



Item.....
Meeting.....2009 March 23

COUNCIL REPORT

TO: CITY MANAGER 2000 March 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #07-14
Stacked Townhouse Project
Community Plan Eight

ADDRESS: 4025, 4039 & 4047 Dominion Street & a portion of the abutting lane (See attached Sketches #1 and #2)

LEGAL: Lots 11, West Half 10, East Half 10, Blk 33, D.L. 69, Group 1, NWD Plan 1321

FROM: R5 Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Community Plan Eight guidelines and in accordance with the development plan entitled “4025 Dominion Street” prepared by Matthew Cheng Architect Inc.).

APPLICANT: Matthew Cheng Architect Inc.
202-670 Evans Avenue
Vancouver, B.C. V6A 2K9
Attention: Matthew Cheng

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2009 April 28.

RECOMMENDATIONS:

1. **THAT** the introduction of two Highway Closure Bylaws be authorized according to the terms outline in Sections 3.3 and 3.4 of this report, contingent upon the granting by Council of Second Reading of the subject rezoning Bylaw.
2. **THAT** the sale be approved for the City-owned property for inclusion with the subject development site in accordance with the terms outlined in Section 3.4 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
3. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 April 06, and to a Public Hearing on 2009 April 28 at 7:30 p.m.

To: City Manager
From: Director Planning & Building
Re: REZONING REFERENCE #07-14
2009 March 17 Page 2

4. **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 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 completion of the Highway Closure Bylaw.
 - f) The completion of the sale of City property.
 - g) The consolidation of the net project site into one legal parcel.
 - h) The undergrounding of existing overhead wiring abutting the site.
 - i) The granting of Section 219 Covenants restricting the enclosure of balconies.
 - j) Compliance with the Council-adopted sound criteria.
 - k) The approval of the Ministry of Transportation to the rezoning application.
 - l) 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.

To: City Manager
From: Director Planning & Building
Re: REZONING REFERENCE #07-14
2009 March 17 Page 3

- m) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- 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 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 an 18-unit stacked townhouse development with underground parking.

2.0 BACKGROUND

2.1 Council, on 2007 May 28, 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 includes three lots currently zoned R5 Residential District and a portion of the abutting lane right-of-way to the north. The site is currently occupied by two single-family dwellings at 4025 and 4039 Dominion Street.

A development is being pursued for townhouse development, utilizing the CD Comprehensive Development District with the RM2 District as a guideline in line with the objectives of the adopted Community Plan Eight.

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

3.0 GENERAL COMMENTS

- 3.1 The development proposal is for an 18-unit three-storey townhouse development with underground parking accessed from Dominion Street. The maximum density of the project under the RM2 District guidelines is 0.9 F.A.R with underground parking. All townhouse units have individual ground-oriented entrances.
- 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:
- Road upgrading on Dominion Street with an 11m pavement and separated sidewalk abutting the site, a cul-de-sac bulb with abutting sidewalk, street trees and boulevard grass along the frontage of the site and around the cul-de-sac;
 - Construction of a hammerhead lane turnaround on a statutory right-of-way in the northeast corner of the site;
 - Water main upgrading from the existing water main north of the site to Dominion Street and along the frontage of the site;
 - Install a new fire hydrant to serve the development site; and
 - New storm sewer provision along Manor Street frontage and extended west to connect to the existing culvert;
 - Construction of an Urban Trail abutting the site to the north along the Manor Street road alignment.
- 3.3 On 2007 June 20 the Parks, Recreation and Cultural Services Commission adopted the recommendation that the easterly boundary of Broadview Park be amended to accommodate the relocation eastward of the existing Dominion Street cul-de-sac right-of-way (see **attached** Sketch #1). This will increase the area in Broadview Park. To accommodate this relocation of the Dominion Street cul-de-sac, a Highway Closure Bylaw is required to accommodate the closure of a portion of the Dominion Street right-of-way for inclusion in Broadview Park (consolidated with 3955 Canada Way) in exchange or a small portion of 3955 Canada Way (Broadview Park) to be dedicated for road right-of-way with an attendant boundary change for that portion of the Broadview Park.
- 3.4 Council, on 2007 May 28, approved in principle, the sale of the City-owned land, namely the lane allowance abutting 4025 and 4039 Dominion Street as well as 4047 Dominion Street (which will have a lane turn around hammerhead provided on a statutory right-of-way in the northeast corner) for inclusion in the subject site. Finalization of a Highway Closure Bylaw for the lane allowance, and the purchase of 4047 Dominion Street and the lane allowance by the developer is required prior to final adoption of this rezoning. The City solicitor has determined a recommended sale price for the road allowance and City

