

**TO:** CITY MANAGER

2005 January 18

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #04-35**  
**Two Phased Four-Storey Mixed-Use Commercial**  
**and Residential Project**

**ADDRESS:** 7641 Royal Oak Avenue(See attached Sketches)

**LEGAL:** Lot J, D.L.158, Group 1, NWD Plan 22652

**FROM:** C2, C2a Community Commercial District

**TO:** CD Comprehensive Development District (based on C9 Urban Village Commercial District, C2a Community Commercial District and Royal Oak Community Plan Guidelines, and in accordance with the development plan entitled "Residential/Commercial Development for Seta Properties" prepared by Romses Architects Inc.)

**APPLICANT:** Romses Architects Inc.  
210 - 1737 West 3rd Avenue  
Vancouver, B.C. V6J 1K7  
(Attention: Roger Romses)

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

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 7 and to a Public Hearing on 2005 February 22 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. The submission of an undertaking to remove all existing improvements from Phase One of the site within six months of the rezoning being effected 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. The completion of the necessary subdivision of the site into two lots for two phased developments.
- f. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- g. The dedication of any rights-of-way deemed requisite.
- h. The undergrounding of existing overhead wiring abutting the entire site along Royal Oak Avenue.
- i. Compliance with the Council-adopted sound criteria.
- j. 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.
- k. The deposit of the applicable Parkland Acquisition Charge.
- l. The deposit of the applicable GVS & DD Sewerage Charge.
- m.. The deposit of the applicable School Site Acquisition Charge.
- n. The provision of facilities for cyclists in accordance with Section 3.11 of the rezoning report.
- o. The granting of a 219 Covenant restricting enclosure of balconies.
- p. The submission of a Site Profile and resolution of any arising requirements.

- q. 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 Phase I of a two-phased four-storey mixed-use commercial and residential project consisting of commercial uses at-grade including a reconstructed liquor store and, above, a three-level apartment building.

### 2.0 BACKGROUND

- 2.1 The subject site is located in the Royal Oak Community Plan, Sub-Area 1 (see **attached** Sketches #1 and #2). The Plan designates this sub-area for redevelopment as a mixed-use urban village centre with a strong commercial orientation and a supporting medium-density multiple-family residential component. In particular, the Plan indicates that this area should be established as a strong community focus for the South Slope where significant commercial anchors, such as a large food store and a liquor store, need to be maintained and the variety of service and community commercial opportunities need to be expanded, including those attractive to youth. A liquor store which is a permitted existing use under the current zoning continues to be a supportable component within the context of this community focus of the Plan.

The Royal Oak Community Plan further notes that the urban design of development on this site should establish a strong village character which will promote a diversity of uses and a strong sense of place and community. In particular, street enhancing uses at-grade with residential use above are indicated, build-to-lines with building setbacks similar to Metrotown are called for and special boulevard treatments are indicated.

- 2.2 As noted in the initial report on this rezoning, this development includes a private liquor store. A portion of the site is currently zoned C2a Community Commercial District, which permits liquor stores.

The government liquor store on the subject site recently closed and a private liquor store opened in mid-December. The government liquor store at Royal Oak and Rumble was included in an announcement released in early November by the Liquor Distribution Branch

(LDB) which identified 11 government liquor stores for closure over the next 12 months. The announcement said that the closures are a result of the amalgamation of businesses into larger signature stores that will offer an enhanced shopping environment with a wider variety of products. The government liquor store at Highgate is such a signature store. The LDB indicated that all impacted regular staff will be reassigned to vacant positions in the geographic area. If necessary, targeted volunteer departure programs will be offered; however, none are anticipated at this time.

