

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #19-50 2019 NOVEMBER 27

ITEM #02

1.0 GENERAL INFORMATION

- 1.1 Applicant:** B.E.S. Investments Ltd.
#202 – 5623 Imperial Drive
Burnaby, BC V5J 1G1
Attention: Stan Milacek
- 1.2 Subject:** Application for the rezoning of:
Lot 1, DL 94, Group 1, NWD Plan LMP38145
- From:** C4 Service Commercial District
- To:** CD Comprehensive Development District (based on C9 Urban Village Commercial District and RM3r Multiple Family Residential District)
- 1.3 Address:** 5609 Imperial Street
- 1.4 Location:** The subject site is located on the northeast corner of Imperial Street and MacPherson Avenue (Sketch #1 *attached*).
- 1.5 Size:** The site is rectangular in shape with a width of approximately 55.44 m (182 ft.), a depth of approximately 40.46 m (133 ft.), and an area of approximately 2,240 m² (24,111 sq. ft.) (subject to legal survey).
- 1.6 Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit construction of a mixed-use commercial and residential development.

2.0 POLICY FRAMEWORK

The subject rezoning proposal is in line with the mixed-use designation of the Council-adopted Royal Oak Community Plan. The advancement of the proposed zoning bylaw amendment also aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Social connection - Enhance social connections throughout Burnaby.
- Geographic connection - Ensure that people can move easily through all areas of Burnaby,

using any form of transportation.

A Healthy Community

- Healthy life - Encourage opportunities for healthy living and well-being.

A Dynamic Community

- Economic opportunity - Foster an environment that attracts new and supports existing jobs, businesses and industries.

3.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site is located on the northeast corner of Imperial Street and MacPherson Avenue (see *attached* Sketch #1), and is comprised of one property zoned C4 Service Commercial District. Vehicular access to the site is currently provided from Imperial Street and Lane Street. The site currently accommodates an automotive repair business. The immediate area to the west across MacPherson Avenue, and the south across Imperial Street, is comprised of light industrial development. Immediately to the east, and north across Lane Street, is low-rise commercial development.

4.0 BACKGROUND INFORMATION

The subject site, located within the Council-adopted Royal Oak Community Plan area (see *attached* Sketch #2), is designated for mixed-use redevelopment, and intended for rezoning to the CD Comprehensive Development District based on C9 Urban Village Commercial District and RM3r Multiple Family Residential District guidelines.

5.0 GENERAL INFORMATION

- 5.1 The applicant is requesting to rezone the subject site from the C4 Service Commercial District to the Comprehensive Development District utilizing the C9 Urban Village Commercial District, RM3r Multiple Family Residential District, and Royal Oak Community Plan as guidelines. The purpose of this rezoning application is to permit the construction of a maximum six-storey mixed-use and mixed-tenure development.
- 5.2 The applicant, who is also the owner of the adjacent property at 5621 Imperial Street, has made efforts to include the properties at 5608 and 5640 Kingsway for inclusion in the desired four lot consolidation, but has indicated that the owners are not interested in selling at this time. Confirmation of the applicant's acquisition efforts will be required prior to advancing this application to a Public Hearing. It is noted that the remaining properties could form a separate future mixed-use development site on their own. Notwithstanding, it is recommended that a copy of this report be sent to the property owners of 5608 and 5640 Kingsway for their information.

- 5.3 In line with Council's recently adopted *Rental Use Zoning Policy and Initial Implementation Framework*, the applicant is required to provide inclusionary units equivalent to 20% of the total number of market units generated from the C9 District as rental housing. In order to achieve this requirement, the inclusion of the RM3r District is proposed (Stream 2 – Inclusionary Rental).

Under the adopted policy, utilization of the RM3r District density that is surplus to the rental housing obligation is at the discretion of Council. If granted, the units derived from this density would have their rents tied to Residential Tenancy Act maximum increases, including following a change in tenancy. This arrangement would be secured through a Housing Agreement. The details of the rental component of the development, and its level of affordability, will be included in a future report to Council.

The total density ultimately achieved on the site shall be determined as part of a suitable plan of development, which would provide for an appropriate building design and height in relation to the site's context, not to exceed six-storeys in form.

