



Item.....	13
Meeting.....	2009 November 23

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2009 November 18
FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 01
Reference: Rez Series
SUBJECT: REZONING APPLICATIONS
PURPOSE: To submit the current series of new rezoning applications for Council's consideration.

RECOMMENDATION:

1. **THAT** Council set a Public Hearing for this group of rezonings on 2009 December 15 at 7:30 p.m. except where noted otherwise in the individual reports.

REPORT

Attached please find reports on outstanding rezoning applications. A short form notation of the report recommendations are also outlined for the convenience of Council.

	Page No.	Recommend. Page No.
Item #1 Application for the rezoning of: Rez #09-19 Parcel "B" (EP14458), Lots 2 & 3, Blk 13, D.L. 158, Group 1, NWD Plan 1908	310	312

From: C2 Community Commercial District

To: R5 Residential District

Address: 5228 Neville Street

RECOMMENDATIONS:

1. **THAT** the amendment to the Royal Oak Community Plan, as outlined in Section 4.1 of this report, be approved.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23, and to a Public Hearing on 2009 December 15 at 7:30 p.m.
3. **THAT** the following be established as a prerequisite to the completion of the rezoning:
 - a) The granting of a Section 219 Covenant restricting vehicular access from the lane only.

Item #4 Application for the Rezoning of:
Rez #09-22 Lot 1, D.L. 34, Group 1, NWD Plan LMP33243

327 **330**

From: CD Comprehensive Development District (based on C2 Community Commercial District)

To: Amended CD Comprehensive Development District (based on C2 Community Commercial District and P1 Neighbourhood Institutional District and Metrotown Development Plan guidelines and in accordance with the development plan entitled "Proposed New Daycare at 4021 Kingsway, BBY., B.C." prepared by Stephen Chan)

Address: **4021 Kingsway**

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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) Compliance with all requirements of the Fraser Health Authority, including the applicable sections of the Child Care Licensing Regulations of the *Community Care and Assisted Living Act*.

Item #5 Application for the rezoning of:
Rez #09-23 Lot 6, D.L. 152, Group 1, NWD Plan 1292

334 **336**

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Metrotown Development Plan guidelines)

Address: **6709 Marlborough Avenue**

RECOMMENDATIONS:

1. **THAT** a copy of this report be sent to the property owners at 6687 and 6729 Marlborough Avenue and 6688, 6710 and 6730 Dunblane Avenue.

2. **THAT** the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

Item #6 Application for the Rezoning of: **340** **343**
Rez #09-24 Lots 5 & 6, D.L. 152, Group 1, NWD Plan 80573

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and C6a Gasoline Service Station District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and Metrotown Development Plan guidelines)

Address: 4860 Bennett Street and 6535 Nelson Avenue

RECOMMENDATION:

1. **THAT** the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

Item #7 Application for the Rezoning of: **348** **353**
Rez #09-25 Lot 1, D.L. 164, Group 1, NWD Plan BCP35866

From: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on RM1 Multiple Family Residential District and New Haven Conceptual Development Plan guidelines and in accordance with the development plan entitled "New Haven Townhomes Revised Residential Concept" prepared by Robert Ciccozzi Architecture Inc.)

Address: 4250 Marine Drive

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 at 7:30 p.m.

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, C2 Community Commercial District and C6a Gasoline Service Station District and in accordance with the development plan entitled "Costco Willingdon BC Proposed Garden Centre" prepared by Mitchell C. Smith Architect MAIBC)

Address: 4500 Still Creek Drive

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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 approval of the Ministry of Transportation to the rezoning application.

Item #9 Application for the Rezoning of:
Rez #09-27 Lot 2 (BP247323), D.L. 70, Group 1, NWD Plan 71013

363

367

From: CD Comprehensive Development District (based on M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M5 and M5r Light Industrial District, Willingdon Business Park guidelines and in accordance with the development plan entitled "Proposed Restaurant: Unit 100-4370 Still Creek Drive (Willingdon Park)" prepared by CEI Architecture Planning Interiors)

Address: 4350 Still Creek Drive (#100 – 4370 Still Creek Drive)

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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 the 50% cash contribution towards a new pedestrian crosswalk.
- c) The approval of the Ministry of Transportation to the rezoning application.

Item #10 Application for the rezoning of: 370 374
Rez #09-28 Lot 1, D.L. 119, Group 1, NWD Plan BCP29858

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and Brentwood Town Centre Plan guidelines and in accordance with the development plan entitled "Browns Social House Restaurant" prepared by Hearth Architectural)

Address: 1908 Rosser Avenue (Unit #2)

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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 granting of a Section 219 Covenant to limit the hours of use of the patio to 11:00 a.m. to 10:00 p.m., Monday to Saturday, and 12:00 noon to 10:00 p.m. on Sundays; as well as prohibit any amplified or live music.
 - c) The granting of a Section 219 Covenant guaranteeing use of 40 office parking stalls during evening (after 6:00 p.m.) and weekend hours.
 - d) The approval of the Ministry of Transportation to the rezoning application.

Item #11 Application for the Rezoning of: 378 380
Rez #09-29 Lot A, D.L. 121, Group 1, NWD Plan 13633

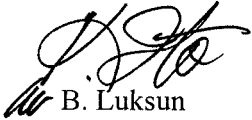
From: C8 Urban Village Commercial District (Hastings)

To: CD Comprehensive Development District (based on C8 Urban Village Commercial District (Hastings) and Hastings Street Area Plan guidelines)

Address: 4114 Hastings Street

RECOMMENDATIONS:

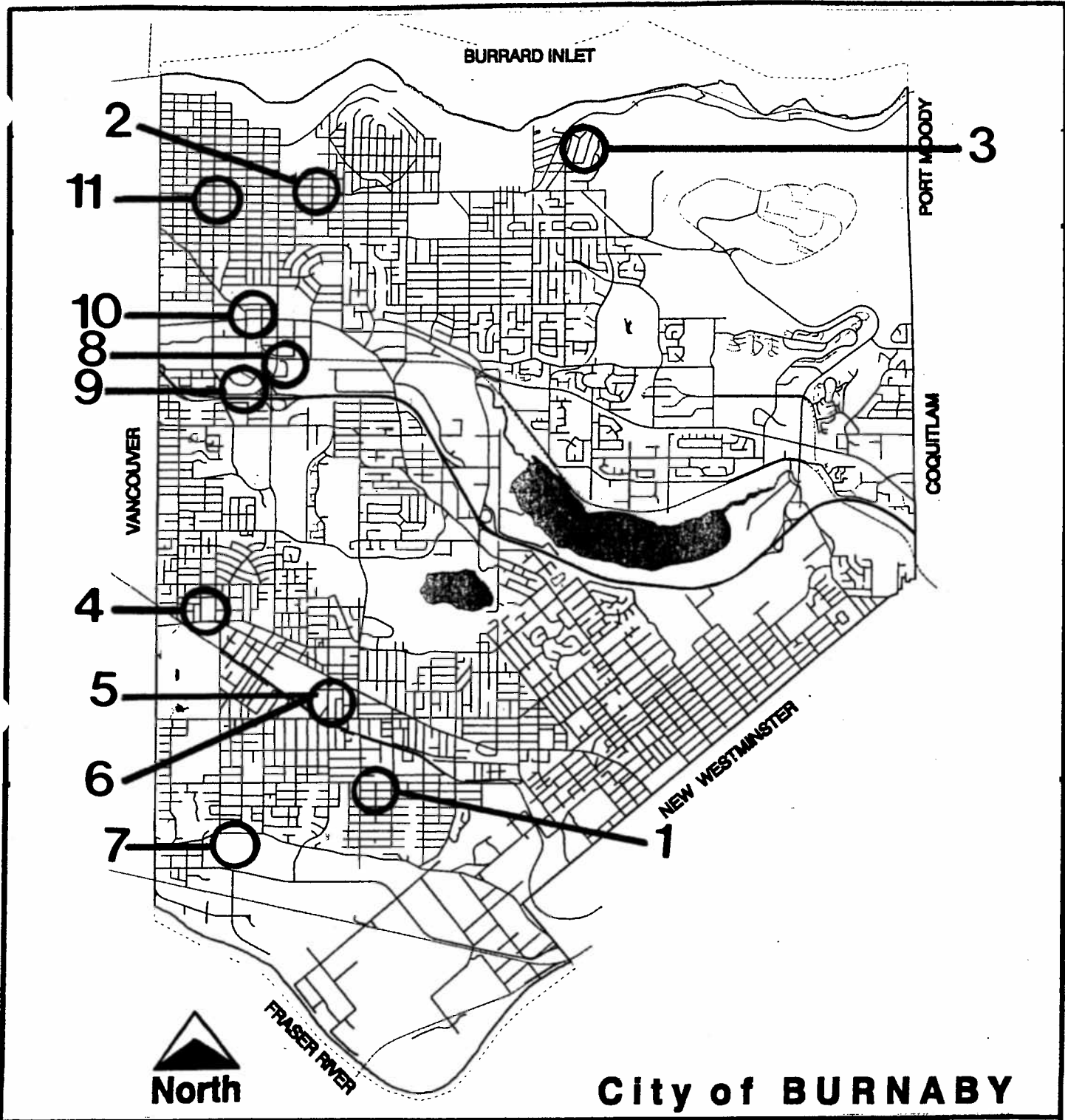
1. **THAT** Council reject this rezoning request.
2. **THAT** copies of this report be sent to the rezoning applicant and to the property owner.



B. Luksun
Director Planning and Building

:gk
Attach

P:\Gulzar\PL - Rez Series Nov 23.doc




Planning And Building Department

Scale:

Drawn By: DB

Date: 2009 November 23

Rezoning Series

 Item Nos.

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-19
2009 NOVEMBER 23

ITEM #1

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Parminder Mohan
5598 Neville Street
Burnaby, B.C. V5J 2H5
- 1.2 **Subject:** Application for the rezoning of:
Parcel "B" (EP14458), Lots 2 & 3, Blk 13, D.L. 158, Group 1, NWD
Plan 1908
- From:** C2 Community Commercial District
- To:** R5 Residential District
- 1.3 **Address:** 5228 Neville Street
- 1.4 **Location:** The subject site is located on Neville Street east of Royal Oak Avenue (Sketch #1 attached).
- 1.5 **Size:** The site is rectangular in shape with a width of 12.8 m (41.99 ft.) and an approximate area of 477.99 m² (5,145.2 sq. ft.).
- 1.6 **Services:** No servicing is applicable to this application.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to bring the subject property into conformance with its existing residential use and to permit the future construction of a new single-family dwelling.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject property is currently improved with a single-family dwelling and a detached garage. The subject property is located in proximity to lots with single-family dwellings of varied age and size to the north across Neville Street, directly to the east, and to the southeast across a lane. Mixed-use development is located immediately to the west and to the southwest across a lane. To the northwest across Neville Street are commercial uses fronting Royal Oak Avenue. Vehicular access is from the rear lane.

3.0 BACKGROUND INFORMATION

The subject property is situated within the Council-adopted Royal Oak Development Plan, Sub-Area 1, which proposes a three-lot assembly with the two adjacent parcels to the west (both addressed at 7712 Royal Oak Avenue) for Comprehensive Development rezoning and mixed-use development using C9 guidelines (see *attached* Sketch #2). As noted, the property to the west accommodates an existing mixed-use development.

In 2005 February, this Department received an enquiry from the applicant regarding rezoning the subject property from C2 District to R5 District, in conjunction with its proposed consolidation with the adjacent property to the east at 5250 Neville Street and subsequently, future subdivision into three smaller R5 District lots. Given the surrounding land uses, this Department was supportive of such a rezoning approach, subject to Council's approval. However, an application for rezoning was not received and a new single-family dwelling was subsequently constructed at 5250 Neville Street in 2005.

4.0 GENERAL INFORMATION

- 4.1 The subject property is improved with an older single-family dwelling that was constructed in 1956 and is in good condition. There is no indication that the subject site was used for commercial purposes in the past. The applicant is proposing to rezone the subject property to the R5 Residential District in order to bring the property into conformance with its on-going residential use and to permit the future construction of a new single-family dwelling. The subject property meets the minimum lot width and area requirements of 9.15 m (30 ft.) and 334.4m² (3,600 sq. ft.) respectively, to accommodate a R5-Small single-family development. R5-Small single-family development is permitted if 30 percent or more of the existing lots in the block front (with the zoning designations R4, R5, or R9) have a width of 13.72 m (45.0 ft.) or less.

The adjacent three-storey mixed-use building to the west at 7712 Royal Oak Avenue was constructed in 1971 and is in good condition. The commercial uses appear to be viable given that the retail units are fully leased and will likely remain viable given the proximity of the development to the commercial centre at Royal Oak Avenue and Rumble Street. The residential apartments above also appear to be fully leased. It is acknowledged that the Royal Oak Community Plan identifies the subject property for future consolidation with the neighbouring two adjacent parcels at 7712 Royal Oak Avenue for Comprehensive Development rezoning and mixed-use development using the C9 guidelines. However, given that 7712 Royal Oak Avenue is currently improved with a mixed-use building, its redevelopment in line with the Plan is unlikely in the foreseeable future.