Council was advised in 2003 that there are seven liquor primary licensees in Burnaby which are eligible to seek a licence for a Licensee Retail Store (LRS) in Burnaby. Since that time, one licensee has been eliminated from the list by the Liquor Control and Licensing Branch (LCLB) and the Provincial government announced that a store may also be relocated to a neighbouring local government jurisdiction, provided the distance from the original site is no more than 5 kilometers from the original site. A legitimate liquor primary licensee (Diego's Entertainment Ltd.) had applied to locate an LRS in the tenant space recently vacated by the Provincial government liquor store. The LRS is permitted under the C2a zoning. C2a is included in this rezoning request in order to allow the LRS to relocate within an improved tenant space in the new development planned for this site. The existing LRS has a floor area of 6,3350 sq. ft. whereas the proposed new LRS has a smaller proposed floor area of 4,430 sq. ft..

It is noted that, on 2005 January 17, Council adopted the recommendation of a report seeking Council direction for staff to begin a review of the zoning bylaw vis a vis private versus government liquor stores.

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

### **3.0 GENERAL COMMENTS**

- 3.1 The current plan proposes the construction of Phase I of a two-phase four-storey mixed-use street-oriented commercial and residential project. The first phase is on the southern 37.80 m (124 feet) of the site where the previous government liquor store, which would be demolished to allow for this proposed development, was located. The second phase on the northern portion of the site involves the remaining 75.28m (246.98 ft.) frontage on Royal Oak Avenue.

Phase I proposes three floors of residential above commercial. The commercial space includes a new private liquor store and two rental units. In accordance with the height requirements of the C9 zone, the top two residential floors of the Phase I project are set back from the front of the property. A rear yard setback with a landscaping strip and parking abuts the adjoining R5 District to the west. Parking and loading in Phase I is accessed from Royal Oak Avenue with residential parking underground and commercial parking on surface. Phase I is also to provide, for joint use by both phases, a second floor amenity room.

In the interim, the existing commercial buildings on the Phase II site will remain, with a slightly reconfigured parking lot.

Phase II will be the subject of a further detailed rezoning application. At present, Phase II also proposes three floors of residential around a central courtyard on the second floor above ground floor commercial. The commercial space, consists mainly of space for a supermarket at the corner of Royal Oak Avenue and Rumble Street with additional commercial space, as well as the residential lobby, fronting on Royal Oak Avenue. Also in accordance with the height requirements of the C9 zone, the top two floors are set back from the front of the property. A rear yard setback, which includes landscaping as well as surface parking, abuts the adjoining R5 District to the west. Commercial parking and loading in Phase II is accessed from Rumble Street and is to be provided mainly underground with some spaces under the building and on surface. Residential parking in Phase II is the same as for Phase I, off Royal Oak Avenue. Phase II is also to provide, for joint use by both phases, a children's play area in the landscaped second floor courtyard and an amenity room.

- 3.2 For the private liquor store use to function, the applicant will need to submit a letter of commitment stating that the necessary Provincial licencing procedures will be followed. The building is designed to provide a suitable separation between this use and the residential component of the building above.
- 3.3 The project is to be designed to be subdivided into two phases.
- 3.4 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements for Phase I will include, but not necessarily be limited to, a stormwater management system, the upgrading of the whole Royal Oak Avenue frontage of both phases, including pedestrian paving, pedestrian lighting, street furniture and street trees. The servicing requirements for Phase II will include a stormwater management system and the upgrading of Rumble Street, including pedestrian paving, pedestrian lighting, street furniture and street trees.
- 3.5 Any necessary reciprocal easements and covenants for both Phases are to be provided. These especially include, but are not necessarily limited to, access to resident parking for both phases through Phase I's ramp and garage, reciprocal access for commercial vehicles through both Phases of the site and access for the residents of Phase I to the amenity room and children's playground located in Phase II and the residents of Phase II to the amenity room in Phase I as well as a Section 219 Covenant restricting enclosure of balconies.
- 3.6 Necessary dedications in Phase I include 2.13m along the whole Royal Oak Avenue frontage of both phases. In Phase II, 3.66m on Rumble Street as well as a 3m by 3m corner truncation are required.