To: City Manager
From: Director Planning & Building
Re: REZONING REFERENCE #07-14
2009 March 17 Page 5

parcel at 4047 Dominion Street of \$102 per sq.ft. of land excepting the hammerhead turnaround area which would be sold for an estimated 75% of fee simple or \$76.50 per sq. ft. of land. The exact amount of land to be sold will be the subject of a detailed survey and is in the range of approximately 578.1m² (6,223 sq. ft.). These prices will be valid for nine months from the date of Second Reading of the rezoning bylaw, after which it would be subject to review by the Legal and Lands Department.


- 3.5 An Urban Trail will be constructed by the developer on the rear frontage along the Manor Street right-of-way abutting this site as part of the future east-west Urban trail linking Gilmore Diversion with Smith Avenue.
- 3.6 In light of the proposed development's proximity to the Trans Canada Highway, a noise study is required to ensure compliance with the Council-adopted sound criteria.
- 3.7 The developer is responsible for the undergrounding, or removal if redundant, of the overhead wiring abutting the north side of the site along the lane.
- 3.8 A tree survey has indicated that no trees are suitable for retention.
- 3.9 Ministry of Transportation approval to this rezoning is required.
- 3.10 Any necessary easements and covenants for the site are to be provided, including, but not necessarily limited to a Section 219 Covenant restricting enclosure of balconies.
- 3.11 The Environmental Services Division of the Engineering Department will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption. The proposed Sediment Control System will then be the basis after Final Adoption for the necessary Preliminary Plan Approval Building Permit.
- 3.12 Given the size of the site, stormwater management best practices are acceptable in lieu of a formal storm water management plan.
- 3.13 Applicable Development Cost Charges are:
 - a) Parkland Acquisition Charge of \$3.84 per sq.ft. of gross floor area
 - b) School Site Acquisition Charge of \$800.00 per unit
 - c) GVS&DD Sewerage Charge of \$826.00 per unit.

