

TO: CITY MANAGER
FROM: DIRECTOR PLANNING AND BUILDING
SUBJECT: REZONING REFERENCE #04-10
Big Bend Commercial Precinct
Specialized Retail Centre

2005 February 15

ADDRESS: 5782 Marine Way and 7625 Meadow Avenue
(see attached Sketches #1 and #2)

LEGAL: Parcel D, D.L. 155B, Group 1, NWD Plan 85194 and Lot B Except: Part Highway Plan 68848, D.L.'s 155B, 155C, Group 1, NWD Plan 18857.

FROM: M2 General Industrial District, M5 Light Industrial District and A1 Agricultural District

TO: CD Comprehensive Development District (based on the C2 Community Commercial District, and the Byrne Road and Marine Way Commercial Precinct Development plan guidelines, and in accordance with the development plan entitled "Marine Way Centre" prepared by The Abbarch Partnership Architects for Anthem Properties).

APPLICANT: Anthem Properties
300 – 550 Burrard Street
Vancouver, B.C. V6C 2B5
(Attention: Mr. David Fawley)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2005 March 22.

RECOMMENDATIONS:

1. **THAT** Council endorse the development of the proposed cost-sharing agreement for road capacity improvements on Marine Way as outlined in Section 4.0 of this report and subject to granting of Second Reading by Council to the subject Rezoning Bylaw.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2005 March 7 and to a Public Hearing on 2005 March 22 at 7:30 p.m.
3. **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 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 removal of all existing improvements from the site prior to Final Adoption, but not prior to Third Reading of the Bylaw.
- e. The completion of the subdivision to create the Site A, B and C shown on Sketch #3, **attached** and the satisfaction of all subdivision requirements.
- f. The granting of any necessary statutory rights-of-way, easements and covenants.
- g. Dedication of any road rights-of-way deemed requisite.
- h. The deposit of the applicable GVS&DD Sewerage Development charge of \$0.811 per square foot of gross floor area.
- i. The provision of facilities for cyclists in accordance with this report.
- j. The submission of a Site Profile and resolution of any arising requirements for the lands included within the Subdivision.
- k. The granting of a Section 219 Covenant respecting flood proofing requirements.
- l. The granting of a blanket reciprocal access easement to allow for the shared use of parking, vehicle access points and pedestrian walkways within the project.
- m. The granting of a Section 219 Covenant indicating that project driveway accesses will not be restricted by gates.
- n. The granting of a Section 219 Covenant precluding driveway accesses to Meadow Avenue from proposed Site A and to Marine Way from proposed Site C shown on Sketch 3, **attached**.

- o. The granting of a drainage easement in favour of the abutting agricultural properties to allow for drainage access to the perimeter drainage channel to be developed on Site A and Site B of the subject property.
- p. Receipt of the approval of the Agricultural Land Reserve Commission, subject to completion of the rezoning and subdivision approval process, for the exclusion of subject properties from the Agricultural Land Reserve
- q. Granting of a Section 219 Covenant regarding permitted floor area and retail tenant mix as listed on the development plan and outlined in Section 5.1 of this report.
- r. The submission of a suitable on-site stormwater management plan to the approval of the Director Engineering and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- s. The submission of a geotechnical review regarding the stability of the site to accommodate the proposed development, to the approval of the Director Engineering, and registration of a Section 219 Covenant respecting the approved report.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw is to permit the development of a specialized retail centre in accordance with the adopted Byrne Road and Marine Way Commercial Precinct Development Plan.

2.0 BACKGROUND

- 2.1 The subject site is located on the north and south side of Marine Way east of Byrne Road. The site on the north side of Marine Way (7625 Meadow Avenue), known as the Meadowland Peat property, is designated for the accommodation of larger scale (big box) specialized retailers that individually sell a single or specialized category of goods, such as office furniture, equipment and supplies, home improvement and building materials, home furnishings and appliances, and sporting goods, electronics and other similar specialized product lines in accordance with Council's adopted Byrne Road and Marine Way Commercial Precinct Development Plan, as shown on Sketch #3, attached.