In light of the longstanding single-family residential use and due to the single-family context to the north, east and south of the property, the proposal merits consideration.

The essential Community Plan relationships with mixed-use commercial fronting Royal Oak Avenue and single-family to the east remain unchanged, and it is unlikely that the site would be developed in line with the Plan in the foreseeable future. Therefore, this Department would propose to support the application with the requisite amendment of the Royal Oak Community Plan to designate the subject property into conformance with its existing residential use.

- 4.2 No servicing is applicable to this application. However, the servicing requirements under Building Permit for development of a future new single-family dwelling will include, but not necessarily be limited to, the following:
- a) The replacement of the existing water and sanitary sewer connections due to their age.
 - b) The confirmation of a storm sewer connection, and cash-in-lieu provided if no connection exists.
- 4.3 A Section 219 Covenant restricting vehicular access from the lane only will be required.

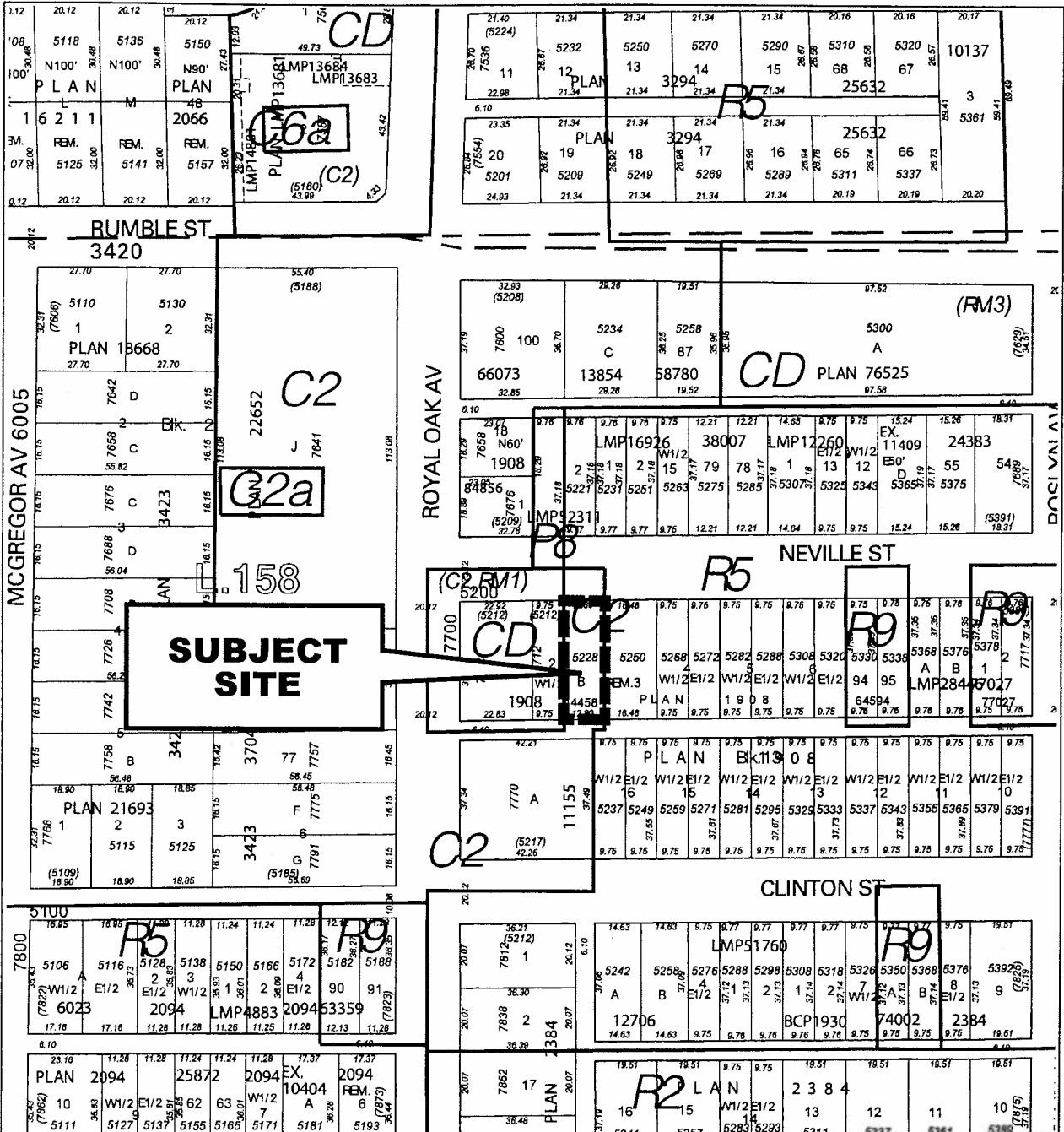
5.0 RECOMMENDATIONS

- 5.1 **THAT** the amendment to the Royal Oak Community Plan, as outlined in Section 4.1 of this report be approved.
- 5.2 **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23, and to a Public Hearing on 2009 December 15 at 7:30 p.m.
- 5.3 **THAT** the following be established as a prerequisite to the completion of the rezoning:
- a) The granting of a Section 219 Covenant restricting vehicular access from the lane only.

BSI.

SMN:gk
Attach

cc: Director Engineering
City Clerk
City Solicitor



PLANNING & BUILDING DEPARTMENT



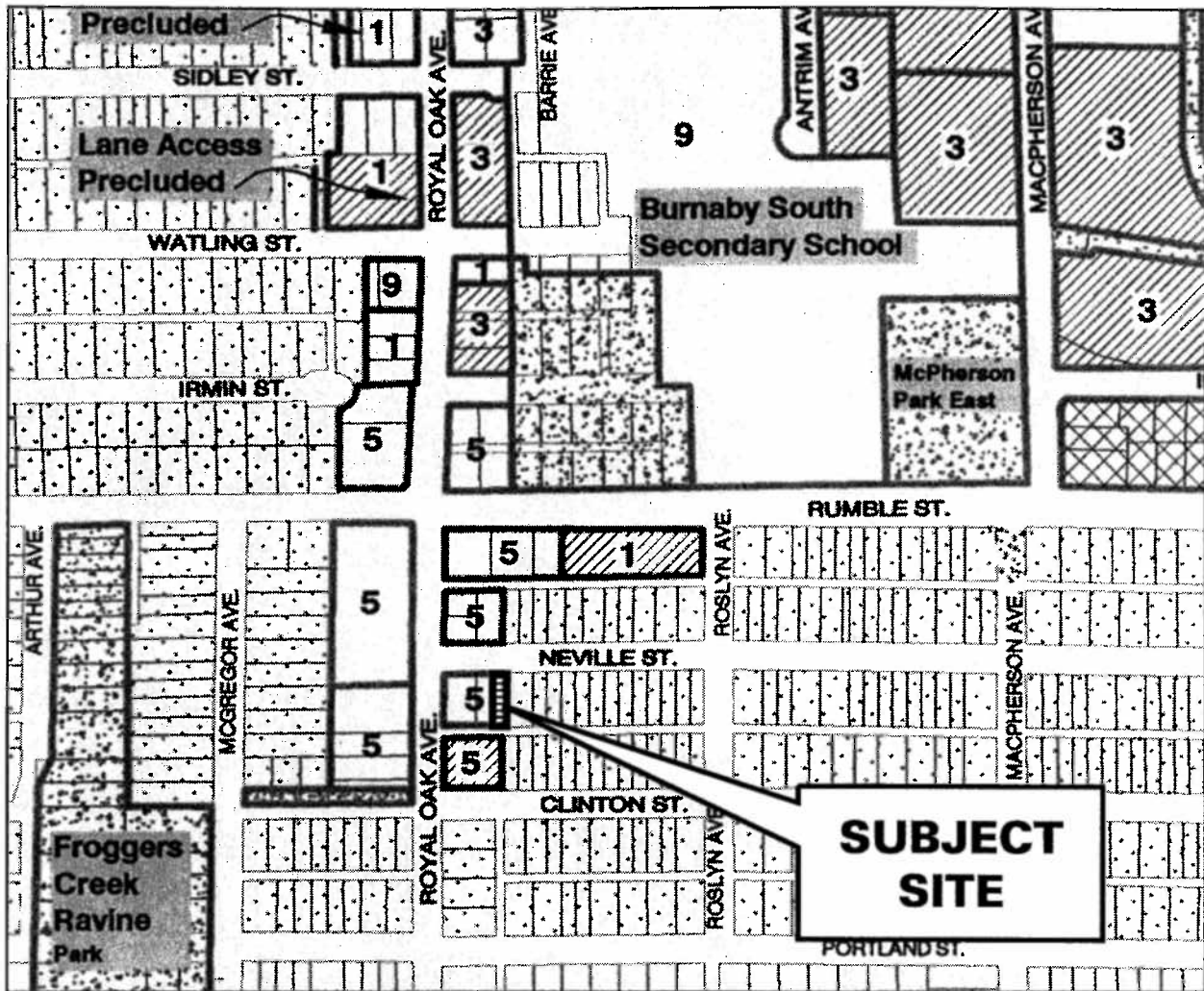
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SCALE:
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DRAWN BY:
rcn

REZONING REFERENCE #09-19
5228 Neville Street

Sketch #1



LEGEND:

- 1. CD (RM2 or Infill)
- 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: January 2009



PLANNING & BUILDING DEPARTMENT



DATE:	2009 10 06
SCALE:	NTS
DRAWN BY:	rcn

REZONING REFERENCE #09-19
5228 Neville Street

Sketch #2

Parminder Mohan
(On behalf of Ram Mohan)
5589 Neville Street
Burnaby, BC V5J 2H5
604-789-1888
email@parmmohan.com

2009 October 1


Basil Luksun, Director
City of Burnaby Planning Department
4949 Canada Way
Burnaby, BC V5G 1M2

**Re: Rezoning Letter of Intent
5228 Neville Street**

I, Parminder Mohan, on behalf of Ram Mohan, have submitted this application to rezone 5228 Neville Street from the C2 Community Commercial District to the R5 Residential District in order to bring the existing single-family dwelling, constructed in 1956, into conformity, and to allow the future construction of a new single family dwelling on the subject property.

To my knowledge, the property has never been used for commercial purposes, and is unfeasible for commercial uses as it does not relate to the commercial frontage on Royal Oak. It is acknowledged that the Royal Oak Community Plan identifies the subject property for consolidation and redevelopment with the neighbouring property at 7712 Royal Oak Avenue for rezoning and redevelopment under the CD Comprehensive Development District (using the C9 Urban Village Commercial District as a guideline) for the construction of a new mixed-use development. However, as 7712 Royal Oak is already improved with a mixed-use building, its redevelopment in line with the plan is unlikely in the foreseeable future.

Thank you for your consideration of this rezoning request, we look forward to working with the City on this application. If you have any further questions regarding this rezoning application, please feel free to contact me at 604-789-1888.


Parminder Mohan

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-20
2009 NOVEMBER 23

ITEM #2

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Peter K. Chu Architecture Inc.
277 – 780 Beatty Street
Vancouver, B.C. V6B 2M1
(Attention: Peter Chu)
- 1.2 Subject:** Application for the rezoning of:
Lots 29, 30 & 31, Blk 6, D.L. 122, Group 1, NWD Plan 1308
- From:** C4a Service Commercial District
- To:** CD Comprehensive Development District (based on RM3 Multiple Family Residential District, C2 Community Commercial District and Hastings Street Area Plan as guidelines)
- 1.3 Address:** 4719 Hastings Street
- 1.4 Location:** The subject site is located on the north side of Hastings Street, just east of Beta Avenue (Sketch #1 attached)
- 1.5 Size:** The site is 30.18 m (99 ft.) wide by 31.7 m (104 ft.) deep, with an area of approximately 956.7 m² (10,298 sq.ft.).
- 1.6 Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit a four-storey mixed-use development.

2.0 NEIGHBOURHOOD CHARACTERISTICS

- 2.1 The subject site is located at 4719 Hastings Street and is comprised of three legal lots. It is currently improved with a used car dealership. Commercial, service, and auto-oriented uses are located to the west, south, and east of the subject site fronting Hastings Street. Single-family dwellings are located to the north across the lane.

3.0 BACKGROUND INFORMATION

3.1 The subject site is located within the recently extended Hastings Street Area Plan. On 2008 April 07, Council adopted an extension to the Hastings Street Area Plan to include the Hastings Street frontage extending from Willingdon Avenue east to Delta Avenue (see Sketch #2 attached). The overall intent of the Plan extension is to revitalize the Hastings Street corridor east of Willingdon Avenue. The Plan extension, which underwent a public review and consultation process, seeks a dual approach to revitalization: broadening the range of permitted commercial uses within the Plan extension area through the creation of the new C4a zoning sub-district; and permitting the option for individual sites to redevelop to four-storey mixed-use forms on a site-by-site basis through rezoning to the CD Comprehensive Development District (based on RM3 Multiple Family District and C2 Community Commercial District as guidelines).