4.0 DEVELOPMENT PROPOSAL

4.1 Net Site Area - 1,700.9 m² (18,309 sq.ft.)
(Subject to detailed survey)

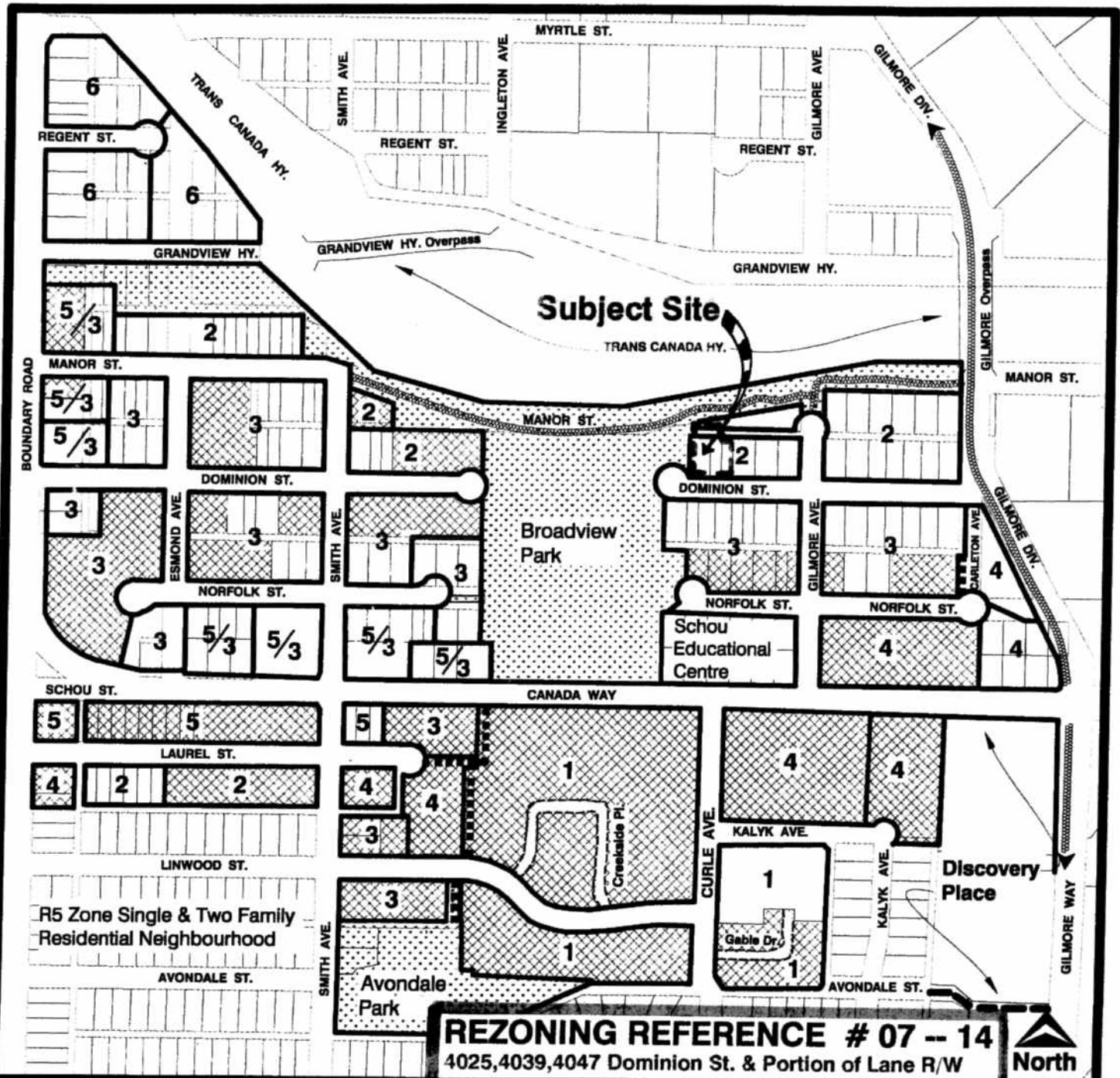
To: City Manager
 From: Director Planning & Building
 Re: REZONING REFERENCE #07-14
 2009 March 17 Page 6

4.2	<u>Density</u>		
	Floor Area Ratio Permitted and Provided	-	0.9 FAR
	Gross Floor Area Permitted and Provided	-	1,530.8 m ² (16,478. sq.ft.)
	Site Coverage	-	32 %
4.3	<u>Height</u>	-	3 storeys
4.4	<u>Unit Mix</u>		
	18 two-bedroom units:	-	64.2 - 92.5 m ² (691.3 - 995.3 sq.ft.)
4.5	<u>Parking:</u>		
	Parking Required: 1.75 spaces/unit	-	32
	Parking Provided:	-	33 stalls (including 5 visitor spaces)
		-	<u>1 car wash stall</u>
	Total		34 spaces
	Bicycle Parking		
	Secure residential required:	-	18 spaces
	Provided:	-	19 spaces
	Visitors' racks: 0.2 spaces/unit	-	4 spaces


 B. Luksun
 Director Planning and Building

FA:gk
 Attachments

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



Legend:

- 1 > Low density multiple residential development (RM1 Guidelines)
- 2 > Medium density apartment (RM2 Guidelines)
- 3 > Medium density apartment development (RM3 Guidelines)
- 4 > Institutional development (P5 Guidelines)
- 5 > Commercial development (C2 Guidelines)
- 6 > Light industrial / office (M5 Guidelines)

- > Urban Trail
- > Bike & Pedestrian Path
- > Pedestrian Path
- > Completed or Rezoned in Accordance With Development Guidelines
- > Existing and Proposed Park



City of Burnaby Planning and Building Department

Updated to: March 2006
Reference date June 1971

Community Plan Eight