The site on the south side of Marine Way (5782 Marine Way) is designated for general retail and office uses, and is not proposed for development at this time. This property is proposed to be rezoned to the CD District based on the adopted Commercial Precinct Plan with future development of this property to follow Council consideration and adoption of a future amended CD plan of development. This site is directly adjacent the shopping centre development being pursued by Westbank Properties for the south-east corner of Marine Way and Byrne Road (Rezoning Reference #03-22). The Westbank shopping centre proposal, which has received 2nd Reading, is in the process of completing the engineering design for road works and associated services. The Westbank development will provide for the extension of services and access to the subject site on the south side of Marine Way.

- 2.2 On 2004 March 22, Council received the report of the Planning and Building Department concerning the rezoning of the subject sites 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.
- 2.3 On 2002 May 21, Council authorized staff to forward the required application to the Agricultural Land Commission (ALC) to exclude the subject lands from the Reserve. With the granting of Second Reading by Council to the subject Rezoning Bylaw, staff would forward the application, to be received for the subject properties, to the ALC to exclude the subject properties from Reserve on completion of the rezoning and subdivision approval process. The Commission has previously supported submission of the proposed exclusion application as part of its review of the adopted Big Bend Development Plan, the Byrne Road and Marine Way Commercial Precinct Development Plan and through the related Official Community Plan amendment process.
- 2.4 The applicant has submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The subject application involves a comprehensive development rezoning of the subject Meadowland Peat property on north side of Marine Way to provide for the development of a specialized retail centre in accordance with the adopted Byrne Road and Marine Way Commercial Precinct Development Plan. The lands on the north side of Marine Way will be subdivided to create two legal lots (Site A and Site B) to be developed as a common site in accordance with the proposed development plan for rezoning to the CD Comprehensive Development District based on the C2 Community Commercial District, as shown on Sketches #3 and #4, **attached**. The subject lands on the south side of Marine Way (Site C shown on Sketch #3) are proposed for rezoning to the CD District, as vacant land, based on the adopted Byrne Road and Marine Way Commercial Precinct

Development Plan, and will be the subject of a future amended CD rezoning process to accommodate a specific development form and commercial retail use consistent with the adopted Plan.

- 3.2 As part of the process leading to Council adoption of the development plan for the Commercial Precinct, a review of exiting watercourses and drainage channels was completed for the lands within the Plan area. Arising from this review, the Department of Fisheries and Oceans (DFO) endorsed proposals for required setbacks from significant streams and for the enclosure of drainage ditches with no significant fisheries values. There are no protected watercourses or drainage channels on the subject development site. The required 15 metre setback from a drainage channel on the adjacent City school/park site, which currently accommodates the Kenneth Gordon School, has been protected in the proposed development plan.
- 3.3 Preliminary plans for the stormwater management facilities are being prepared and all required approvals, Section 219 Covenants, and bonding for installation and maintenance of the facilities will be secured as a condition of the subject rezoning. Stormwater will be treated on site to remove common urban contaminants prior to discharge to the City storm system. With the exception of surface drainage from landscape setback and buffer areas, site drainage from the development will primarily be directed to the Byrne Road storm sewer to mitigate peak flows in the Jerry Roger's Creek system. The Plan also provides for an on-site bio-filtration and water feature at the east end of the site near Marine Way.
- 3.4 As a requirement of the subdivision and rezoning for the subject property, the applicant will provide dedications on Marine Way and will dedicate and construct a new cul-de-sac road, on the west side of the property, to provide for access from Marine Way to the site. This new road will align with the new road to be constructed by Westbank Properties for development of the Commercial Precinct lands on the south side of Marine Way (Rezoning Reference #03-22) to create a full movement signalized intersection on Marine Way at this location east of Byrne Road.
- 3.5 The GVS&DD Sewerage Development Cost Charge (Fraser Sewerage Area) of \$0.811 per square foot of gross floor area will apply to this rezoning.
- 3.6 Environmental Services Division has indicated that the applicant will be required to submit a detailed geotechnical report, engineering plan, and implementation approach to outline the manner in which the site will be prepared for development and to address issues of construction access, drainage, preload requirements, and noise, sediment and dust control, without detrimentally affecting adjacent roads and parcels, to the approval of the Director Engineering. The registration of a Section 219 Covenant regarding the findings of the geotechnical report will be required.