4.0 GENERAL INFORMATION

4.1 The applicant is requesting the rezoning of 4719 Hastings Street to the Comprehensive Development District (based on the RM3 and C2 Districts as guidelines) to permit the development of a four-storey mixed-use development, with grade-level retail units and office and residential uses on the upper floors. Vehicular access is proposed from the lane. The majority of parking will be provided underground with a few surface commercial spaces at the rear of the development. The proposed development is consistent with the Plan extension adopted by Council.

4.2 A 1.2 m to 1.5 m statutory right-of-way along Hastings Street abutting the site is required for boulevard improvements.

4.3 The Director Engineering will be requested to provide an estimate for all services necessary to serve this site. Servicing requirements will include, but not necessarily be limited to:

- Provision of cash-in-lieu for replacing an asbestos concrete water main along the Hastings Street frontage;
- Provision of cash-in-lieu for construction of new storm and sanitary sewer lines along the lane frontage;
- Removal of the existing driveway crossing on Hastings Street; and
- Provision of a new sidewalk, 1.8 m front boulevard, and street tree abutting the site.

4.4 Section 219 Covenants restricting the enclosure of balconies and ensuring all disabled parking remains as common property will be required.

4.5 Stormwater management best practices in line with established guidelines will be required.

- 4.6 A Site Profile and resolution of any arising requirements will be required.
- 4.7 As this site is influenced by traffic on Hastings Street, an acoustical study will be required to ensure compliance with Council-adopted criteria.
- 4.8 Approval by the Engineering Environmental Services Division of a detailed plan of an engineered sediment control system will be necessary at the Preliminary Plan Approval stage.
- 4.9 The Parkland Acquisition Charge, School Site Acquisition Charge, and GVS & DD Sewerage Charge will apply.
- 4.10 The feasibility of undergrounding overhead wiring in the lane abutting the site will be examined. If undergrounding is not feasible, producing and cash deposit for future works will be required.
- 4.11 The provision of a covered car wash stall will be required. A detailed plan of the subject facility will need to be submitted to the Engineering Environmental Services Division for approval.
- 4.12 The proposed prerequisite conditions to the rezoning will be included in a future report.

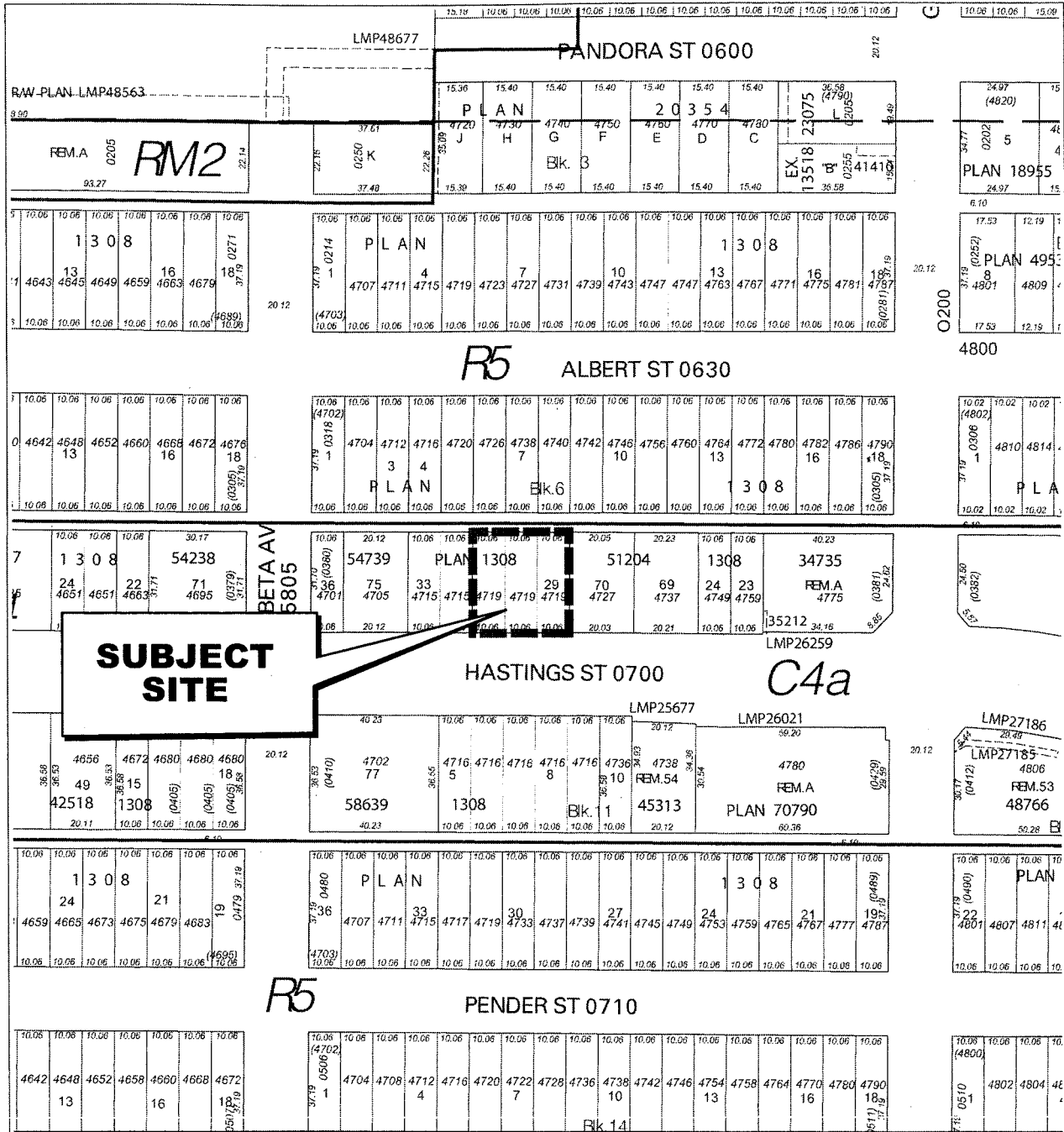
5.0 RECOMMENDATION



- 1. **THAT** the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

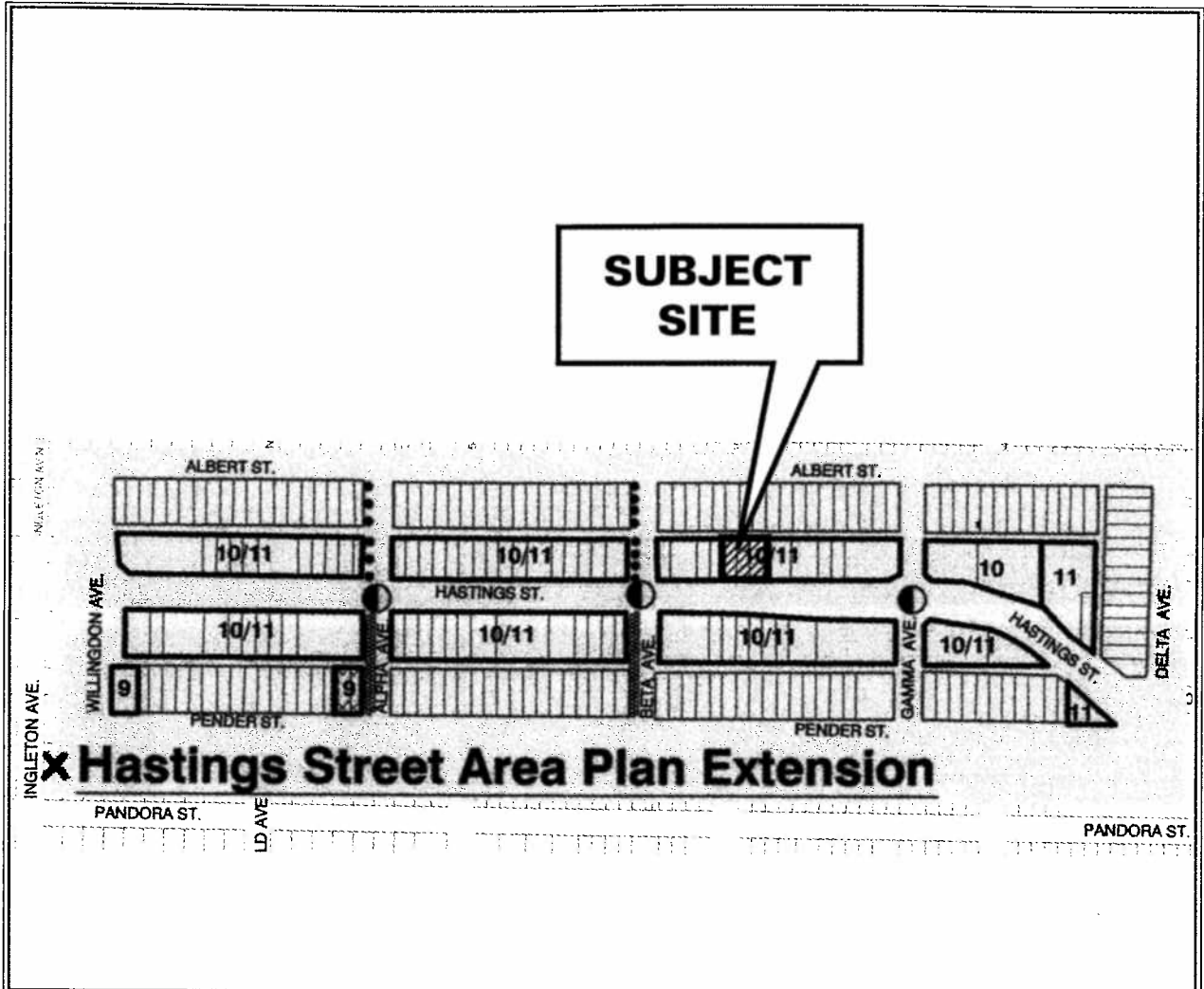
KH/gk

KH:gk
Attach

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

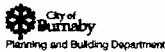


		PLANNING & BUILDING DEPARTMENT			
DATE: 2009 10 06		REZONING REFERENCE #09-20			
SCALE: 1:2000		4719 Hastings Street			
DRAWN BY: rcn		Sketch #1			



Hastings Street Area Plan Extension

**Hastings Street Area
Development Plan
(Including Extension)
Land Use Concept**



Updated to April 2009

- LEGEND:**
- 1 → Single and Two Family dwellings (Retained)
 - 2 → Low Rise Multi-Family Residential (RM3)
 - 3 → Single, Two Family or 2 1/2 Storey Townhousing (RM6)
 - 4 → 3 1/2 Storey Townhousing (CD RM7)
 - 5 → Comprehensive Development (CD)
 - 6 → Core Commercial (4 Storey Mixed Use) (C8)
 - 7 → Non-Core Commercial (4 Storey Mixed Use) (C8a)
 - 8 → Institutional
 - 9 → Parking
 - 10 → Non-Core Commercial CD (RM3, C2)
 - 11 → Commercial Retail (C4a)

- Park, Public Open Space
- Existing Traffic Signal
- Existing Angled Street Parking
- Future Angled Street Parking
- Completed or Rezoned in Accordance with Development Guidelines



PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 04

SCALE:
NTS

DRAWN BY:
rcn

REZONING REFERENCE #09-20
4719 East Hastings Street

Sketch #2

Peter K. Chu Architecture Inc.

Member of the Architectural Institute of British Columbia

September 21, 2009

City of Burnaby
Planning Department
4949 Canada Way,
Burnaby, B.C. V5G 1M2

To Whom It May Concern:

Re: **Letter of Intent
Rezoning Application for a
Proposed Commercial & Multi-Family Residential Building @
4719 East Hastings Street, Burnaby, B.C.**

Current Zone: C4A (Service Commercial District)
Proposed Zone: Comprehensive Development based on
C2 (Community Commercial District) &
RM3 (Multiple Family Residential District)

There is currently on the site, a used automobile dealership consisting of a car lot with a single storey sales office building. The rezoning application is to seek approval for a four level mixed used commercial and multi-family residential building with two levels of underground parking, in line with the recently adopted community plan for the Hastings Street area.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours Truly,
Peter K. Chu Architecture Inc.



Per: Peter Chu MAIBC

#277 - 780 Beatty Street, Vancouver, B.C. V6B 2M1
Phone (604) 298-7063 Facsimile (604) 320-0871

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-21
2009 November 23

ITEM #3

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** David Tsoi
5995 Sumas Street
Burnaby, BC V5B 2T5
- 1.2 **Subject:** Application for the rezoning of:
Lot 84, D.L. 216, Group 1, NWD Plan 10936
- From:** R2a Residential District
- To:** R2 Residential District
- 1.3 **Address:** 7297 Ridge Drive
- 1.4 **Location:** The subject site is located near the end of Ridge Drive on the west side of the street (Sketch #1 attached)
- 1.5 **Size:** The site is irregular in shape, with an average width of 37.50 m (123.03 ft) and a lot area of 2,310.7 m² (24,873 sq.ft.).
- 1.6 **Services:** No servicing is applicable to this application.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to return the property to the original R2 District zoning and to permit future subdivision into two single-family lots.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site is located in the Westridge neighbourhood and is currently occupied by a single-family dwelling that was constructed in 1958, with several additions and renovations over the years. The dwelling is vacant with the exterior of the dwelling in good condition. Single-family dwellings surround the subject site to the north, east, south, and west. Vehicular access is currently from Ridge Drive, which is constructed to an interim standard, and lane access is also available.