- 3.7 Undergrounding of existing overhead wiring along the entire (Phase I and Phase II) west side of Royal Oak Avenue is required in Phase I.
- 3.8 In view of traffic on Royal Oak Avenue and Rumble Street, a noise study will be undertaken to ensure compliance with the Council-adopted sound criteria for each Phase.
- 3.9 One car wash stall and an appropriately screened garbage handling and recycling holding area will be provided on site for each Phase.
- 3.10 Applicable Development Cost Charges for Phase I include:
  - a) Parkland Acquisition Charge of \$3.84 per sq. ft. of gross residential floor area
  - b) GVS & DD Sewerage Development Cost Charge of \$0.811 per sq. ft. for the commercial space and \$1,082 per dwelling unit.
  - c) School Site Acquisition Charge of \$700 or \$800 per dwelling unit depending on density.

The applicable Development Cost Charges for Phase II will be determined at the time of the subsequent rezoning application for Phase II.

- 3.11 Individual bicycle storage for each unit is being provided as well as bicycle racks for visitors and commercial users in each Phase.
- 3.12 An on-site sediment control system for each phase is a requirement of Preliminary Plan Approval and must be approved by the Environmental Services Division, Engineering Department.
- 3.13 Given the size of the overall project, on-site stormwater management systems with a suitable engineered design are required for both Phases with a 219 covenant to guarantee their provision, effectiveness and continuing operation.
- 3.14 A development plan for the subject site has been received which is suitable for submission to a Public Hearing. Elsewhere on the agenda appears the bylaw for First Reading.

#### **4.0 DEVELOPMENT PROPOSAL**

##### 4.1 Gross Site Area:

Phase I Gross Site Area	-	2,119.70m <sup>2</sup> (22,817.68 sq. ft.)
Phase II Gross Site Area	-	4,185.89 m <sup>2</sup> (45,058.04 sq. ft.)
<b>Total Phase I &amp; Phase II Gross Site Area -</b>		<b>6,305.59 m<sup>2</sup> (67,875.72 sq. ft.)</b>

##### Net Site Area:

Dedication Phase I	-	79.99m <sup>2</sup> (861.08 sq. ft.)
Phase I Net Site Area	-	2,039.72m <sup>2</sup> (21,956.08 sq. ft.)

	Dedication Interim Phase II	-	161.22m <sup>2</sup> (1,735.44 sq. ft.)
	Interim Phase II	-	4,024.67m <sup>2</sup> (43,322.60sq. ft.)
	Dedication Phase II	-	194.81m <sup>2</sup> (2,097.00sq. ft.)
	Phase II Net Site Area	-	3,829.86 m <sup>2</sup> (41,225.65sq. ft.)
	<b>Total Phase I &amp; Phase II Net Site Area-</b>		<b>5,869.58 m<sup>2</sup> (63,181.72 sq. ft.)</b>
	Site Coverage		
	Phase I Site Coverage	-	66.2%
	Interim Phase II Site Coverage	-	40.2%
	Phase II Site Coverage	-	61.5%
	<b>Total Phase I &amp; Phase II Site Coverage-</b>		<b>63.1%</b>
4.2	FAR Permitted & Provided		
	Phase I	-	2.05(44,908 sq. ft.) (38,128 sq. ft. residential) ( 6,780 sq. ft. commercial)
	Interim Phase II (commercial)	-	0.40 (17,420 sq. ft.)
	Phase II	-	1.74 (71,614 sq. ft.) (51,593 sq. ft. residential) (20,021 sq. ft. commercial)
	<b>Total Phase I &amp; Phase II</b>	-	<b>1.84 (116,522 sq. ft.)</b> <b>( 89,721 sq. ft. residential)</b> <b>( 26,801 sq. ft. commercial)</b>
4.3	Height		
	Phase I	-	4 storeys
	Interim Phase II	-	1 storey (existing)
	Phase II	-	4 storeys
	<b>Total Phase I &amp; Phase II</b>	-	<b>4 storeys</b>
4.4	Unit Mix & Commercial Floor Space		
	Phase I	-	47 residential units ranging in size from 609sq. ft. to 762 sq. ft.
		-	6,420 sq. ft. of commercial space including a 4,430 sq. ft. Licencee Liquor Store
	Interim Phase II	-	17,420 sq. ft. of commercial space
	Phase II	-	54 residential units ranging in size from 610 sq. ft. to 1,330 sq. ft.
		-	20,021 sq. ft. of commercial space
	<b>Total Phase I &amp; Phase II</b>	-	<b>101 residential units ranging in size from 609 sq. ft. to 1,330 sq. ft.</b>
		-	<b>26,801 sq. ft. of commercial space</b>