- 3.7 The proposed development will be required to provide bike racks and end of trip facilities as indicated on the development plan.
- 3.8 A comprehensive sign plan will be required in accordance with the C2 Community Commercial District and the Burnaby Sign Bylaw.

4.0 CITY COST SHARE COMPONENT

The development is to be responsible for all servicing costs attributable to the development with the general exception of the component of costs related to the City's Major Roads Program to provide for 3 through travel lanes in each direction on Marine Way.

The City commitment to the Major Road Network for Marine Way forms part of the City's Capital Program. Improvements on Marine Way at Byrne Road are the subject of City applications for TransLink cost share funding under the Major Road Network (MRN) for a 50% cost share contribution to the City's estimated cost of capacity improvements on Marine Way. Funding approval has been received for works at the Byrne Road and Marine Way intersection for 2004/2005. Subsequent annual applications would seek MRN cost share funding for the balance of the capacity improvements related to the cost of the third through lane on Marine Way abutting the subject development and the Westbank Development (Rezoning Reference #03-22) on the south side of Marine Way.

Under a proposed cost sharing agreement, the Director Engineering would provide a separate accounting for the scope of road works related to existing and planned City commitments for capacity upgrades on Marine Way under the City's Major Road Program. Under a proposed cost sharing agreement, the applicant would be responsible for all costs related to the provision of the new cul-de-sac road, urban treatment on the Marine Way frontage, related intersection upgrades, extension and installation of major services, provision of access lanes, street lighting, boulevard landscaping, and pedestrian and cycling facilities. The City's share of servicing costs would relate to the scope of work currently planned for provision of the third through lane on Marine Way abutting the property.

On completion of the Engineering design by the applicant, and development of final cost estimates for the full scope of works required on Marine Way and the new cul-de-sac road link, the applicant would be required to enter into a servicing agreement to complete the full scope of works, including the City component of capacity improvements. This servicing agreement would require the completion of the servicing agreement for the Westbank project (Rezoning Reference #03-22) as a prerequisite condition in order to provide for the extension of services and road works related to the new signalized intersection on Marine Way through to the subject property on the north side of Marine Way.

This report seeks Council endorsement in principle for the development of a separate cost sharing agreement with the developer for the City share of works related to capacity improvements on Marine Way, as outlined above. A further report seeking Council approval of the City cost share for servicing related to the Major Road Network based on finalized estimates will be prepared following substantial completion of the engineering design by the applicant.

5.0 **PROPOSED DEVELOPMENT PLAN**

The proposed development is generally consistent with Council's adopted Plan for the Byrne Road and Marine Way Commercial Precinct. Pursuant to the Plan, the subject property is intended to be developed for large and medium scale specialized retail uses to serve destination shopping needs. Specialized retailers would include those that individually sell a specialized category of goods, such as office furniture, equipment and supplies, home improvement and building materials, home furnishings and appliances, and sporting goods, electronics and other similar specialized products lines.

The following describes the particular aspects of the proposed commercial centre.

5.1 **Commercial Uses**

The proposed development provides for a range of specialized retail uses consistent with the land use objectives of the adopted Plan. Proposed retail uses include a retail building supply establishment within a freestanding building identified as 'Anchor A' on Sketch #4, **attached**, and a office supply store, sporting goods store, home furnishing and decorating stores, and pet supply outlet. The site accommodates a total gross building floor area of 336,025 square feet. The largest retail space within the site is the proposed retail building supply establishment, identified as 'Anchor A', which has a building footprint of 132,490 square feet inclusive of the garden centre. At this time, it is expected that other major tenants would include Staples, Sportmart, Linens and Things, Winners, Homesense, Michael's, Petsmart, and a Rona, Home Depot or similar outlet within the 'Anchor A' building.

In order to achieve the objectives of the adopted guidelines for the Byrne Road and Marine Way Commercial Precinct Development Plan for the accommodation of specialized retail uses, the applicant has agreed to register a number of Section 219 Restrictive Covenants on the property to limit the permitted range of commercial uses. Proposed covenants include limiting:

- the 'Anchor A' building to a retail building supply and associated garden centre use.

- the size of outlets, other than the 'Anchor A' building, to a maximum of building area of 60,000 gross square feet.
- clothing retailers to a maximum gross floor area of 55,000 square feet.
- complementary restaurant uses to two sit-down restaurants and a specialized coffee shop without drive-through facilities to a maximum gross floor area of 12,000 square feet.
- the total number of stores to 16.
- the establishment of general retail stores and other listed commercial uses.

