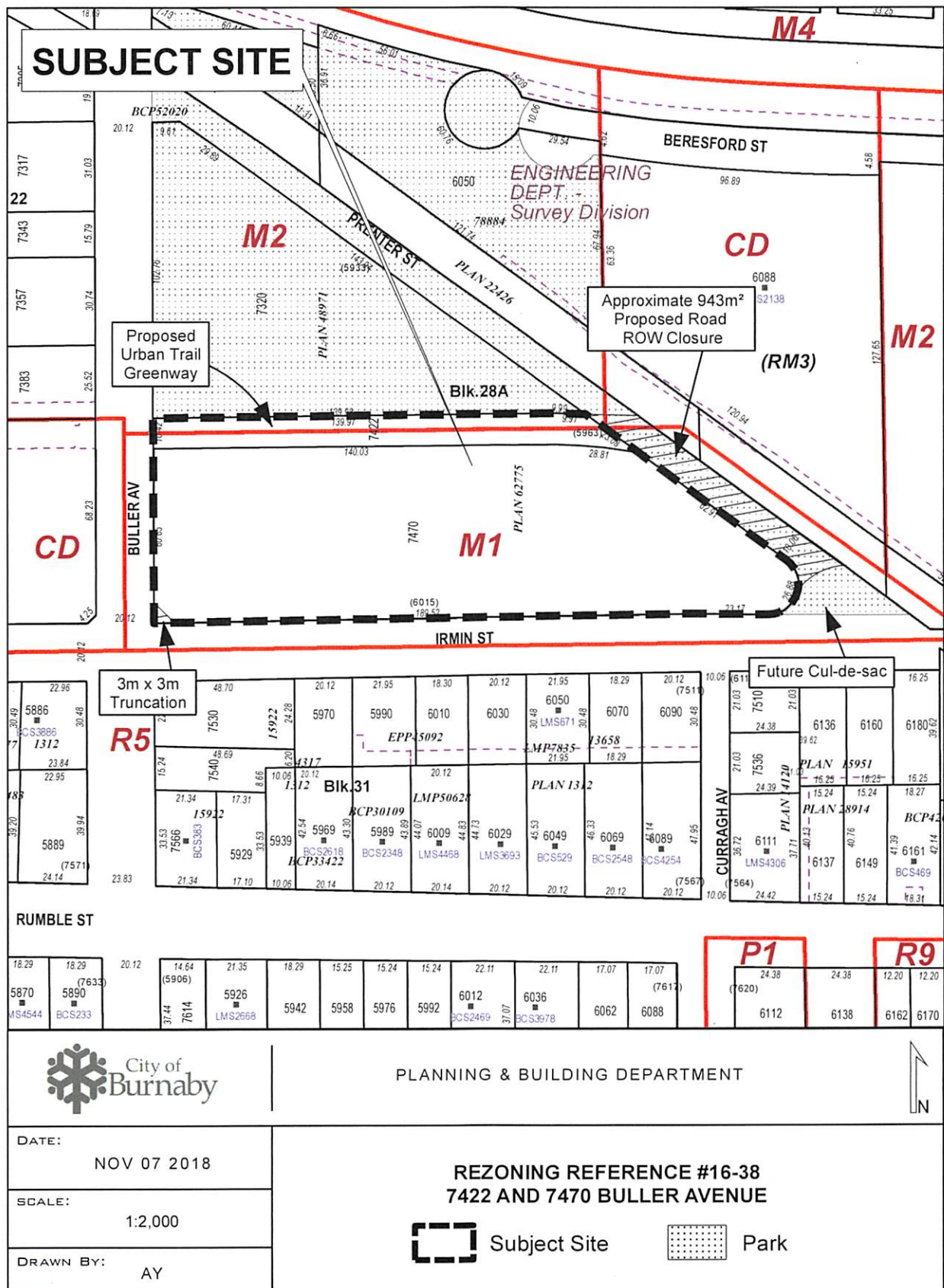
4.7 Communal Facilities (*Excluded from FAR Calculations*)

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 m² (2,476 sq. ft.), which is less than the 765.6 m² (8,241 sq.ft.) permitted to be excluded from Gross Floor Area (GFA) by the Zoning Bylaw.