4.5 Parking Required & Provided

**Criteria:** 1.6 spaces per residential unit  
 1 space per 495.16 sq. ft.  
 1 space per 150.70 sq. ft. of net supermarket space

Phase I

Residential	-	75 spaces (including 12 visitor spaces)
Carwash	-	1 space
Commercial	-	14 spaces
<b>Total Phase I</b>	-	<b>90 spaces</b>

Interim Phase II

Commercial	-	73 spaces (65 required)
<b>Total Interim Phase II</b>	-	<b>73 spaces</b>

Phase II

Residential	-	92 spaces (87 required including 14 visitor spaces)
Carwash	-	1 space
Commercial	-	84 spaces (84 required)
<b>Total Phase II</b>	-	<b>177 spaces (172 required)</b>

Combined Parking Spaces for Phase I & Phase II

Residential	-	167 spaces (including 26 visitor spaces)
Carwash	-	2 spaces
Commercial	-	98 spaces (based on net supermarket area)
<b>Total Combined Phase I &amp; Phase II</b>	-	<b>267 spaces</b>

Bicycle Parking

Phase I Bicycle Parking	-	4 commercial spaces
	-	47 residential spaces
	-	12 visitor racks
<b>Total Phase I</b>	-	<b>63 spaces</b>

Interim Phase II Bicycle Parking	-	8 spaces
<b>Total Interim Phase II Bicycle Parking</b>	-	<b>8 spaces</b>

Phase II Bicycle Parking	-	8 commercial spaces
	-	54 residential spaces
	-	12 visitor spaces
<b>Total Phase II Bicycle Parking</b>	-	<b>74 spaces</b>



Combined Parking Spaces Phase I & Phase II

- 12 commercial spaces
- 101 residential spaces
- 24 visitor racks
- **137 spaces**

**Total Phase I & Phase II**

4.6 Loading

- Phase I - 1 bay
- Interim Phase II - 2 bays
- Phase II - 2 bays
- Total Phase I & Phase II - 3 bays**

4.7 Amenities

- Second floor 600 sq. ft. meeting room in Phase I (Excluded from FAR) & Second floor courtyard, tot lot & 930 sq. ft. meeting room in Phase II (Excluded from FAR)