Staff have advised the applicant that specific amendments to the established covenants could be considered by Council through subsequent amended CD rezoning applications.

5.2 Landscape Treatment

Building and landscape setbacks and treatment are consistent with the standards established for developing Business Centres in the Big Bend area. The two main buildings are setback from the north property line adjacent to the Willard Street area by 6 metre and 15 metre wide landscaped areas which also incorporate noise and security fencing. Four smaller pavilion buildings have been located along the 9 metre Marine Way setback to articulate this frontage. A 6 metre wide landscape setback, inclusive of a 15 metre wide riparian setback has been provided adjacent to the City park lands which currently accommodate the Kenneth Gordon School. A 15 metre wide fully landscaped setback has also been provided on the Meadow Avenue frontage to screen the proposed building supply building and garden centre. The landscape plan also incorporates a bio-detention/water feature pond on the eastern corner of property at Marine Way.

The standard and location of lighting on the property has also been designed to prevent any spill-over onto adjacent lands. The plan includes a light casing study which shows that lighting impacts on adjacent properties will be appropriately controlled.

5.3 Road and Pedestrian Improvements

The proposed development will construct the road improvements associated with the development site. These include provision of a new north-south cul-de-sac road which will extend from the site to connect across Marine Way at a full movement signalized intersection which will also serve the proposed Westbank Shopping Centre development (Rezoning Reference #03-22) on the south side of Marine Way.

The road standard for Marine Way will provide for three through lanes in each direction and necessary site access lanes to and from Marine Way. The traffic and parking study completed for the development confirmed the adequacy of planned road improvements and parking facilities. The development will provide for frontage improvements and

finishing on the new road and Marine Way to include boulevard landscape treatment, pedestrian sidewalks, and street lighting.

Separated pedestrian sidewalks will also be provided adjacent the site on the north side of Marine Way and on the east side of the new cul-de-sac road. Pedestrian connections between the development site and the Marine Way sidewalk system are included within the development plan. Bike lanes are provided for on Marine Way. As well, end of trip facilities for cyclists (showers and bike lockers) will be provided for employees within two of the major retail buildings proposed on site. The development will also provide for the finishing of the Marine Way frontage of the subject lot on the south side of Marine Way (Site C) by providing for the extension of the Urban Trail linkage across the subject lot on the south side of Marine Way.

In accordance with the adopted Commercial Precinct Plan, the Meadow Avenue frontage is proposed to maintain its current interim agricultural standard with no vehicle access to the development site permitted from this frontage for site development purposes or to the finished commercial centre. A pedestrian only access into the development site has been provided from Meadow Avenue to the site along the east side of the Anchor A building to accommodate Willard Street area residents who may wish to walk to and from this development.

5.4 Relationship to Adjacent Agricultural, Residential and Park Lands

As part of the process leading to the adoption of the Byrne Road and Marine Commercial Precinct Development Plan, Council adopted guidelines within the Plan to ensure that the proposed commercial use was developed in a manner compatible with the abutting agricultural and school/park lands and the Meadow Avenue frontage. The applicant also completed an impact assessment of the potential interaction between the agricultural lands to the north and the proposed commercial development.

In preparing the development plan, care has been taken to protect nearby and adjacent lands from potential development intrusions related to noise, lighting, access and use. Measures incorporated into the development plan to mitigate impacts on adjacent lands include:

- Providing for fully landscaped setbacks on abutting property lines. Landscape setback provisions include:
 - A 15 metre wide landscape setback on Meadow Avenue.
 - A 6 metre landscape setback to abutting agricultural lands.
 - A minimum 15 metre riparian setback to the existing drainage channel on the school/park property (Kenneth Gordon School) which includes the 6 metre landscaped setback provided for on the development property.

