

Item	1
Manager's Report No.	3
Council Meeting	24/11/0

TO: CITY MANAGER 2003 NOVEMBER 14

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #02-49
Townhouse Development
Royal Oak Community Plan

ADDRESS: 7310 & 7370 MacPherson Avenue and 7409 Buller Avenue

LEGAL: Lots 1 & 2, D.L. 97, Group 1, NWD Plan 66523; PCL 1 (Ref. Plan 17228) of Parcel J Except: Parcel K (Exp. Plan 26138), D.L. 97, Group 1, NWD Plan 11426.

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 in accordance with the development plan entitled "MacPherson Townhomes" prepared by Chris Dikeakos Architects Inc.)

APPLICANT: Aragon Development Corp.
201 - 1628 West 1st Avenue, Vancouver, B.C.
V6J 1G1 (Att: Mr. Thomas Woo)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2003 December 16.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2003 December 01, and to a Public Hearing on 2003 December 16 at 7:30 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 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. Removal of all existing improvements from the site, but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable, and a hazard to life, the Fire Prevention Division may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading.
- e. Provision of urban trails with public access protected through a statutory right-of-way adjacent to both the southern property line and Kenneth Avenue.
- f. Completion of the purchase of a portion of 7409 Buller Avenue by the City with the developer constructing an urban trail connection over the City-owned portion of 7409 Buller Avenue to an interim (gravel) standard.
- g. The consolidation of the net project site into one legal parcel.
- h. The granting of any necessary easements and covenants.
- i. The dedication of any rights-of-way deemed requisite.
- j. The undergrounding of existing overhead wiring abutting the site.
- k. The retention of identified existing trees on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
- l. 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.
- m. Compliance with the Council-adopted sound criteria.
- n. The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.

- o. The deposit of the applicable Parkland Acquisition Charge.
- p. The deposit of the applicable GVS & DD Sewerage Charge.
- q. The deposit of the applicable School Site Acquisition Charge.
- r. The granting of a 219 Covenant restricting enclosure of balconies.
- s. The submission of a Site Profile and resolution of any arising requirements.
- t. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a 219 Covenant to guarantee its provision and continuing operation.
- u. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- 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 a townhouse development having 170 units.

2.0 **BACKGROUND**

The site is located within the adopted Royal Oak Community Plan area, and includes two lots with industrial buildings fronting on MacPherson Avenue, as well the undeveloped former rail right-of-way (see **attached** Sketches #1 and #2).

The site slopes down gently to the south, and has some trees on the former rail right-of-way portion.

Directly adjacent to the site to the north, east and south (beyond the former rail right-of-way) are large industrial buildings, while to the west across MacPherson Avenue is Burnaby South Secondary School and the City-owned MacPherson Convention Centre site. To the southwest, also across MacPherson Avenue, is MacPherson Park East.

On 2003 January 27, 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 now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

3.1 The adopted Royal Oak Community Plan designates the subject site for low-rise multiple family development based on RM3 density, in addition to greenway development on the former rail spur line. The proposed land assembly, use and density are consistent with the Plan.

3.2 The proposed site assembly and rezoning involves the City's acquisition of the eastern portion of the former rail spur line totalling about 27,506 sq.ft. addressed as 7409 Buller Avenue. It is noted that authority to acquire the foregoing property was given by Council on 2003 October 20. The City property will be used for linear park/greenway purposes, involving urban trail development by the developer to an interim (gravel) standard. Funds from future adjacent developments will be used to finish the urban trail to a final standard, with a view to the City property eventually being sold and incorporated into future adjacent development sites. Acquisition of the portion of 7409 Buller Avenue is subject to the applicant pursuing the rezoning proposal to completion.

