



Item	CB
Meeting.....	2007 February 18

COUNCIL REPORT

TO: CITY MANAGER 2007 February 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #07-31
Four-storey mixed-use development
Royal Oak Community Plan, Sub-Area 1

ADDRESS: 7757, 7775, 7791 Royal Oak Avenue (See attached Sketches #1 and #2)

LEGAL: Lot 77, D.L. 158, Plan 37043, Lot F of Lot 6 and Lot G of Lot 6, D.L. 158, Group 1, NWD Plan 3423

FROM: C2 Community Commercial District and R5 Residential District

TO: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Royal Oak Community Plan guidelines and in accordance with the development plan entitled "Residential/Commercial Development 7777 Royal Oak Avenue, Burnaby, BC" prepared by Wilson Chang Architect).

APPLICANT: Mayur Kothary
6429 Gordon Avenue
Burnaby, BC V5E 3M3

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2008 March 18.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2008 March 03, and to a Public Hearing on 2008 March 18 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

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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 the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw. 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 lot.
- f. The dedication of any rights-of-way deemed requisite.
- g. The undergrounding of existing overhead wiring abutting the site.
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- i. The granting of a Section 219 Covenant restricting enclosure of balconies.
- j. The granting of a Section 219 Covenant for the protection of off-site tree root zones.
- k. Compliance with the Council-adopted sound criteria.
- l. Compliance with the guidelines for underground parking for visitors.
- m. The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- n. The pursuance of Storm Water Management Best Practices in line with established guidelines.
- o. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.

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- p. Submission of a Site Profile and resolution of any arising requirements.
- q. The deposit of the applicable Parkland Acquisition Charge.
- r. The deposit of the applicable GVS & DD Sewerage Charge.
- s. The deposit of the applicable School Site Acquisition Charge.
- t. 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.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a four-storey mixed use development comprising of commercial retail at-grade fronting Royal Oak Avenue with residential behind and above with full underground parking.

2.0 BACKGROUND

- 2.1 Council, on 2007 September 17, received the report of the Planning & 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.
- 2.2 The subject site is located within the Council adopted Royal Oak Community Plan area, on the south-west corner of Clinton Street Royal Oak Avenue. The subject site includes three lots at 7757, 7775, and 7791 Royal Oak Avenue. As noted in the Council adopted report dated 2007 September 17, the applicant was unable to acquire the neighbouring property at 7707 Royal Oak Avenue for inclusion in the planned assembly.
- 2.3 A development is being pursued for a four-storey mixed-use development with retail at grade fronting Royal Oak Avenue with residential behind and above. The proposed ground level residential units are considered supportable given the existing single- and two-family context to the west; and the maximum C9 Floor Area Ratio (F.A.R) not being exceeded. In line with previous similar applications such as Rezoning Reference #06-46, #06-70 and #07-19, the proposed development has requested to vary the guideline 45° on street fronting elevations within the C9 Urban Village Commercial District by producing

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instead a well modulated building massing with variations in setbacks and street fronting balconies. This approach achieves a strongly articulated urban village street-fronting character in line with the objectives of the Royal Oak Community Plan, while improving the viability of the project. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing on this basis.

3.0 GENERAL COMMENTS

3.1 The development proposal is for 61 apartment units, with internal amenity space for residents on the ground floor, and commercial floor area at-grade fronting Royal Oak Avenue. Vehicular access is restricted to Clinton Street. The maximum proposed density of the project is 2.15 F.A.R with full underground parking.

3.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to the widening of Royal Oak Avenue abutting the subject site including a separated sidewalk with stamped concrete boulevards, street trees in grates, street lighting and pedestrian lights and the construction of a pedestrian greenway along Clinton Street with a double row of street trees, separated sidewalks and boulevard grassing along the development frontage.

Road widening dedications of 2.13m are required along the Royal Oak Avenue frontage, 4.5m across the Clinton Street frontage and a 3m x 3m corner truncation at the intersection of Royal Oak Avenue and Clinton Street.