- Locating the proposed retail building supply outlet and the office supply outlet (Rona/Home Depot/Staples) on their respective 15 metre and 6 metre landscape setbacks to minimize loading, parking and other active uses in the area between the building and the adjacent lands.
- Providing for the separation of loading bays from adjacent lands by way of building forms, screen walls, landscape setbacks and/or noise and security fencing.
- Providing for noise and security fencing abutting the Meadow Avenue frontage, and on the agricultural and school/park property lines.
- Incorporation of an architectural treatment on the rear face, Meadow Avenue side, of the 'Anchor A' building with an agricultural character provided through the location of the outdoor garden centre with greenhouse areas on the north-east side of the building.
- Taking vehicle access to the site from Marine Way with no provision for vehicle access from Meadow Avenue for either temporary site development or construction purposes, or for permanent vehicle access purposes.
- Completion of a lighting control measures to limit the affect of waste, diffuse and reflected light from the development onto adjacent properties by way of the type, configuration and orientation of lighting fixtures.
- Proposals for the control of dust emissions during the construction phase will be provided by incorporating best management practices and requirements into the fill and sediment control permit to be issued to the approval of the Director Engineering.
- Completion of a shading study which shows that shading effects on adjacent agricultural properties will be minimal given the low proposed building heights, drive aisle locations and required building setbacks.
- Providing for stormwater management plan to capture surface drainage and to direct it into the City storm system. The development will also provide for the installation of a perimeter ditch within the setback area adjacent the agricultural lands to accommodate drainage from landscape areas and surface runoff from abutting agricultural lands. Common access to the perimeter drainage will be protected by way of an easement in favour of the abutting agricultural lands, with maintenance by the subject property under the stormwater management plan requirements.

The incorporation of these measures into the proposed development will provide for a general improvement in the inter-relationship of the Meadowland Peat property with the adjacent agricultural and park/school lands, and will also result in the closure of the existing soil mixing operation currently accommodated on the subject site.

5.5 On-Site Parking

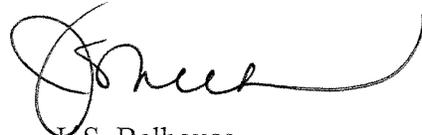
The Burnaby Zoning Bylaw specifies a high parking standard for shopping centre developments of 1 space per 150.70 square feet (1 per 14 square metres) of net retail floor area. The development has provided a calculation of net retail floor area of 175,340 square feet (16,289.7 square metres) exclusive of the garden centre space. The parking requirement for the garden centre space of 22,489 square feet (2,089.3 square metres) is 1 space per 1,001 square feet (1 per 93 square metres). Based on the calculation of net retail area, inclusive of the garden centre space, there is a bylaw requirement for 1,335 parking spaces for the commercial development. The development plan provides for 1,375 parking spaces. The parking study completed for the proposed development indicates that there will be sufficient parking to meet anticipated demand.

6.0 DEVELOPMENT PROPOSAL

6.1	<u>Total Net Site Area:</u>	-	11.64 ha (28.76 acres)
	Site A (Specialized Shopping Centre)	-	5.61 ha (13.87 acres)
	Site B (Specialized Shopping Centre)	-	4.83 ha (11.94 acres)
	Site C (Future Phase)	-	1.19 ha (2.95 acres)
-			
6.2	<u>Total Site Coverage:</u>	-	29.88%
	Site A	-	30.07%
	Site B	-	29.67%
	Site C	-	N/A
-			
6.3	<u>Total Gross Floor Area:</u>	-	31,216.7 m ² (336,025 sq.ft.)
	Site A	-	16,879 m ² (181,690 sq.ft.)
	Site B	-	14,337.7m ² (154,335 sq.ft.)
	Site C	-	N/A
-			
6.4	<u>Building Height:</u>	-	1 storey plus mezzanines
-			
6.5	<u>Parking Required/Provided:</u>		
	Sites A and B		
	Total Parking Required:	-	1,335 spaces
	Total Parking Provided:	-	1,375 spaces