3.3 Servicing will include, but not necessarily be limited to:

- provision of a separated sidewalk with street trees and boulevard grassing on the abutting MacPherson and Kenneth Avenues;
- a 1.5m dedication on MacPherson Avenue for separated sidewalks, and a 10.06 m dedication on the portion of Kenneth Avenue abutting the site; and
- greenway urban trail development on the former rail spur line including provision of asphalt, lighted trails.
- interim (gravel) urban trail development on the proposed City-owned portion of 7409 Buller Avenue, subject to the developer fully remediating the property (including removal of rail tracks) to Certificate of Compliance standards in accordance with the Waste Management Act.

- 3.4 Vehicular access will be from MacPherson Avenue at the southwest end of the site.
- 3.5 Due to the proximity of the SkyTrain Line, a noise study is required to ensure compliance with Council-adopted sound criteria.
- 3.6 Parkland Acquisition, School Site Acquisition and GVS & DD Sewerage Cost Charges apply to this development.
- 3.7 The overhead lines abutting the site along MacPherson Avenue are to be undergrounded by the developer.
- 3.8 Approval by Engineering Environmental Services Division of a detailed plan of an engineered Sediment Control System will be a requirement of Preliminary Plan Approval.
- 3.9 A suitable engineered on-site stormwater management system is required. A 219 Covenant and any required bonding to guarantee its provision and continued operation will be provided.
- 3.10 Due to the industrial history of the site, a site profile and resolution of any resultant conditions is required.
- 3.11 Adequate facilities for garbage and recycling and a car wash space are to be provided.
- 3.12 A Section 219 covenant is required to ensure the retention of open balconies.

4.0 DEVELOPMENT PROPOSAL

- 4.1 Gross Site Area: - 19,404m² (208,869 sq.ft.)
Dedications: - 857m² (9,224 sq.ft.)
City Parcel: - 2,555m² (27,506 sq.ft.)
Net Site Area: - 15,992m² (172,139 sq.ft.)
(subject to survey)
Site Coverage: - 39.9%
- 4.2 Density
F.A.R. Permitted & Provided - 1.0 F.A.R.
Gross Floor Area - 15,992 m²/172,139 sq.ft.
(excludes 3,000 sq. ft. of amenity space)
- 4.3 Height - 3 and 4 storeys

4.4 Unit Mix

22 - 1 Bedroom	-	576 - 585 sq.ft.
108 - 2 Bedroom	-	709 - 1,194 sq.ft.
26 - 3 Bedroom	-	1,122 - 1,262 sq.ft.
14 - 4 Bedroom	-	1,477 sq.ft.

Total: 170 townhouse units

4.5 Vehicle Parking:

Required (1.75 spaces/unit): - 298 spaces (including 43 visitors spaces)
Provided: - 353 spaces (including 43 visitors spaces)

Bicycle Parking Provided:

Secure Resident Parking - 170 spaces
Visitor (Rack) Parking - 30 spaces

4.6 Common Facilities: - play area for small children, meeting space, media room

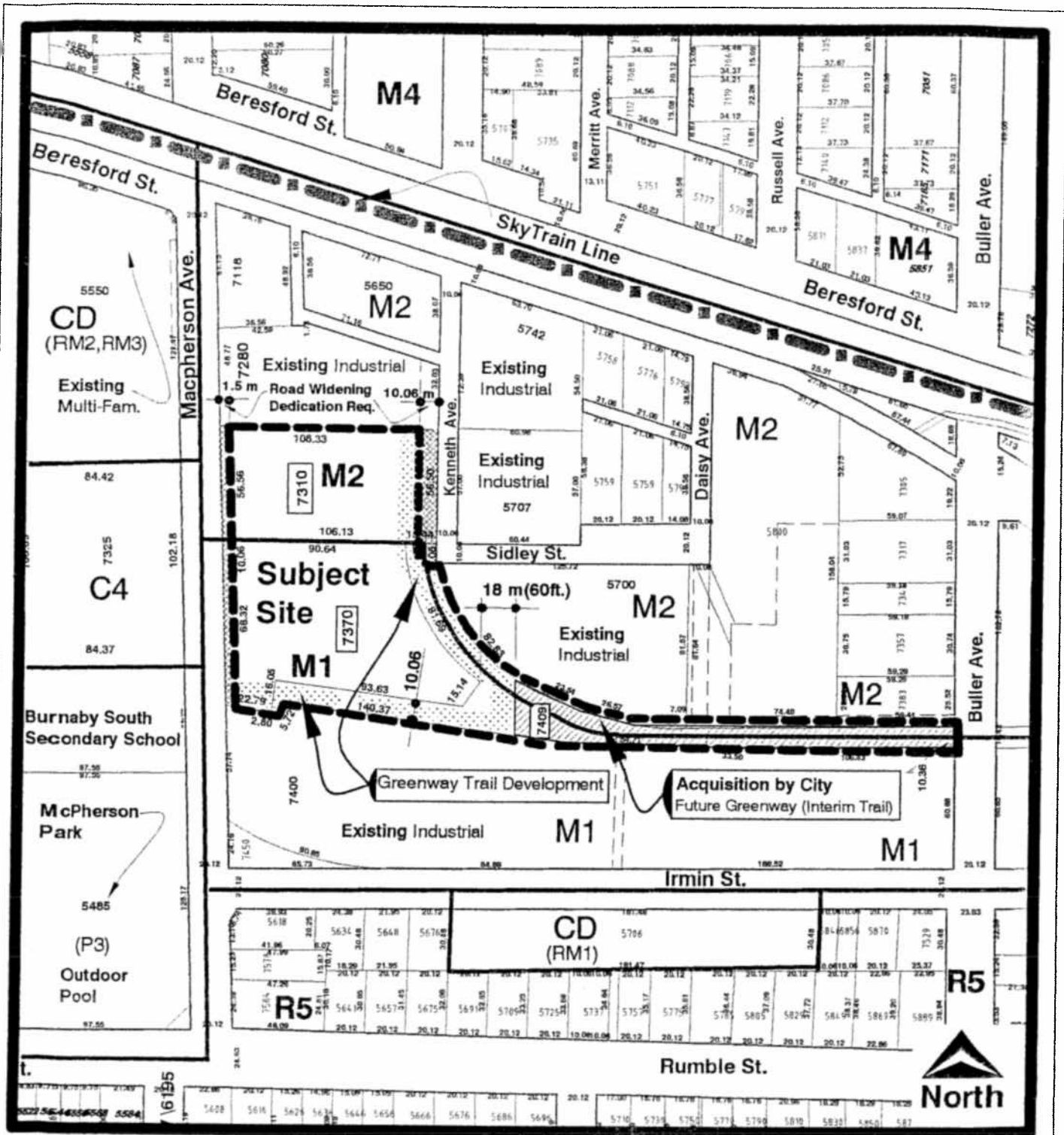


J. S. Belhouse
Director Planning and Building

EK:gk
Attachment (Sketches)

cc: City Clerk
Director Engineering
City Solicitor
Director Finance

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Planning and Building Department