3.3 Any necessary easements, covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to a Section 219 Covenant restricting enclosure of balconies and a 1.8m statutory right of way for a second row of street trees on Clinton Street.

3.4 In light of the proximity to Royal Oak Avenue and Rumble Street, a noise study is required to ensure compliance with the Council-adopted sound criteria.

3.5 One car wash stall and an appropriately screened garbage handling and recycling holding area will be provided on site.

3.6 The developer is responsible for the undergrounding of the overhead wiring abutting the site on Royal Oak Avenue.

3.7 Development Cost Charges:

- a) Parkland Acquisition Charge of \$3.84 per sq.ft. of residential gross floor area
- b) School Site Acquisition Charge of \$700.00 per unit

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- c) GVS&DD Sewerage Charge of \$1082.00 per apartment unit and \$0.811 per sq.ft. of commercial floor area.
- 3.8 An on-site sediment control system is a requirement of Preliminary Plan Approval and must be approved by the Environmental Services Division - Engineering Department.
- 3.9 Given the size of the site, best management practices are acceptable in lieu of a formal storm water management plan.
- 3.10 Due to the commercial history of the site, a site profile and resolution of any resultant conditions is required.
- 3.11 A tree survey has been submitted and given the constraints of the site and the extent of underground parking the retention of any existing trees is not considered viable. The landscape plan has proposed planting of 28 trees on the site and the underground parking is proposed to be setback 6.2m (20.25 ft.) from the west property line to protect the root zones of off-site trees. A Section 219 Covenant to protect the root zones of off-site trees will be required.

4.0 **DEVELOPMENT PROPOSAL**

4.1 Site Area

Gross Site:	-	2,749.91 m ² (29,600.75 sq.ft.)
Dedications:	-	337.76 m ² (3,635.75 sq.ft.)
Net Site	-	2,412.15 m ² (25,965.00 sq.ft.)
		(Subject to detailed survey)

4.2 Density

F.A.R. Permitted & Provided	-	2.15 FAR
Gross Floor Area (G.F.A.)	-	5,092.13 m ² (55,808.07 sq.ft.)
Residential	-	4,549.51 m ² (48,972.07 sq.ft.)
Commercial	-	401.05 m ² (4,317.00 sq.ft.)
Amenity	-	233.09 m ² (2,519.00 sq.ft.)

<u>Site Coverage</u>	-	62%
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4.3 Height - 4 storeys

4.4 Unit Mix

51 one-bedroom + den units:	-	56.24 – 62.59 m ² (605.43 – 673.73 sq.ft.)
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4	two-bedroom units :	-	71.57 m ²	(770.45 sq.ft.)
6	<u>two-level two-bedroom units:</u>	-	95.01 m ²	(1,022.66 sq.ft.)
Total 61 Units				

4.5 Parking and Loading:

Parking Required & Provided

Residential @ 1.6 spaces/unit	-	98 (including 15 visitor spaces)
Car Wash Stall	-	1
<u>Commercial @ 1/46m²</u>	-	<u>9</u>
Total Parking	-	108

Bicycle Parking Required & Provided


Secure Residential @ 1 locker/unit	-	61
Visitors racks @ 0.2 spaces/unit + 10% of Commercial off-street parking	-	14

Commercial Loading Provided	-	1 space
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4.6 Communal Facilities

(Included in F.A.R. Calculations)