- 6.6 Loading Required/Provided:
Sites A and B - 8 spaces

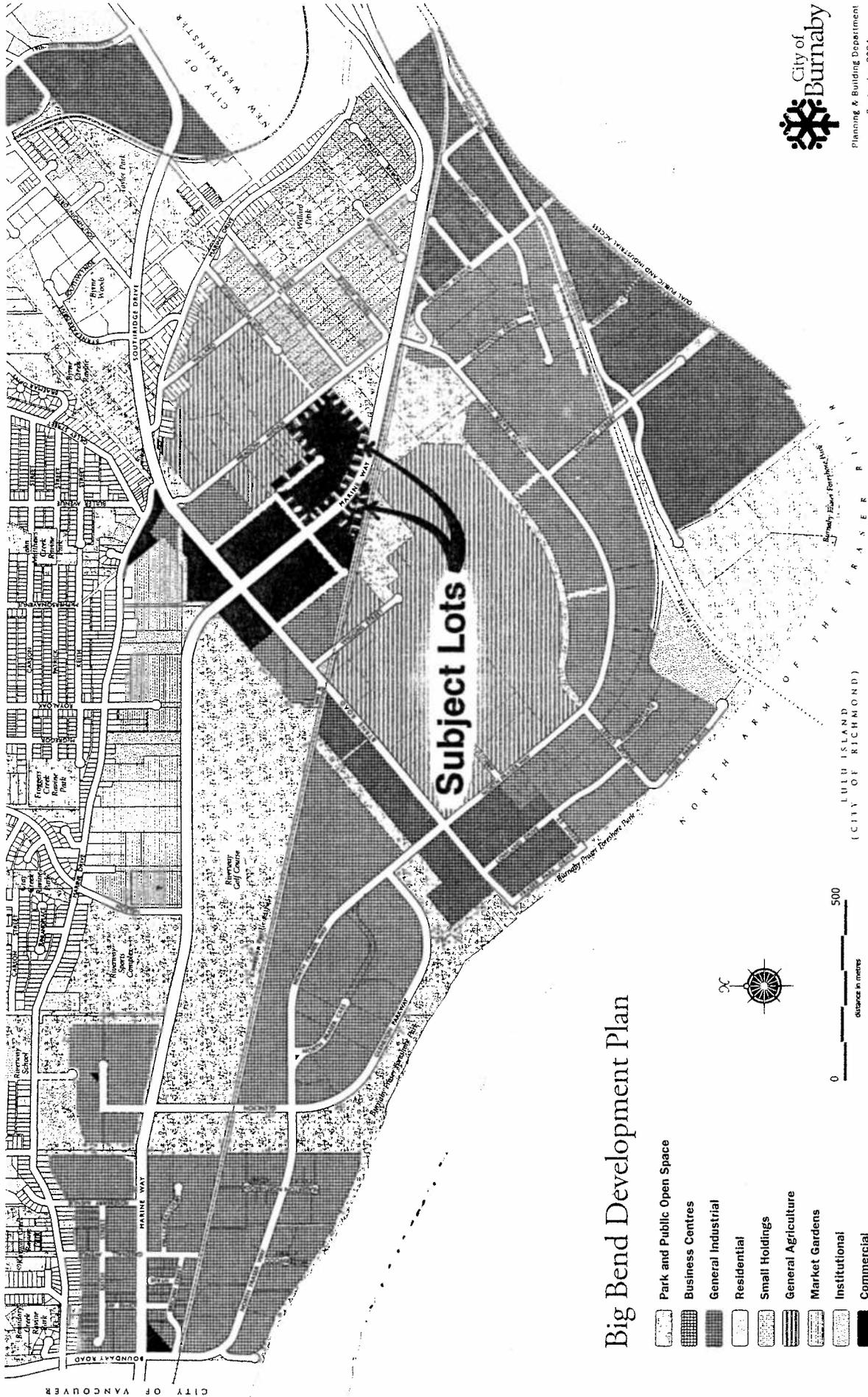
- 6.7 Bicycle Provisions:
Sites A and B
 - 127 outdoor racks
 - 2 end-of-trip facilities to include male and female showers, dressing rooms and lockers



J. S. Belhouse
Director Planning and Building

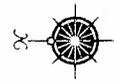
LP:gk
Attach

- cc: City Clerk
City Solicitor
Director Engineering
Director Engineering (Attn: Environmental Services Division)
Director Parks, Recreation and Cultural Services