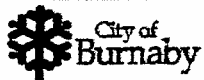
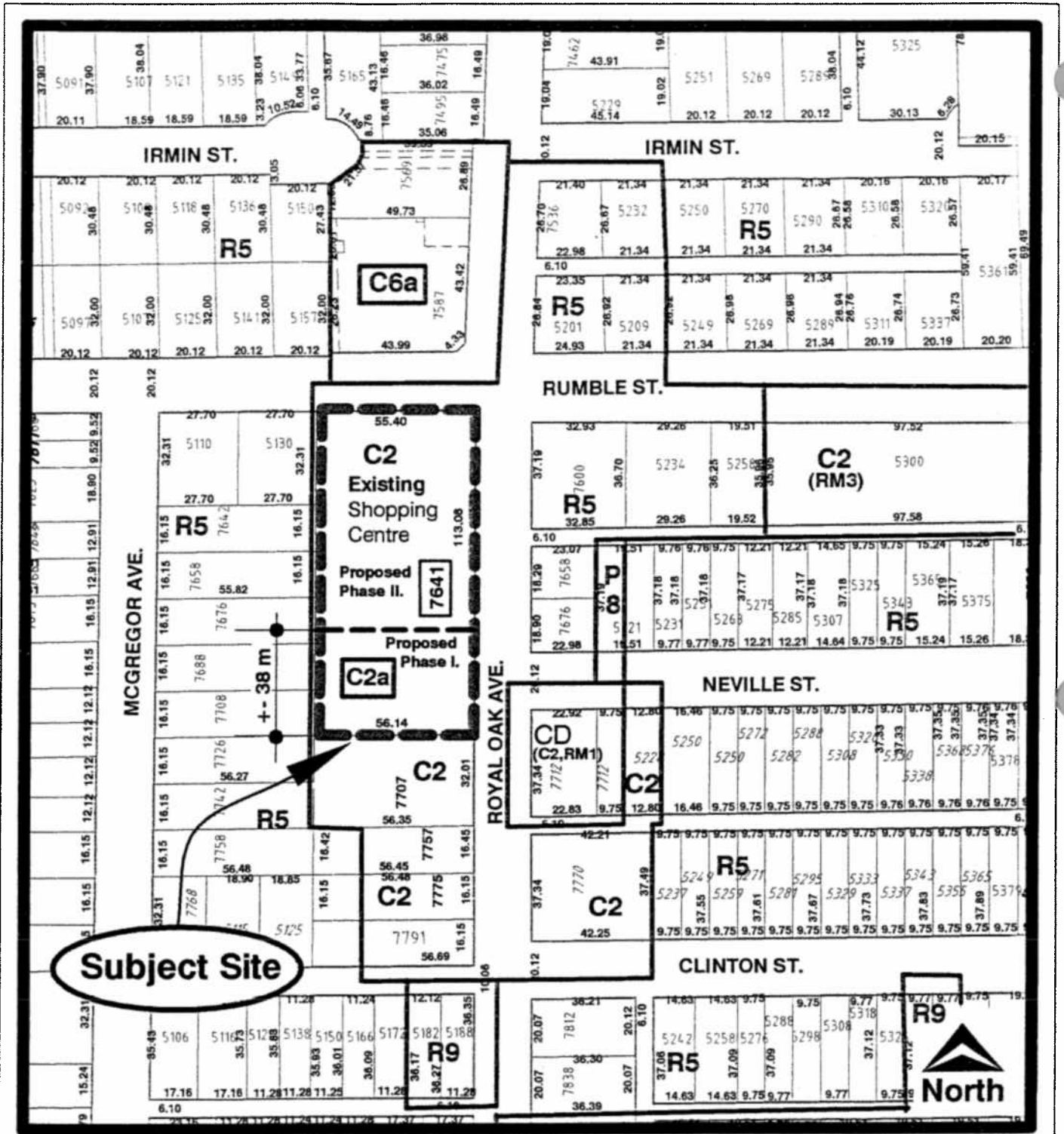


J. S. Belhouse  
Director Planning and Building

FA:gk  
Attach

cc: Director Engineering  
Director Parks, Recreation and Cultural Services  
City Clerk  
City Solicitor

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Planning and Building Department