- 5.4 The Director Engineering will be requested to provide an estimate for all services necessary to serve this site. Servicing requirements will include, but not necessarily be limited to:
- construction of Imperial Street to it's final standard with new curb and gutter, separated sidewalks, street trees, street lighting, and pedestrian lighting across the development's frontage; and,
 - construction of MacPherson Avenue to it's final Standard with new curb and gutter, separated sidewalks, street trees, street lighting and pedestrian lighting across the development's frontage

The requirement for any necessary road dedications and statutory rights-of-ways will be determined by way of detailed road geometrics prepared by the Planning Department, and will be outlined in a future report to Council.

- 5.5 Undergrounding of the existing overhead wires abutting the site along MacPherson Avenue is required.
- 5.6 There are no trees present on-site suitable for preservation.
- 5.7 As the site is affected by traffic noise from Imperial Street, an acoustical study will be required to ensure compliance with Council-adopted sound criteria.
- 5.8 Required Section 219 Covenants will include, but not be limited to:
- restricting the enclosure of balconies;
 - retaining disabled parking as common property;
 - ensuring compliance with the approved acoustical study; and,
 - ensuring the rental units are not stratified.

- 5.9 Given the site's current commercial use, a Site Profile will be required to be submitted and resolution of any arising requirements is required.
- 5.10 Given the size of the site, best management practices are acceptable in lieu of a formal Stormwater Management Plan.
- 5.11 Approval by the Engineering Environmental Services Division of a suitable solid waste facility plan will be required.
- 5.12 Registration of a Housing Covenant and a Housing Agreement to protect and regulate the affordability measures of the affordable rental units will be required.
- 5.13 The provision of a car wash stall will be required. A detailed plan of the subject facility will need to be submitted to the Engineering Environmental Services Division for approval.
- 5.14 The submission of a commercial loading plan to the approval of the Director Engineering will be required.
- 5.15 Detailed plans for an engineered sediment control system to the approval of the Director Engineering will be required.
- 5.16 Applicable development cost charges include:
 - Parkland Acquisition Cost Charge;
 - School Site Acquisition Cost Charge;
 - GVS & DD Sewerage Cost Charge; and,
 - Regional Transportation Development Cost Charge.
- 5.17 The proposed prerequisite conditions to the rezoning will be included in a future report.

6.0 RECOMMENDATIONS

1. **THAT** the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.
2. **THAT** a copy of this report be sent to the owners of 5608 and 5640 Kingsway.