3.0 BACKGROUND INFORMATION

- 3.1 The original property owners first applied to subdivide the property into two R2 District lots in 2004 (Subdivision Reference #04-68). The subdivision application received Tentative Approval, but the original owners subsequently indicated a desire to pursue a rezoning application for a larger single-family dwelling on the site and submitted a rezoning application. Subdivision Reference #04-68 was cancelled.
- 3.2 On 2008 November 03, Council gave Final Adoption to Rezoning Reference #07-10 rezoning the property to the R2a District, in order to permit construction of a new single-family dwelling with a total gross area exceeding that permitted under the pre-existing R2 zoning. An in-law suite was also part of the proposal.

4.0 GENERAL INFORMATION

- 4.1 On 2009 September 28, the current owner took possession of the subject property and is now proposing to rezone the property back to the original R2 District in order to permit the future subdivision into two single-family dwelling lots. Under the R2 District, each lot shall have an area of not less than 668.88 m² (7,200 sq.ft.) and a width of not less than 18.28m (60 ft.).

The subject property has an area of 2,310.7 m² (24,873 sq.ft.) and therefore meets the minimum lot area requirement to accommodate R2 single-family development on each of the two potential lots. With regard to lot width, based on the prevalent pattern of subdivision on the west side of Ridge Drive, the creation of two lots of equal width of not less than 15.24 m in width is supported, subject to confirmation by legal survey. On this basis, staff support the proposal to rezone the subject property to the R2 District. A future subdivision into two single-family dwelling lots, if pursued, would require a new application for subdivision and would be subject to approval by the Approving Officer.

- 4.2 Any servicing requirements would be addressed under a future application for subdivision.
- 4.3 The owner will be required to discharge the following covenants that are only applicable to the previous R2a District rezoning (Rezoning Reference #07-10):
 - Section 219 Covenant certifying that the land shall be developed only in accordance with the approved building and landscaped plans.
 - Section 219 Covenant limiting the site to single-family use only.
 - Section 219 Covenant respecting the submitted geotechnical review confirming that the site may be used safely for the intended purpose.

5.0 RECOMMENDATIONS

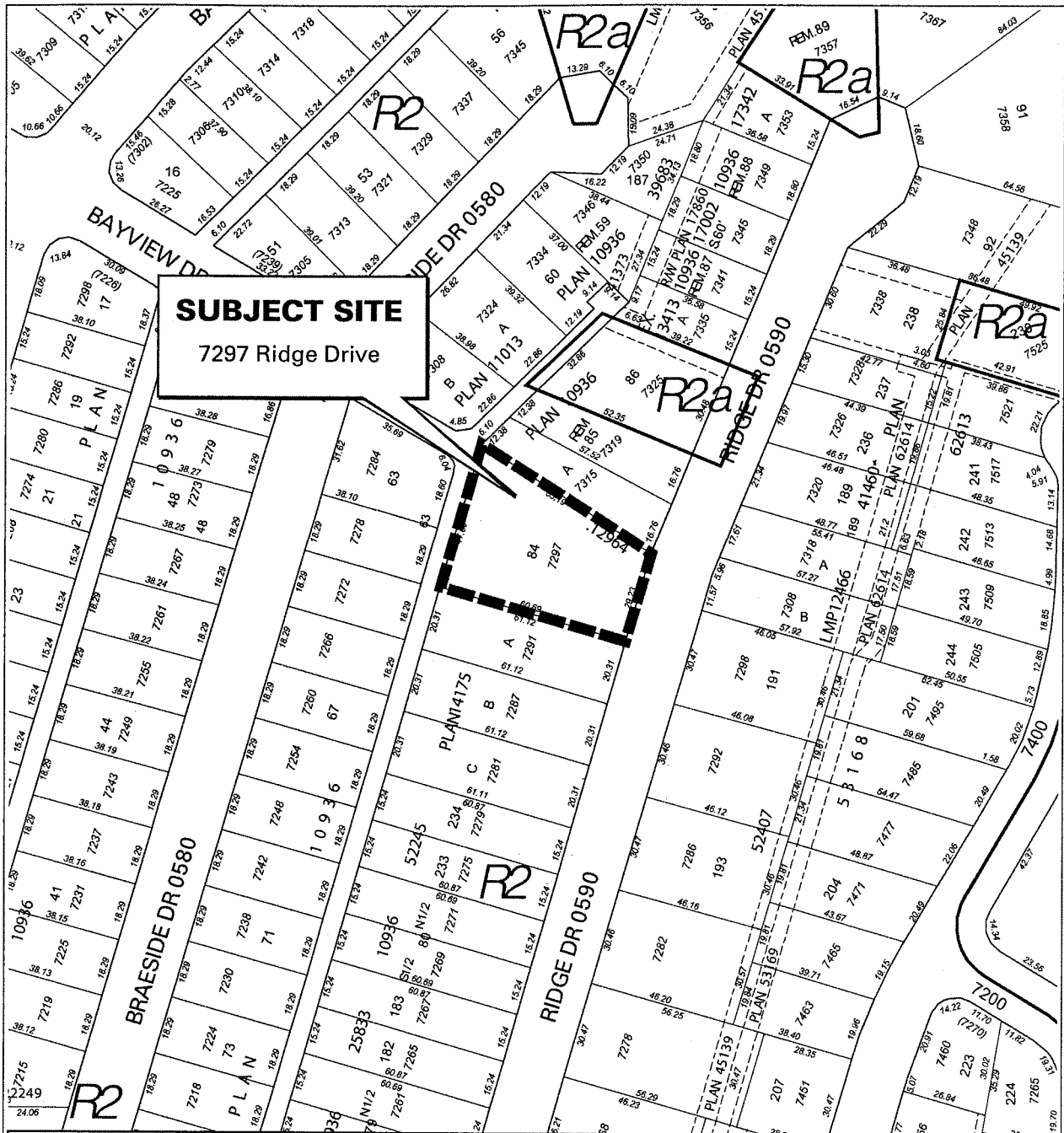
1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 at 7:30 p.m.

2. **THAT** the following be established as a prerequisite to the completion of the rezoning:
 - a) The discharge of the following Section 219 Covenants:
 - Certifying that the land shall be developed only in accordance with the approved building and landscape plans.
 - Limiting the site to single-family use only.
 - Respecting the submitted geotechnical review confirming that the site may be used safely for the intended purpose.

SMN

SMN:gk
Attach

cc. Director Engineering
City Clerk
City Solicitor



SUBJECT SITE
7297 Ridge Drive



PLANNING & BUILDING DEPARTMENT



DATE:
2009 10 27

REZONING REFERENCE #09-21

SCALE:
1:2000

7297 Ridge Drive

DRAWN BY:
rcn

Sketch #1

Oct 19, 2009

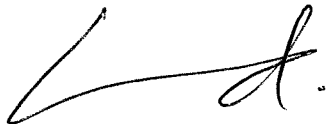
Dear Planning Officer:

On behalf of my dad YUK MING TSOI, I have submitted an application for rezoning property 7297 Ridge Drive from R2a back to R2 for the purpose of sub-division. My dad purchased the lot recently to build a new home for our family. Our family has decided that we do not need an 8000+ sq feet house as permitted under our current R2a zoning. Instead, we believe that sub-dividing the lot and building two new houses is the most ideal solution for our housing needs. The sub-division was approved previously on May 2005. We will demolish the existing house in accordance with the sub-division requirement set forth.

If there are any questions regarding my application, please contact me at 778-859-5986.

Thank you for your time and understanding.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Tsoi', with a stylized flourish at the end.

David Tsoi

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-22
2009 NOVEMBER 23

ITEM #4

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Stephen Chan
112 – 7088 Mont Royal Square
Vancouver, B.C. V5S 4X7
- 1.2 **Subject:** Application for the rezoning of:
Lot 1, D.L. 34, Group 1, NWD Plan LMP33243
- From:** CD Comprehensive Development District (based on C2 Community Commercial District)
- To:** Amended CD Comprehensive Development District (based on C2 Community Commercial District and P1 Neighbourhood Institutional District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Proposed New Daycare at 4021 Kingsway, BBY., B.C.” prepared by Stephen Chan)
- 1.3 **Address:** 4021 Kingsway
- 1.4 **Location:** The subject site is located on the northeast corner of Kingsway at Inman Avenue (Sketch #1 attached).
- 1.5 **Size:** The site is rectangular in shape with a width of 37.75 m (123.85 ft.), a depth of 56.15 m (184.21 ft.) and an area of 2,140 m² (23,035 sq. ft.).
- 1.6 **Services:** No servicing is applicable to this application.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit a childcare facility for a maximum of 88 children.

2.0 NEIGHBOURHOOD CHARACTERISTICS

- 2.1 The subject site is located at 4021 Kingsway, at the northeast corner of Inman Avenue. The site is improved with an older one-storey office building with basement and is currently vacant. Older apartment buildings are located to the north of the subject site

and a church is located to the east. To the west across Inman Avenue is a multiple-family residential building and a neighbouring commercial building while to the south across Kingsway is Central Park.

3.0 BACKGROUND INFORMATION

- 3.1 The subject property is situated within the Council-adopted Metrotown Development Plan, Sub-Area 11. On 1997 May 04, Council gave Final Adoption to Rezoning Reference #92/39, in order to permit the development of a five-storey office building with underground parking under Comprehensive Development based on C2 District guidelines. Development under this rezoning was not pursued. The existing improvements formerly utilized as offices are retained on the site. The proposed child care facility to occupy the existing improvements is viewed as an appropriate interim use until the adopted CD Comprehensive Development rezoning in line with the Metrotown Development Plan is pursued towards construction.

4.0 GENERAL INFORMATION

- 4.1 This rezoning application is to permit the operation of a licensed child care facility with up to 88 children (infant/toddlers to 5 years of age) in the existing building. The building has an area of approximately 717 m² (7,719 sq. ft.) and the interior will be renovated in accordance with the Child Care Licensing Regulation of the *Community Care and Assisted Living Act* for the exclusive use of the proposed child care. The provision of an outdoor play area in accordance with these requirements will be provided on-site. No exterior changes to the building are proposed.

The Fraser Health Authority has provided documentation that the building would meet the physical space requirements of the Child Care Licensing Regulation for a child care facility with up to 88 children.

- 4.2 The subject rezoning amendment to the prevailing CD Comprehensive Development District is necessary to include the P1 Neighbourhood Institutional District zoning as a guideline in order to permit a childcare use, and to accommodate a minor variance to the required lot area of 2,182 m² (23,487.6 sq. ft.) for the subject child care facility to the existing lot area of 2,140 m² (23,035 sq. ft.).

The C2 District will be retained as part of the underlying guideline of the CD District zoning so that the existing building can revert back to its permitted alternate office use should the child care facility cease operations in the future, as well as to continue to permit the future five-storey office building approved in conjunction with Rezoning Reference #92-39.

- 4.3 The hours of operation of the child care facility will be between 7:30 am and 5:00 pm, Monday to Friday. The child care facility is for a maximum of 88 children

(infant/toddlers to 5 years of age) and 16 staff. The children will typically arrive between 7:30 am to 8:15 am and pick-up would be between 3:30 pm and 5:00 pm.

- 4.4 The proposed childcare facility is not likely to have any significant impact on adjacent land uses. Access to the proposed facility will be from the rear entrance of the building. Drop-off and pick-up of children is to be provided in the off-street parking area at the rear of the building accessed from Inman Avenue. There is sufficient parking on site to accommodate the proposed child care use with 17 required parking spaces and 19 provided.
- 4.5 The proposed child care facility will contribute to the limited supply of licensed child care spaces in Burnaby. Significantly, the proposed childcare facility will add 24 spaces for infant/toddlers (2 years old and under), an age group for which there is currently a high need of licensed spaces. In addition to the proposed child care facility, the area bounded by Kingsway, Inman Avenue, Bond Street and Patterson Avenue is currently served by one other child care centre for 25 children (3 to 5 years old) and one facility providing afterschool care for up to 85 children (5 to 12 years old).
- 4.6 The subject site is currently zoned Comprehensive Development district based on C2 guidelines and a plan of development for a five-storey office building with underground parking (Rezoning Reference #92-39). This current zoning is consistent with the site's designation in the Metrotown Development Plan. The proposed child care use is viewed as an appropriate interim use of the existing building until the adopted CD Comprehensive Development rezoning is pursued towards construction.