Big Bend Development Plan

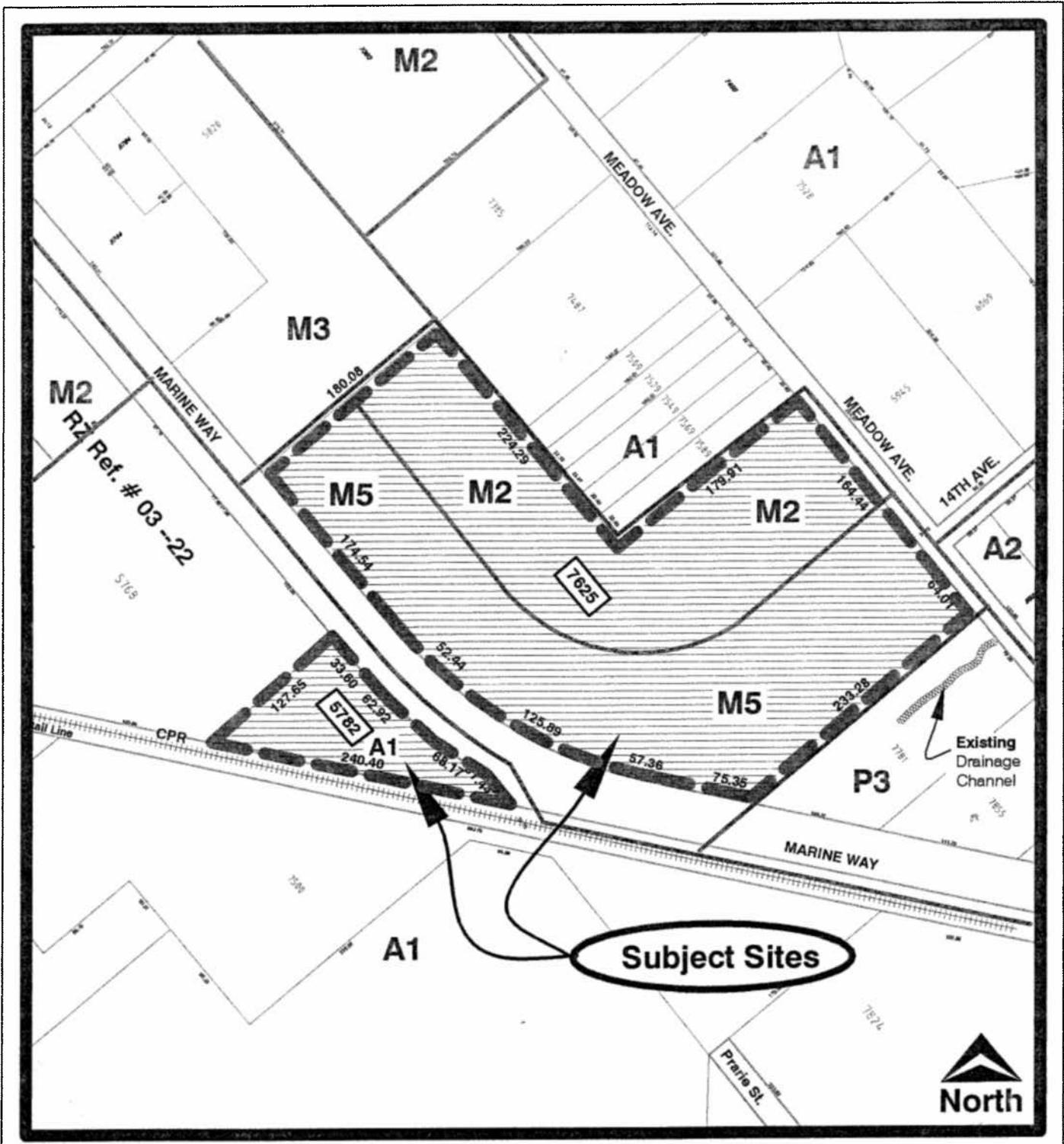
- Park and Public Open Space
- Business Centres
- General Industrial
- Residential
- Small Holdings
- General Agriculture
- Market Gardens
- Institutional
- Commercial