Scale: 1 = 2000

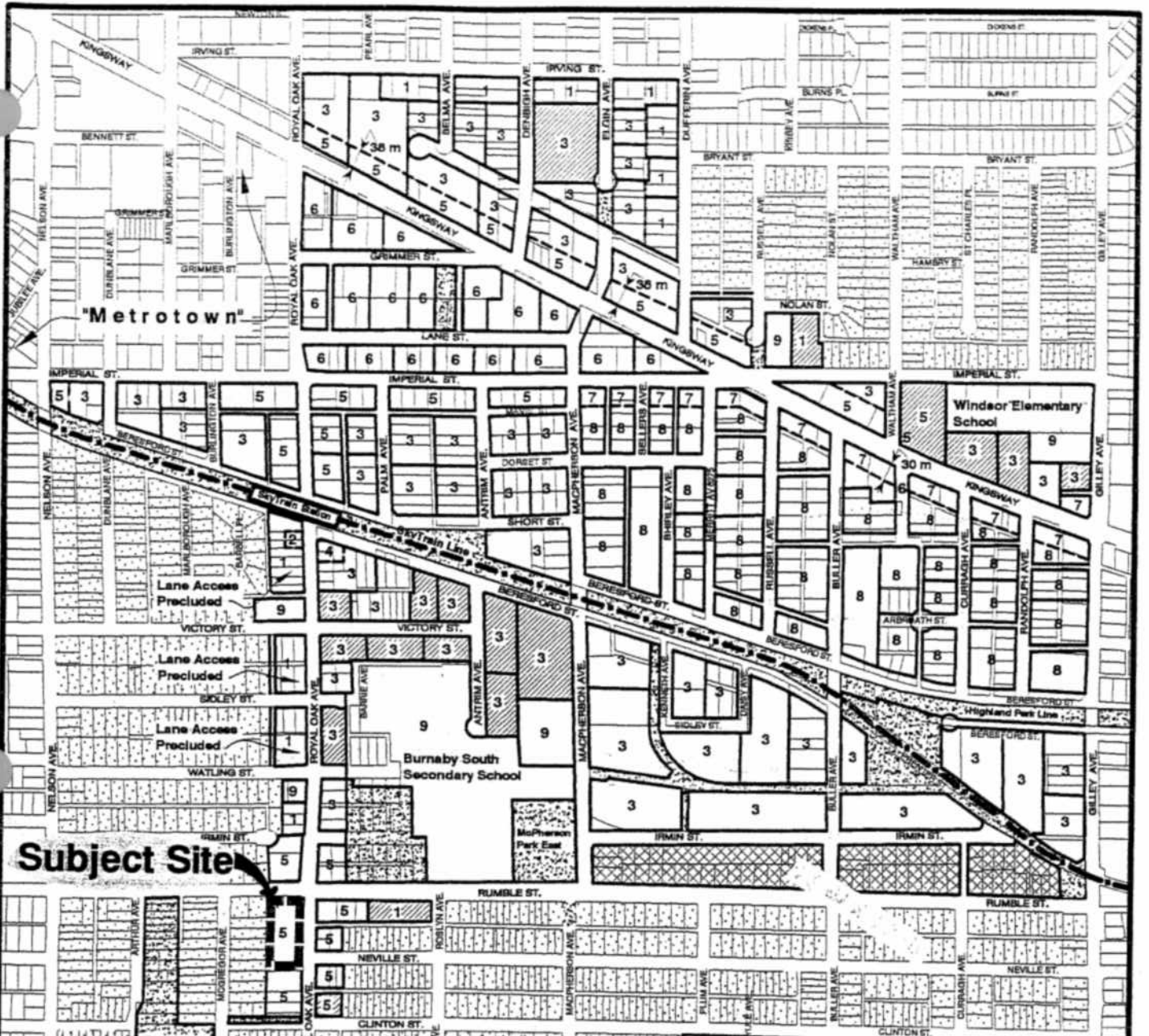
Drawn By: J.P.C.

Date: June 2004

REZONING REFERENCE #04 -- 35

7641 Royal Oak Avenue

Sketch # 1



**REZONING REFERENCE #04 -- 35**  
**7641 Royal Oak Avenue**

**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 / Parkway / Public Open Space
- 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 designation.

Transition Area - Consult Planning for further information

**\*\* This Sketch is Subject to Updating on a Continuous Basis.**  
 Updated to: March 2003