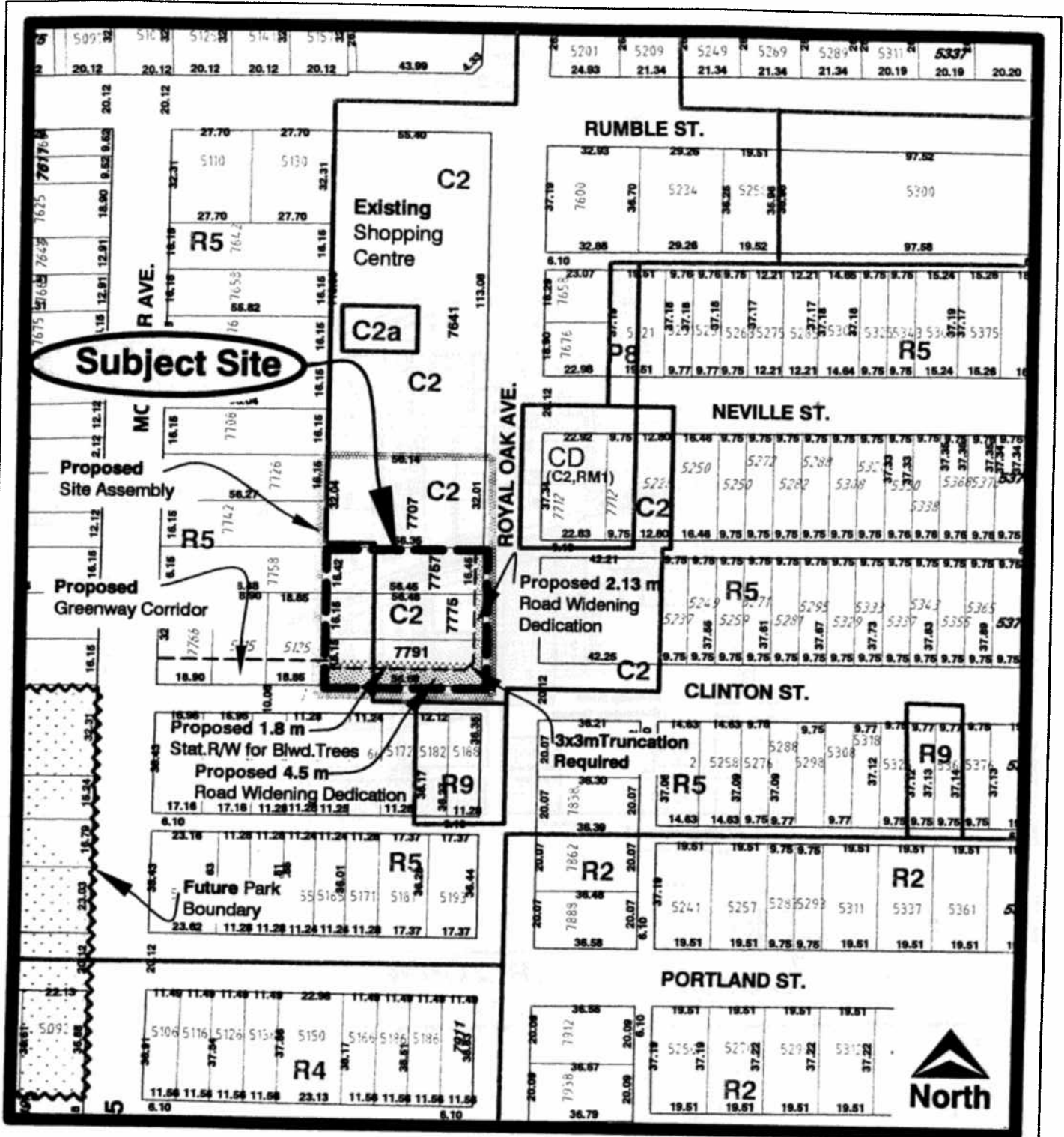
Communal facilities located within the subject development include a fitness room, multi-purpose meeting/entertainment room and children's play area (tot lot).


B. Luksun
Director Planning and Building

JBS
Attachments

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

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Planning and Building Department