Planning & Building Department
September 2004

Sketch # 1

REZONING REFERENCE # 04 -- 10
7265 Meadow Avenue, 5782 Marine Way



Planning and Building Department

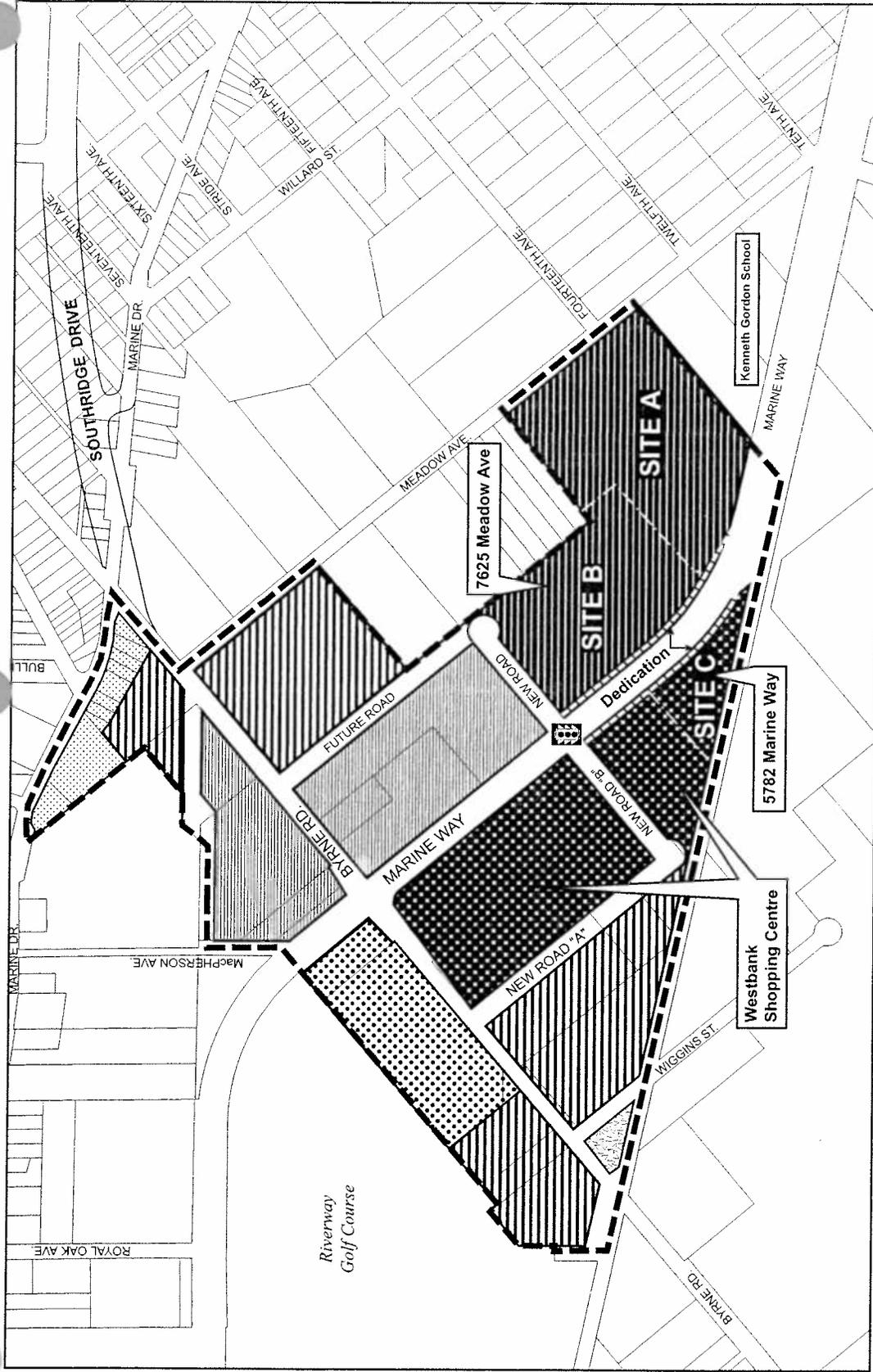
Scale: 1 : 5000

Drawn By: J.P.C.

Date: February 2005

REZONING REFERENCE # 04 -- 10
 7265 Meadow Avenue, 5782 Marine Way

Sketch # 2



SKETCH #3
Byrne Road/Marine Way Commercial Precinct
Adopted Land Use Designations

-  Primary Mixed Use Commercial Centre
-  Large Scale Retail
-  Mixed Large/Medium Scale Retail/Suburban Office
-  Local Commercial
-  Suburban Office
-  Motor Hotel/Ancillary Uses/Suburban Office
-  Civic Use (Potential Fire Hall)
-  New Signalized Intersection