Scale: 1 = 3000

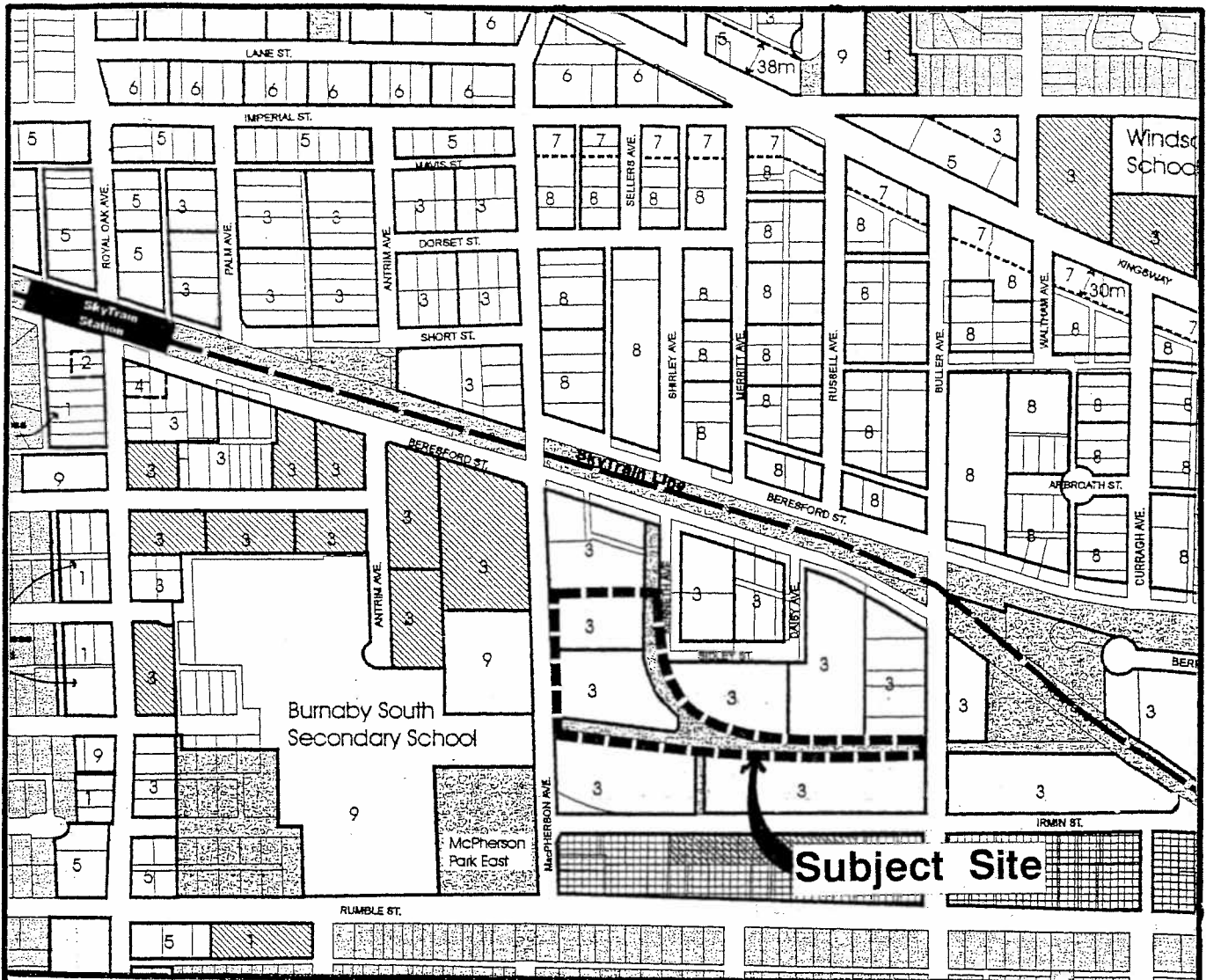
Drawn By: J.P.C.

Date: January 2003

REZONING REFERENCE 02--49

7310, 7370 Macpherson Ave. & 7409 Buller Ave.

Sketch # 1



LEGEND:

- 1. CD(RM2)
- 2. CD(RM2 & C1 at grade)
- 3. CD(RM3)
- 4. CD(RM3 & C1 at grade)
- 5. CD(Proposed C9)
- 6. CD(Proposed C9a) - (Maximum 25% Residential)
- 7. CD(C2)

- 8. CD(M5)
- 9. Institutional (School, Church, Assembly)
- Single and Two-Family Housing
- Park
- Completed or Rezoned in Accordance With Development Guidelines

Development sites in the Royal Oak Community Plan area are generally to be zoned Comprehensive Development District (CD) utilizing the outlined zoning designations.

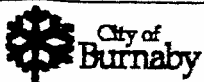
Transition Area - Consult Planning for further information.

This Sketch is subject to updating on a continuous basis.

Updated to: 2000 JANUARY



**Royal Oak Community Plan
Development Guidelines**



Planning And Building Department

Scale: N.T.S.

Drawn By: J.P.C.

Date: January 2003

REZONING REFERENCE 02--49

Sketch #2