5.0 DEVELOPMENT PROPOSAL

- 5.1 Site Area: (No change) 2,140m² (23,035 sq.ft.)
- Total floor area (no change) 717 m² (7,719 sq. ft.)
- 5.2 Continuing Interim Use of Existing Improvements
 - a) Existing Building Height (no change) One storey plus basement
 - b) Existing Site Coverage (no change) 15.5 %

c) Parking for the existing building
P1 option for childcare use
88 children @ 1/10 9 spaces (available for drop-off and pick-up use)
16 staff @ 1/2 8 spaces
Total Required and Provided 17 spaces (19 Provided)

C2 option for office use
Total Required and Provided 16 spaces (19 Provided)

d) Loading for existing building
P1 option for childcare use 1 space
C2 option for office use 1 space

5.3 Summary of Development Approved through Rezoning Reference #92/39

a) Permitted Use: Office use under the C2 District guidelines

b) Gross Floor Area 5,360.33 m² (57,700 sq. ft.)

c) Height: Five storeys above 19.05 m (62.5 ft.)
2-1/2 levels below grade
parking structure

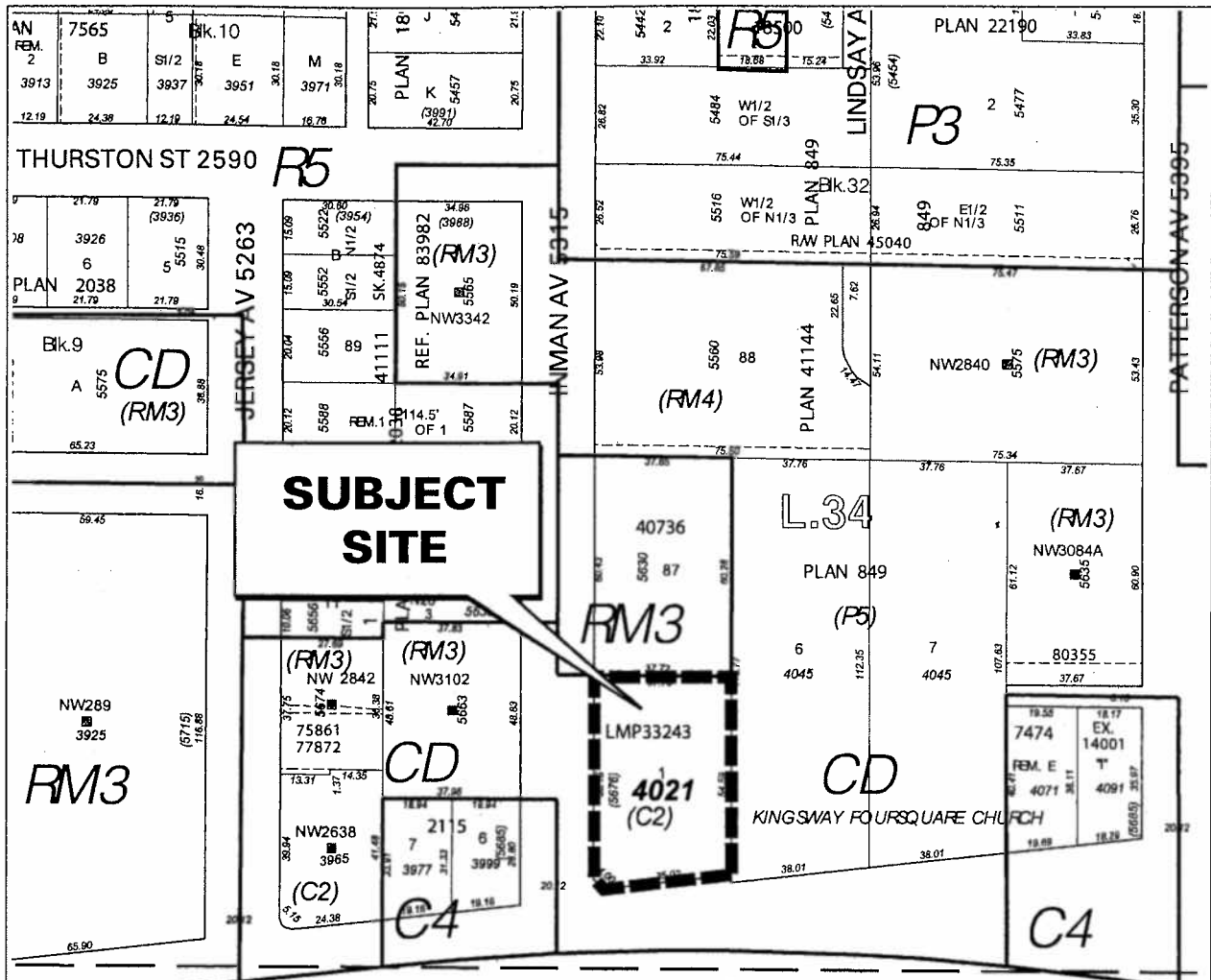
6.0 RECOMMENDATIONS



1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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) Compliance with all requirements of the Fraser Health Authority, including the applicable sections of the Child Care Licensing Regulation of the *Community Care and Assisted Living Act*.

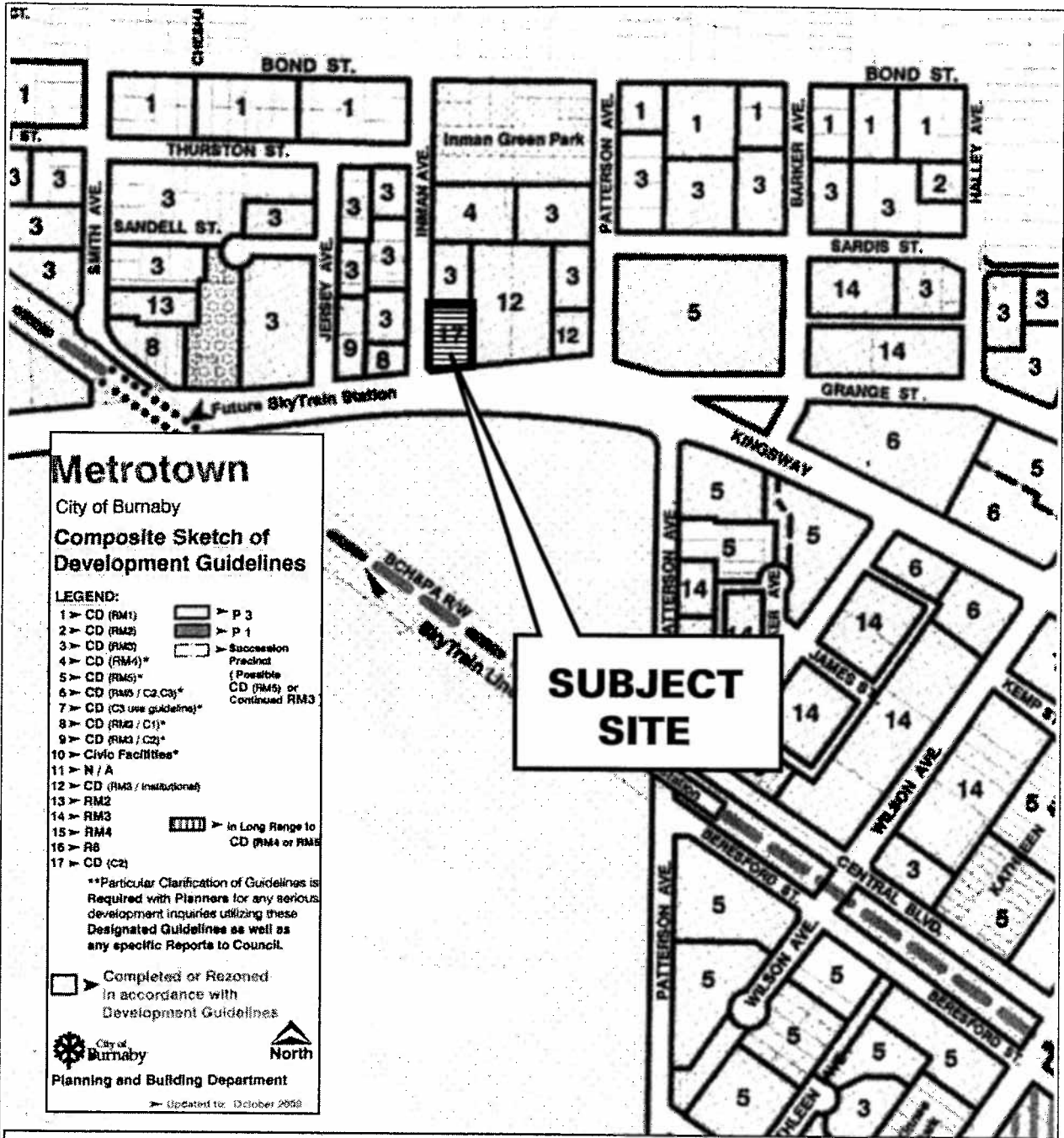
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Attach

cc: Director Engineering
Chief Licence Inspector
City Clerk
City Solicitor
Fraser Health Authority (Attn. Bruce Hamilton)

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		PLANNING & BUILDING DEPARTMENT			
DATE: 2009 10 27		REZONING REFERENCE #09-22			
SCALE: 1:2000		4021 Kingsway			
DRAWN BY: rcn		Sketch #1			



Metrotown
 City of Burnaby
Composite Sketch of Development Guidelines

LEGEND:

1 -> CD (RM1)		-> P 3
2 -> CD (RM2)		-> P 1
3 -> CD (RM3)		-> Succession Precinct (Possible CD (RM5) or Continued RM3)
4 -> CD (RM4)*		
5 -> CD (RM5)*		
6 -> CD (RM5 / C2, C3)*		
7 -> CD (C3 use guideline)*		
8 -> CD (RM2 / C1)*		
9 -> CD (RM3 / C2)*		
10 -> Civic Facilities*		
11 -> N / A		
12 -> CD (RM2 / Institutional)		
13 -> RM2		
14 -> RM3		
15 -> RM4		-> In Long Range to CD (RM4 or RM5)
16 -> RB		
17 -> CD (C2)		

****Particular Clarification of Guidelines is Required with Planners for any serious development inquiries utilizing these Designated Guidelines as well as any specific Reports to Council.**

-> Completed or Rezoned in accordance with Development Guidelines

City of Burnaby
 Planning and Building Department

Updated to: October 2009

City of Burnaby		PLANNING & BUILDING DEPARTMENT		
DATE:	2009 10 27	REZONING REFERENCE #09-22 4021 Kingsway		
SCALE:	NTS			
DRAWN BY:	rcn			
Sketch #2				

October 23rd, 2009

City of Burnaby
4949 Canada Way
Burnaby, BC
V5G 1M2


Re: 4021 Kingsway Street, Burnaby

Dear Sir/Madam,

This is a letter of intent to apply for a rezoning amendment on the property from CD (C2) to CD (P1,C2) as required for a daycare centre. The daycare centre will have a daily capacity of 88 children from the ages of 1 to 5 years old and 16 full time employees. The operating hours will be from 7:30am to 5:30pm, Monday to Friday.

Thank you in advance for your assistance and corporation. If you have any questions, please do not hesitate to contact me at (home) 604.294.6363 or (cellular) 604.313.0707.

Sincerely,



Stephen Chan

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #09-23 2009 NOVEMBER 23

ITEM #5

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Gurinder Mangat
5460 Clinton Street
Burnaby, B.C. V5J 2L8
- 1.2 **Subject:** Application for the rezoning of:
Lot 6, D.L. 152, Group 1, NWD Plan 1292
- From:** RM3 Multiple Family Residential District
- To:** CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Metrotown Development Plan guidelines)
- 1.3 **Address:** 6709 Marlborough Avenue
- 1.4 **Location:** The subject site is located north of Imperial Street and west of Marlborough Avenue. (Sketch #1 **attached**)
- 1.5 **Size:** The subject site is rectangular in shape measuring 20.12m (66 ft.) in width and 35.66m (117 ft.) in depth, with an area of 717.4m² (7,722 sq.ft.)
- 1.6 **Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit construction of a four-unit townhouse development with under-building parking.

2.0 NEIGHBOURHOOD CHARACTERISTICS

- 2.1 The subject property is located north of Imperial Street and west of Marlborough Avenue. The site is currently occupied by an older single-family dwelling constructed in 1939. To the north, south, east and to the west across Marlborough Avenue are primarily older, post war, multiple-family dwellings. Directly to the west is a newer strata duplex

constructed in 2002. To the northwest at 6668 Dunblane Avenue is a 4-unit small lot infill development constructed in 2004 (Rezoning Reference #02-25) and to the east across Marlborough Avenue is another 4-unit small lot infill development site at 6738 Marlborough (Rezoning Reference #06-59) which is nearing final adoption. Vehicular access to the subject site is from Marlborough Avenue.

3.0 BACKGROUND INFORMATION:

3.1 The subject site is within the adopted Metrotown Development Plan, Sub-Area 6 (see attached Sketch #2) and is intended to be rezoned to the Comprehensive Development District in accordance with the RM3 District subject to assembly of the required minimum site size. The neighbouring multiple-family residential developments at 6687 and 6729 Marlborough Avenue are zoned RM3.