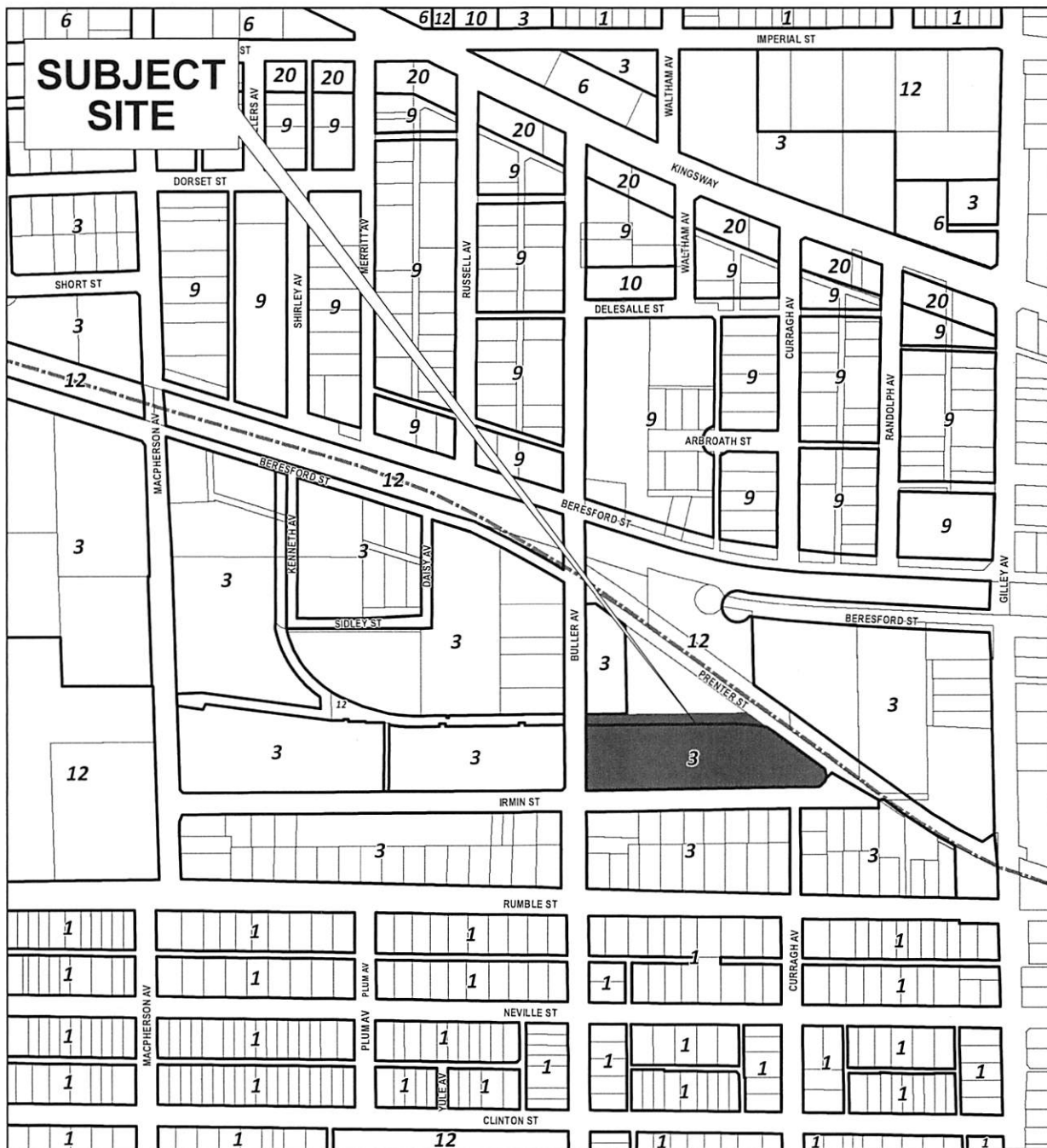

Lou Pelletier, Director
PLANNING AND BUILDING

GT:rh
Attachments

cc: City Solicitor
City Clerk



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