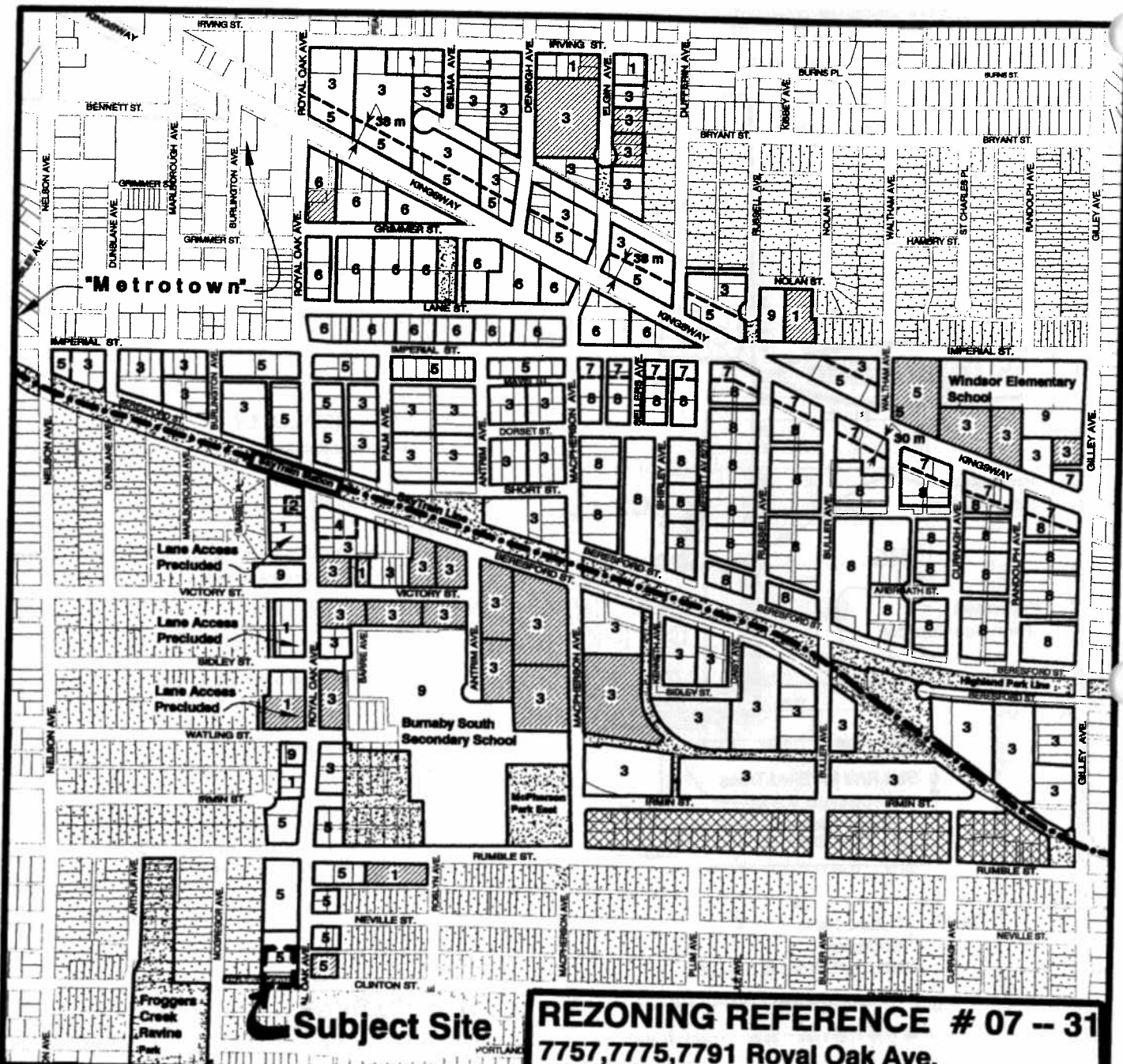
Scale: 1 = 2000

Drawn By: J.P.C.

Date: September 2004

REZONING REFERENCE # 07 -- 31
7757,7775,7791 Royal Oak Ave.

Sketch # 1



REZONING REFERENCE # 07 - 31
7757,7775,7791 Royal Oak Ave.

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)
- 7. CD (C2)
- 8. CD (M5)
- 9. Institutional (School, Church, Assembly)

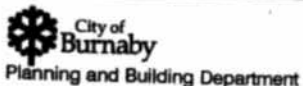
- Single and Two - Family Housing
- Park / Parkway / Public Open Space
- Completed or Rezoned In Accordance
- With Development Guidelines

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: April 2007



Royal Oak Community Plan
Development Guidelines