4.0 GENERAL INFORMATION

4.1 The applicant is requesting a rezoning to the CD Comprehensive Development District (based on RM2 Multiple-Family Residential District and the Metrotown Development Plan guidelines) in order to permit the construction of a new 4-unit small-lot infill multiple-family development with enclosed under building parking accessed from Marlborough Avenue, to a maximum allowable FAR of 0.9. As noted, the Metrotown Development Plan identifies the subject property to be consolidated with neighbouring properties and rezoned to the CD Comprehensive Development District utilizing the RM3 Multiple Family Development District as a guideline. However, assembly of a larger site is difficult in light of existing adjacent small apartment buildings. Further, the RM3 District calls for a minimum site size of 1,110 m² (11,948.33 sq.ft.) for a two-storey building and 1,670 m² (17,976.32 sq.ft) for a three storey building, and on its own the subject site measures approximately 717.4 m² (7,722 sq.ft.). Therefore, in line with the usual multiple-family infill development approach, it is considered more appropriate to utilize the RM2 District in order to achieve a development scale which is more appropriately related to the small size of the development site. Commensurate with similar infill rezoning applications at 6668 Dunblane Avenue (Rezoning Reference #02-25) and 6738 Marlborough Avenue (Rezoning Reference #06-59) the governing maximum density for the subject site would be 0.9 FAR, with underground parking. The Department would work with the applicant on this basis. To inform neighbouring property owners of the proposed development, it is recommended that a copy of this report be sent to the abutting owners of 6687, 6729 Marlborough Avenue, 6688, 6710 and 6730 Dunblane Avenue for information.

4.2 The Director Engineering will be requested to provide an estimate for all services necessary to serve this site. The servicing requirements for this development will include, but not necessarily be limited to the reconstruction of the existing separated sidewalk along Marlborough Avenue to a 1.5m standard with new street trees, boulevard grass and street lighting.

- 4.3 Undergrounding of the existing overhead wires abutting the site along Marlborough Avenue is required by the applicant.
- 4.4 There are no significant trees on site. Therefore a tree survey of the site will not be required as part of this application.
- 4.5 Due to the subject site's proximity to Imperial Street, a noise study is required to ensure compliance with the Council adopted sound criteria.
- 4.6 The review of a detailed Sediment Control System by the Director Engineering is required.
- 4.7 As a small site, Storm Water Management Best Practices will apply to this site.
- 4.8 Applicable Development Cost Charges are:
 - a) Parkland Acquisition Charge.
 - b) GVS & DD Sewerage Charge.
 - c) School Site Acquisition Charge.

5.0 RECOMMENDATIONS

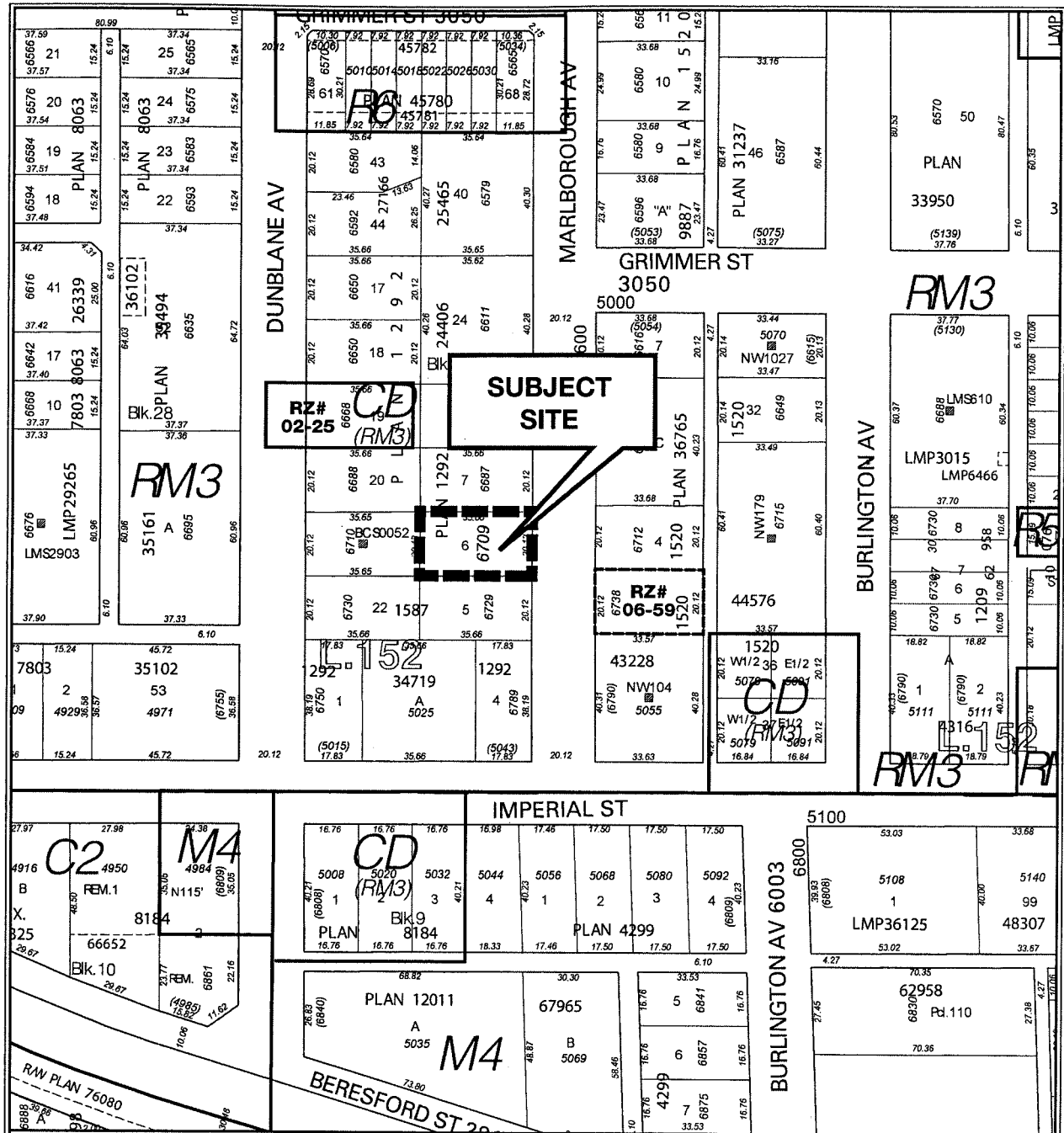
- 1. **THAT** a copy of this report be sent to the property owners at 6687 and 6729 Marlborough Avenue and 6688, 6710 and 6730 Dunblane Avenue.
- 2. **THAT** the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

JBS

JBS:gk
Attachments

cc: Director Engineering
Director Parks, Recreation & Cultural Services
City Clerk
Chief Building Inspector

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PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 03

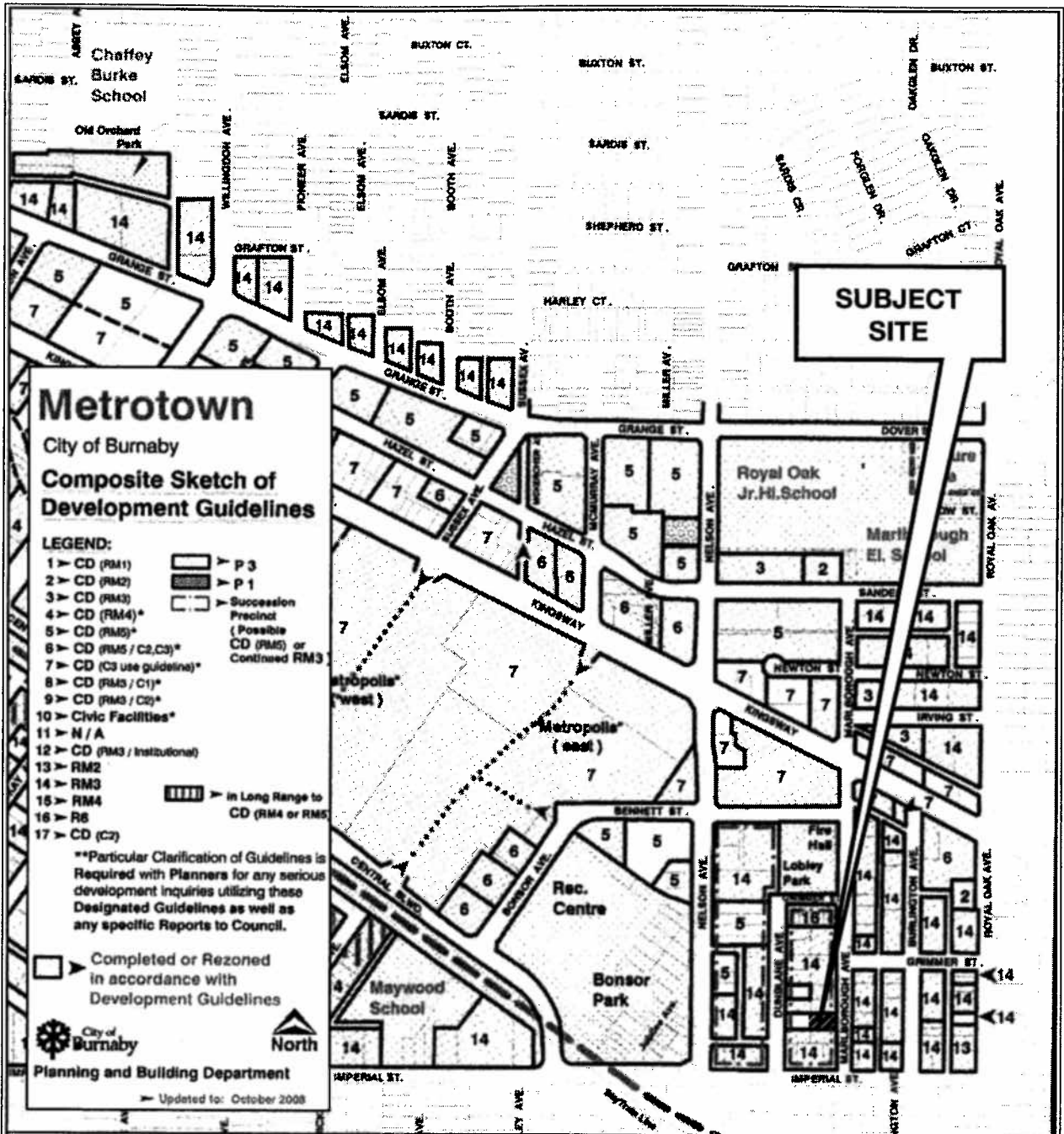
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DRAWN BY:
rcn

REZONING REFERENCE #09-23

6709 Marlborough Avenue

Sketch #1



PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 03

SCALE:
nts

DRAWN BY:
rcn

REZONING REFERENCE #09-23

6709 Marlborough Avenue

Sketch #2

REZ 09-23

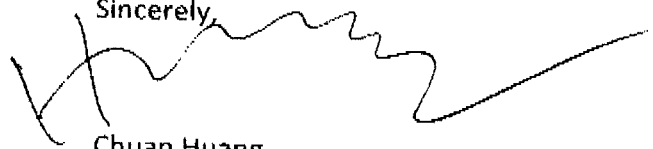
Letter of Intent

Dear Sir/Madam,


As owners of the property located at 6709 Marlborough Ave, Burnaby, BC, we would like to apply for rezoning of this property from **RM3** to **CDRM2**. Our plan is to build a four unit townhouses with underground parking in this property in order to achieve the best use of land.

Thanks for your consideration.

Sincerely,



Chuan Huang



Chun Lin Yuan

Oct 28/09

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #09-24 2009 NOVEMBER 23

ITEM #6

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Polygon Development 226 Ltd.
900 – 1333 West Broadway
Vancouver, B.C. V6H 4C2
(Attention: M. A. Rose)
- 1.2 **Subject:** Application for the rezoning of:
Lots 5 & 6, D.L. 152, Group 1, NWD Plan 80573
- From:** CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and C6a Gasoline Service Station District)
- To:** Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and Metrotown Development Plan guidelines)
- 1.3 **Address:** 4860 Bennett Street and 6535 Nelson Avenue
- 1.4 **Location:** The subject site is located at the south-west corner of Bennett Street and Nelson Avenue. (Sketch #1 **attached**)
- 1.5 **Size:** The site has a Bennett Street frontage of approximately 90m (295 ft.) and Nelson Avenue frontage of approximately 115m (377 ft.) with an area of 0.903 ha (2.23 acres)
- 1.6 **Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit a residential high-rise tower and street-fronting townhouses.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site comprises 4860 Bennett Street which is currently occupied by a tire store, and 6535 Nelson Avenue which is vacant.

An existing apartment tower is located immediately to the west of the subject site, and Bonsor Park is located immediately to the south. Across Bennett Street to the north is the Metropolis Mall and a three-storey commercial building, while across Nelson Avenue to the east are older low-rise apartment buildings.

3.0 BACKGROUND INFORMATION:

The subject site is located in Metrotown, Sub-Area 1, and designated as two sites for high-rise apartment tower development at RM5 density. The existing CD zoning of both sites in conjunction with Rezoning Reference #54-86 also provides for future RM5 density apartment tower development, with the current zoning for 4860 Bennett Street also accommodating the existing tire store as an interim use.

The applicant is pursuing the current rezoning application for both properties in order to consolidate them as one site for development of a single apartment tower.