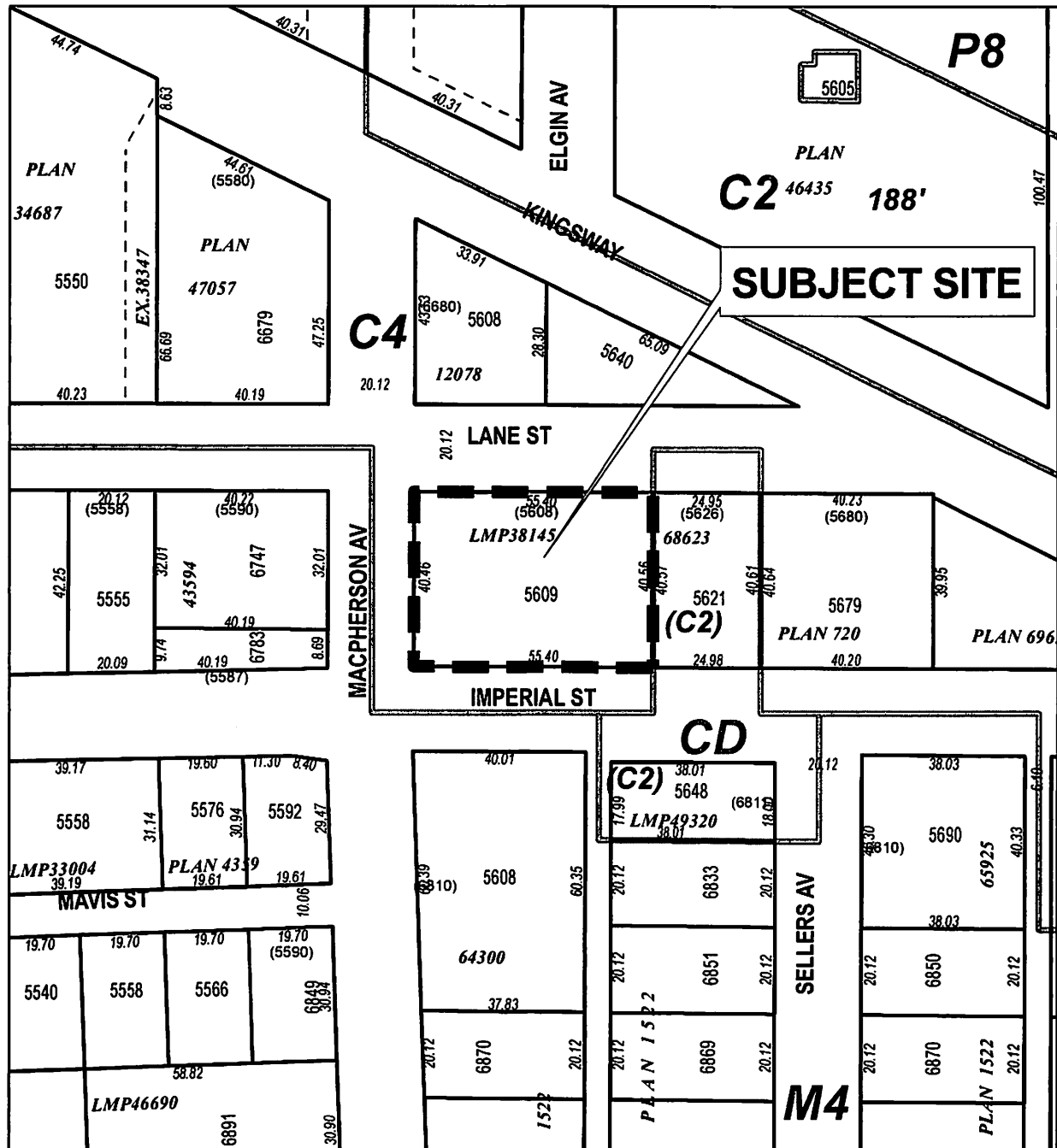
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SMN:rh

Attachments

cc: City Solicitor
City Clerk

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PLANNING & BUILDING DEPARTMENT