4.0 GENERAL INFORMATION

- 4.1 The proposed consolidation of the two properties into one site for development of a single apartment tower of approximately 36-storeys, with two-storey street-fronting townhouses along Nelson Avenue, is considered compatible with Metrotown development guidelines, and desirable as it reduces view impacts and makes site area available for development of the townhouses as well as a possible on-site public amenity. The provision of a plaza with public art at the important Bennett-Nelson street corner is expected.
- 4.2 Given the site's Town Centre location, the applicant is proposing to utilize the amenity density bonus provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 0.40 FAR, which translates into 38,880 sq. ft. of additional residential floor area (subject to survey). The Legal and Lands Department reports the value of the density bonus to be \$70 per sq. ft. of buildable area, for a total value of \$2,721,600.
- 4.3 A report which specifically addresses the nature of the amenity density bonus will be pursued through the Community Development Committee. The subject site represents a virtually unique opportunity to provide an on-site amenity on a very desirable site in Metrotown. Given the relatively large area of the site and the comparatively small footprint of the single apartment tower and townhouses proposed, there is potential for providing an amenity on a possible freehold (rather than airspace) parcel, immediately adjacent to Bonsor Park.
- 4.4 Provision of an on-site amenity would result in inclusion of a further applicable zoning district guideline for the Comprehensive Development zoning.

- 4.5 Servicing requirements will include, but not necessarily be limited to:
- Storm, sanitary sewer and water main upgrades as required.
 - Construction of a separated Urban Trail abutting the site along Nelson Street, including boulevard grass, street trees, and pedestrian lighting; extension of the Urban Trail south to Imperial Street abutting Bonsor Park will be considered, based on cost-sharing with the City
 - Road widening for bicycle provision and construction of a separated sidewalk with boulevard grass, street trees, and pedestrian lighting along the south side of Bennett Street abutting the site.
 - Respecting existing statutory rights-of-way on-site.
- 4.6 Consolidation of the project site into one legal parcel is required.
- 4.7 A 3m (10 ft.) statutory right-of-way along Nelson Street abutting the site is required to accommodate the Urban Trail, and a 3.2m (10.5 ft.) statutory right-of-way along Bennett Street is required for separated sidewalk and bicycle provision.
- 4.8 A noise study is required to ensure compliance with Council-adopted sound criteria.
- 4.9 An on-site stormwater management plan is required.
- 4.10 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption
- 4.11 Parkland Acquisition, School Site Acquisition, and GVS & DD Sewerage Cost Charges are applicable to the proposed development.
- 4.12 The developer has been advised of the Council-adopted policy regarding the provision of units adaptable to the needs of the disabled in Burnaby's Town Centres.
- 4.13 A tree survey will be required to locate and assess trees on-site, as well as existing street trees along Bennett Street and Nelson Avenue. Trees on-site identified for retention are to be protected by Section 219 Covenant and bonding.
- 4.14 The existing building is to be removed from the site prior to finalization of the subdivision and rezoning
- 4.15 A Site Profile must be submitted in accordance with the requirements of the BC Contaminated Sites Regulation. Any arising requirements to be resolved.

4.15 A Site Profile must be submitted in accordance with the requirements of the BC Contaminated Sites Regulation. Any arising requirements to be resolved.

4.16 The proposed prerequisite conditions to the rezoning will be included in a future report.

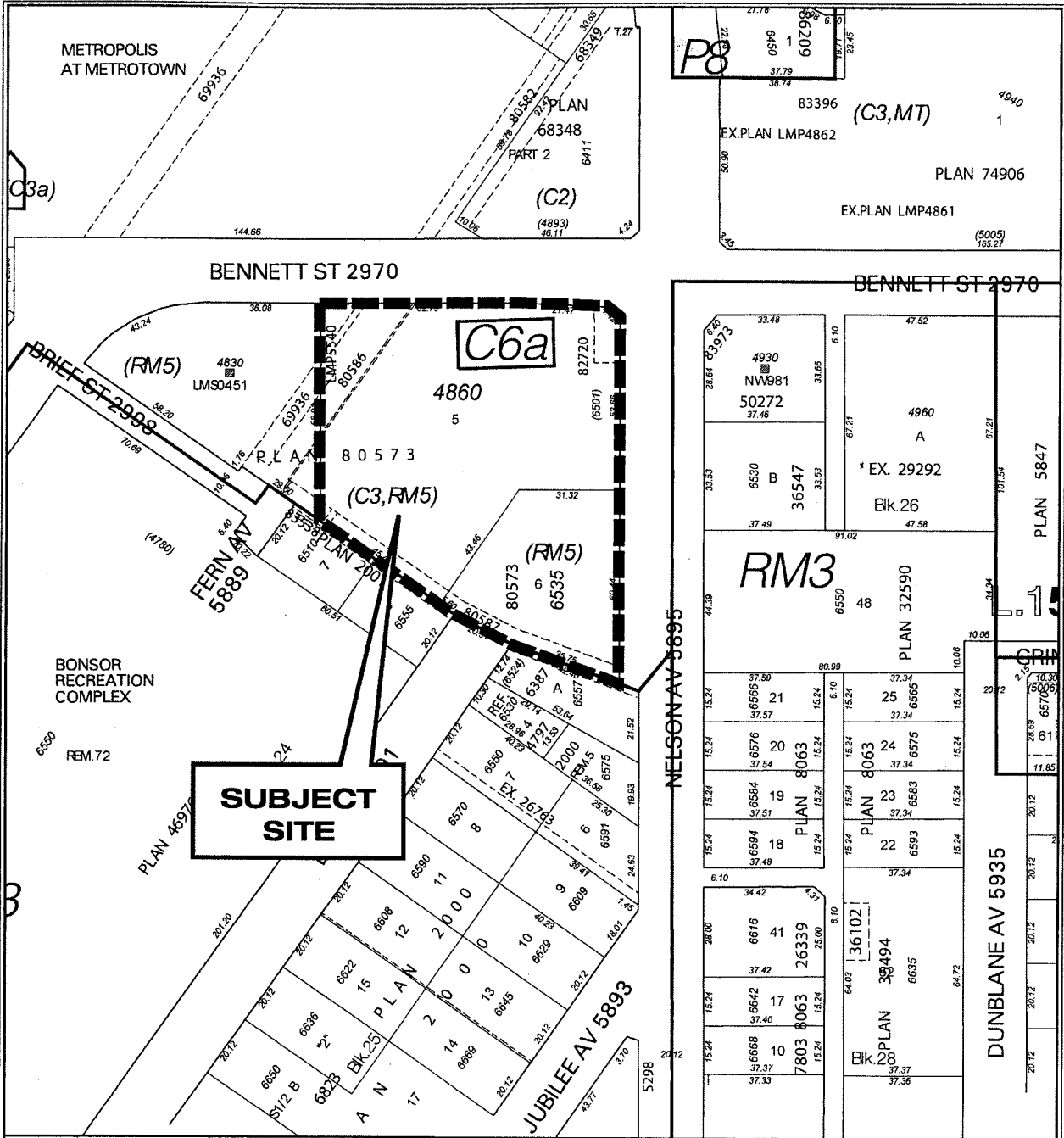
5.0 RECOMMENDATION:

5.1 **THAT** the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

RBI.
RR:gk
Attach

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

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PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 03

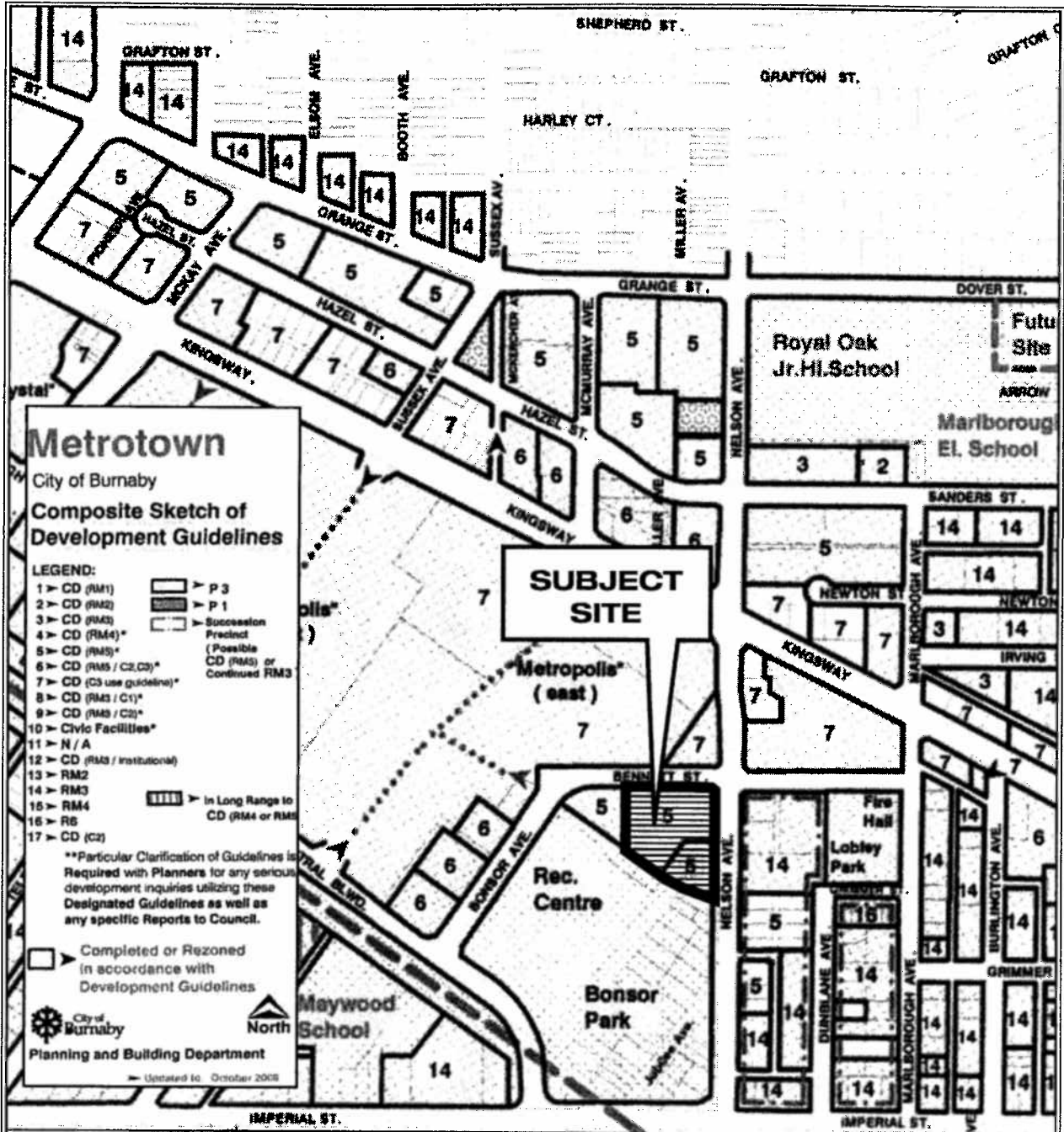
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rcn

REZONING REFERENCE #09-24

**4860 Bennett Street,
6535 Nelson Avenue**

Sketch #1



Metrotown
City of Burnaby
Composite Sketch of Development Guidelines

- LEGEND:**
- 1 > CD (RM1)
 - 2 > CD (RM2)
 - 3 > CD (RM3)
 - 4 > CD (RM4)*
 - 5 > CD (RM5)*
 - 6 > CD (RM5 / C2, C2)*
 - 7 > CD (C3 use guideline)*
 - 8 > CD (RM3 / C1)*
 - 9 > CD (RM3 / C2)*
 - 10 > Civic Facilities*
 - 11 > N / A
 - 12 > CD (RM3 / Institutional)
 - 13 > RM2
 - 14 > RM3
 - 15 > RM4
 - 16 > RS
 - 17 > CD (C2)
- > P 3
 > P 1
 > Succession Precinct (Possible CD (RM3) or Confined RM3)
 > In Long Range to CD (RM4 or RM5)
 > Completed or Rezoned in accordance with Development Guidelines
- **Particular Clarification of Guidelines is Required with Planners for any serious development inquiries utilizing these Designated Guidelines as well as any specific Reports to Council.**
- City of Burnaby
Planning and Building Department
Updated to: October 2005



PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 03

SCALE:
NTS

DRAWN BY:
rcn

REZONING REFERENCE #09-24

4860 Bennett Street,
6535 Nelson Avenue

Sketch #2



October 28, 2009

Mr. Ken Ito
City of Burnaby
Planning and Building Department
4949 Canada Way
Burnaby, B.C.
V5G 1M2

Dear Mr. Ito,

Re209-24

Re: Rezoning Application for 4860 Bennett Street and 6535 Nelson Avenue, Burnaby

Further to our meeting last week we are submitting a Rezoning Application for the above two referenced properties. This application is to rezone the properties from RM-5 and C-3 to a Comprehensive District (CD) zoning based on RM-5.

We are proposing to consolidate the two properties into one 2.23 acre parcel, and develop one thirty-six storey residential tower plus street fronting, two-storey cityhomes, for a total of approximately 255 units. We would propose the development to be based on a 2.20 floor area ratio plus a 0.4 floor area ratio in the form of a density bonus for the provision of community amenity space. We are anticipating that the total floor area ratio of 2.60 is based on the existing size of the properties. Any area that might be required by the City for pedestrian passage or improvements along Nelson Street and Bennett Avenue should be provided as Rights-of Way, with a registered public access covenant, and should not be appropriated as city road dedications so that these areas would not reduce the gross floor area attributable to the overall site. This is key to this project moving forward.