Date:
NOV 19 2019

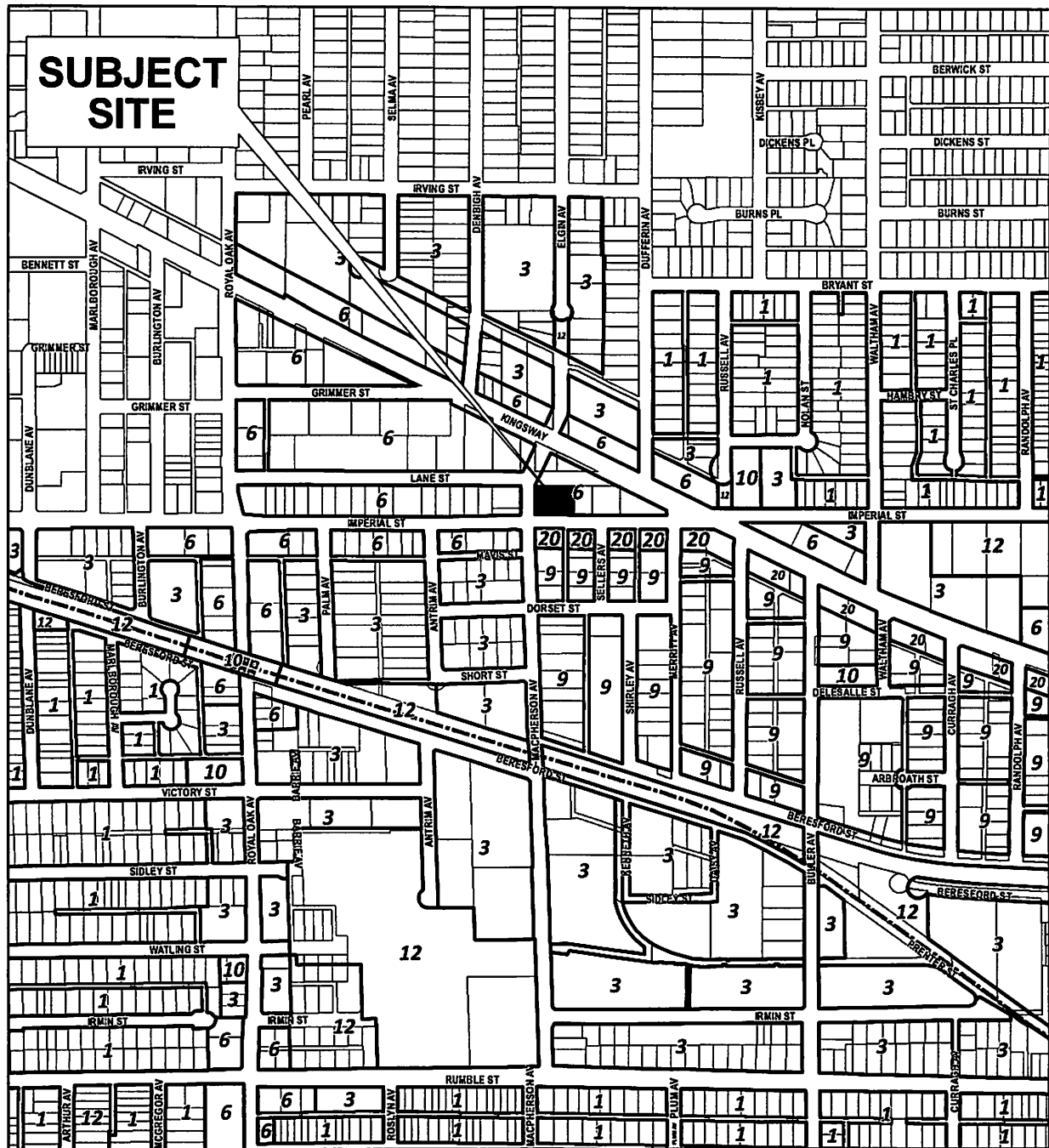
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Drawn By:
JS

REZONING REFERENCE #19-50
5609 IMPERIAL ST

 Subject Site

Sketch #1



Royal Oak Community Plan Land Use

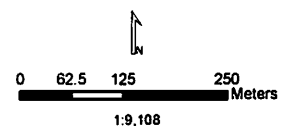


City of
Burnaby

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



B. E. S. INVESTMENTS LTD.

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Tel: 604-438-3543

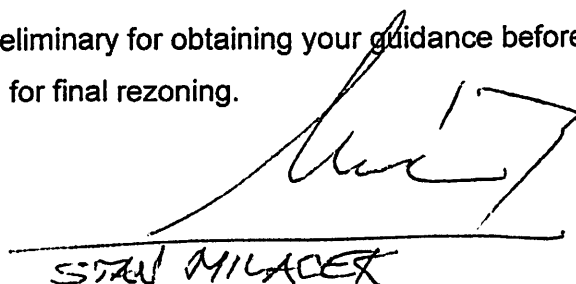
September 24, 2019

Our File – BES General

SUBJECT: REZONING OF 5609 IMPERIAL ST., BURNABY, BC

1. We as the Owners of the above address property wish to apply for rezoning from Service Commercial District C4 to Urban Village Commercial District CD9.
2. At the present time, there is an auto body repair business (except of painting) at this property. The existing building is 561 sq m on 2,243 sq m site, coverage is only 25%, as such the property is highly underutilized, not economical, and the physical building is near end of its life.
3. Existing lease to Craftsman Collision is subject to 12 month termination demolition notice.
4. The best and highest use of the property is to develop a commercial/residential building under C9 Planning Department guidelines.
5. Enclosed copies of reduced drawings:
 - Site Plan – Main Floor Plan
 - 2nd – 6th Storey Plan
 - Underground Parking
 - And current Title Search

Drawings must be qualified as preliminary for obtaining your guidance before the digital drawing can be completed for final rezoning.



STAN MILACEK