We are very excited about this property and would like to develop a very high quality, landmark building in this active Metrotown community. We are committed to designing a development that is compatible with the neighbourhood, respects the street edges, and appropriately distinguishes the busy commercial corner of Bennett and Nelson.

We look forward to working with you and Robert Renger to satisfy the City's objectives for these key properties.

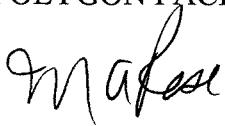
We are amenable to providing the community amenity space on our site if it is a compatible use, in a two-storey building, located at the southeast corner of the site, and if appropriate access to this building can be provided from Nelson Street or from the adjacent City property.

Please find attached the Rezoning application form, a very preliminary site sketch, a current Certificate of Title, a cheque in the amount of \$4,665.11 for the Rezoning fee, and an Authorization form from the present owner of the properties.

We look forward to your consideration of this preliminary Rezoning application and to working with the City of Burnaby on the design and approvals for this development.

Yours truly,

POLYGON PACIFIC HOMES LTD

A handwritten signature in black ink, appearing to read "Rene Rose", written over the printed name.

Rene Rose
Senior Vice President Development

Encls

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-25
2009 NOVEMBER 23

ITEM #7

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Amacon
300 – 911 Homer Street
Vancouver, B.C. V6B 2W6
(Attention: Robert Vrooman)
- 1.2 **Subject:** Application for the rezoning of:
Lot 1, D.L. 164, Group 1, NWD Plan BCP35866
- From:** CD Comprehensive Development District (based on RM1 Multiple Family Residential District)
- To:** Amended CD Comprehensive Development District (based on RM1 Multiple Family Residential District and New Haven Conceptual Development Plan guidelines and in accordance with the development plan entitled “New Haven Townhomes Revised Residential Concept” prepared by Robert Ciccozzi Architecture Inc.).
- 1.3 **Address:** 4250 Marine Drive
- 1.4 **Location:** The subject site is located south of Marine Drive and east of Patterson Avenue (Sketches #1 and #2 **attached**).
- 1.5 **Size:** The site is irregular in shape with an area of approximately 5.12 ha (12.65 ac)
- 1.6 **Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit the amendment of the previously approved 90 unit townhouse concept.

2.0 NEIGHBOURHOOD CHARACTERISTICS

2.1 The subject property is located south of Marine Drive and east of Patterson Avenue within the Big Bend Development Plan Area (see **attached** Sketches #1 & #2). To the east is a City-owned park property at 8488 New Haven Close, to the south are the three industrial lots of New Haven Business Park at 8508, 8600 and 8601 Marine Way. Vehicular access to the site will remain via two permitted accesses, with the Heritage Precinct Area being directly accessed via Marine Drive and the Townhousing component being accessed via New Haven Close.

3.0 BACKGROUND INFORMATION

2.1 In 2004 April, Council gave Final Adoption to a City initiated rezoning of the subject New Haven property at 4250 Marine Drive to the CD Comprehensive Development District based on the *New Haven Land Use Framework Plan*. The *New Haven Land Use Framework Plan* was adopted by Council after an extensive public consultation process. In 2005 August, Council gave final adoption to a rezoning application to establish the more detailed *New Haven Conceptual Development Plan* for the property consistent with the previously approved Framework Plan.

2.2 Subsequently, on 2008 April 21, Council gave Final Adoption to Rezoning Reference #05-50 for the subject residential portion of the New Haven site including the approval of 90 ground oriented townhouse units and 6 units within the heritage designated McGregor House and Barn.

2.3 In summer 2009, while undertaking a further, more detailed, geotechnical review of the site, it was determined that soil conditions at the southern end, adjacent to the Glenlyon tributary, are very poor and are not suitable for residential development. As such, the applicant has brought forward an amended proposal to relocate the previously approved townhouse units at the southern end of the site to the central portion of the site, combining them with previously proposed townhouse pods. As part of this proposal the number of units, the general density and the previously approved heritage precinct plan will not be changed. In line with this amended proposal, the applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL INFORMATION

3.1 The applicant is requesting rezoning to the Amended Comprehensive Development District (based on the RM1 Multiple Family Residential District) for the purpose of amending the previously approved townhouse concept under Rezoning Reference #05-50.

- 3.2 The current rezoning application proposes the development of 90 townhouse units with attached garages with an additional 6 units within the previously approved Heritage McGregor House and Barn. The maximum density permitted under the RM1 District is 0.45 F.A.R. with surface parking. However, in line with the previous rezoning the density will not exceed 0.34 FAR.
- 3.3 Generally, the necessary services have been provided for under the New Haven Master Subdivision (Subdivision Reference #05-52). However, the Director Engineering will further review all services necessary to serve the site.
- 3.4 All road dedications have been provided for under the New Haven Master Subdivision (Subdivision Reference #05-52) and no further dedications are required as part of the subject rezoning application.
- 3.5 A tree survey has been provided for under the New Haven Master Subdivision (Subdivision Reference #05-52) and specific trees were identified and covenanted for retention within the heritage precinct area. During required road work on Marine Drive, four specimen trees protected by Section 219 Covenant were removed in error. As part of this rezoning application, a specific tree compensation plan has been provided to revegetate the area affected by the road works and to provide for significant new planting of both native and historical varieties commensurate with the heritage precinct plan.
- 3.6 All necessary easements, covenants and statutory rights-of-way have been provided for under the New Haven Master Subdivision (Subdivision Reference #05-52) and the previous rezoning application (Rezoning Reference #05-50). Notwithstanding, as part of the previous rezoning application (Rezoning Reference #05-50), Section 219 Covenants were registered to govern the use and development of the site in accordance with the Comprehensive Development plan and Heritage Designation Bylaw and for the approved geotechnical review of the subject site. Given the amendments to the development plan, these covenants will need be discharged and re-registered in accordance with the new proposal. Other easements, 219 Covenants and statutory rights-of-way for the site are to be provided as necessary.
- 3.7 A comprehensive stormwater management plan along with all required City and DFO approvals, Section 219 Covenants and bonding for installation and maintenance of the facilities and associated landscaping for the subject site was provided for under the previous rezoning (Rezoning Reference #05-50). Given the proposed amendments to the siting of buildings and surrounding landscaping, the applicant is required to demonstrate that the approved stormwater management plan is still valid. If the stormwater management plan requires amendments, then the registration of a new Section 219 Covenant and associated bonding for installation and maintenance will be required as part of this rezoning application.

- 3.8 As a requirement of the previous rezoning an acoustical study was provided, due to the site's proximity to Marine Drive and Marine Way. Given the proposed changes to the development plan, a new acoustical study will be required as part of this rezoning application showing that the revised development proposal meets the Council-adopted noise criteria.
- 3.9 All required Development Cost Charges have been deposited for the proposed 96 units as part of the previous rezoning (Rezoning Reference #05-50)
- 3.10 A revised geotechnical review of the subject sites soil stability and registration of a Section 219 Covenant regarding the findings of the approved report will be required.
- 3.11 Engineering Environmental Services Division will need to review the 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 and Building Permit.

4.0 DEVELOPMENT STATISTICS

- 4.1 Site Area - 51,237.97 m² (551,539 sq.ft.)
- 4.2 Density
 - F.A.R. Permitted & Provided - 0.34 FAR
 - Gross Floor Area (G.F.A.) - 17,548.25 m² (188,894 sq.ft.)
 - Townhouses - 16,286.48 m² (175,312 sq.ft.)
 - Heritage structures - 1,261.77 m² (13,582 sq.ft.)
- 4.3 Building Height - 3 storey Townhousing
 - 4 storey Heritage House
- 4.4 Unit Mix - 96 Units Total
 - Townhouses:* - 90 units
 - Heritage House:* - 4 units
 - Heritage Barn:* - 2 units
- Unit Density - 18.75 u.p.h. (7.59 u.p.a.)
- 4.5 Parking:

	Vehicle Parking	Required & Provided
	96 Residential units @ 1.75 spaces/unit -	168 (including 24 visitors)
4.6	Car Wash Stalls @ 1/100 units -	1
4.7	<u>Bicycle Parking:</u>	
	<u>Resident:</u>	
	96 Residential units @1.0/unit -	96 spaces (1 in each garage or storage space)
	<u>Visitors:</u>	
	96 Residential units @ 0.2/unit -	20 bike rack spaces
4.8	Communal Facilities:	

Children's play areas, heritage house common amenity area, heritage forecourts and gardens, storage locker space. Amenity Areas within the Heritage House are included in F.A.R. calculations.

6.0 RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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.

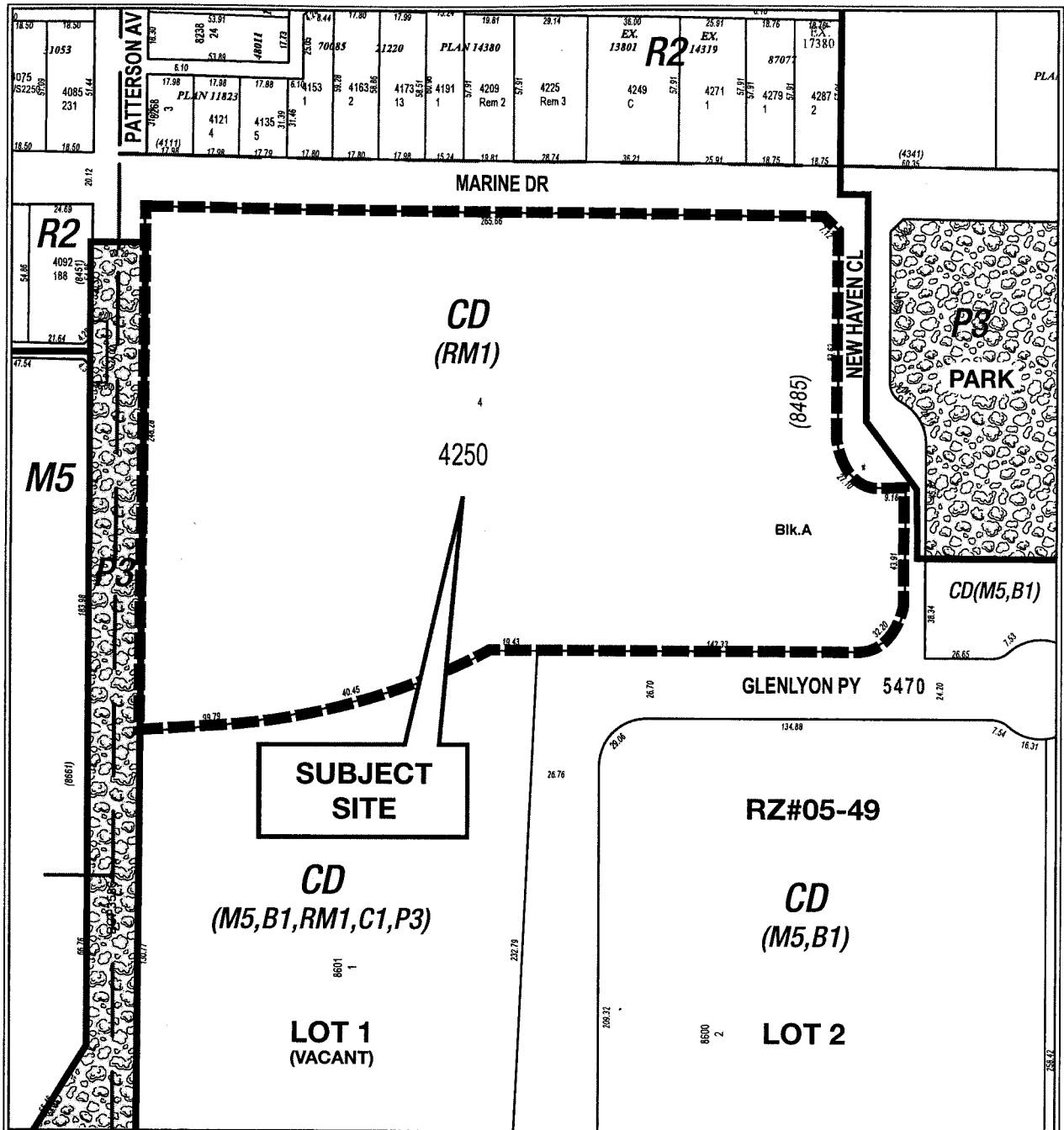
- d) Provision of any necessary easements, covenants and statutory rights-of way including a Section 219 Covenant to govern the use and development of the site in accordance with the Comprehensive Development Plan and Heritage Designation Bylaw.
- e) Compliance with the Council-adopted sound criteria
- f) The submission of a geotechnical review confirming that the site may be used safely for the intended uses, for review by the Chief Building Inspector and the granting of a Section 219 Covenant respecting the submitted report.
- g) The submission of a written undertaking committing to comply with all the prerequisites established under Rezoning Reference #05-50 and to all requirements of Subdivision Reference #05-52
- h) 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.

JBS/

JBS:gk
Attachment

cc: Director of Engineering
Director Parks, Recreation & Cultural Services
City Clerk
Chief Building Inspector

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PLANNING & BUILDING DEPARTMENT




DATE:
2009 11 03

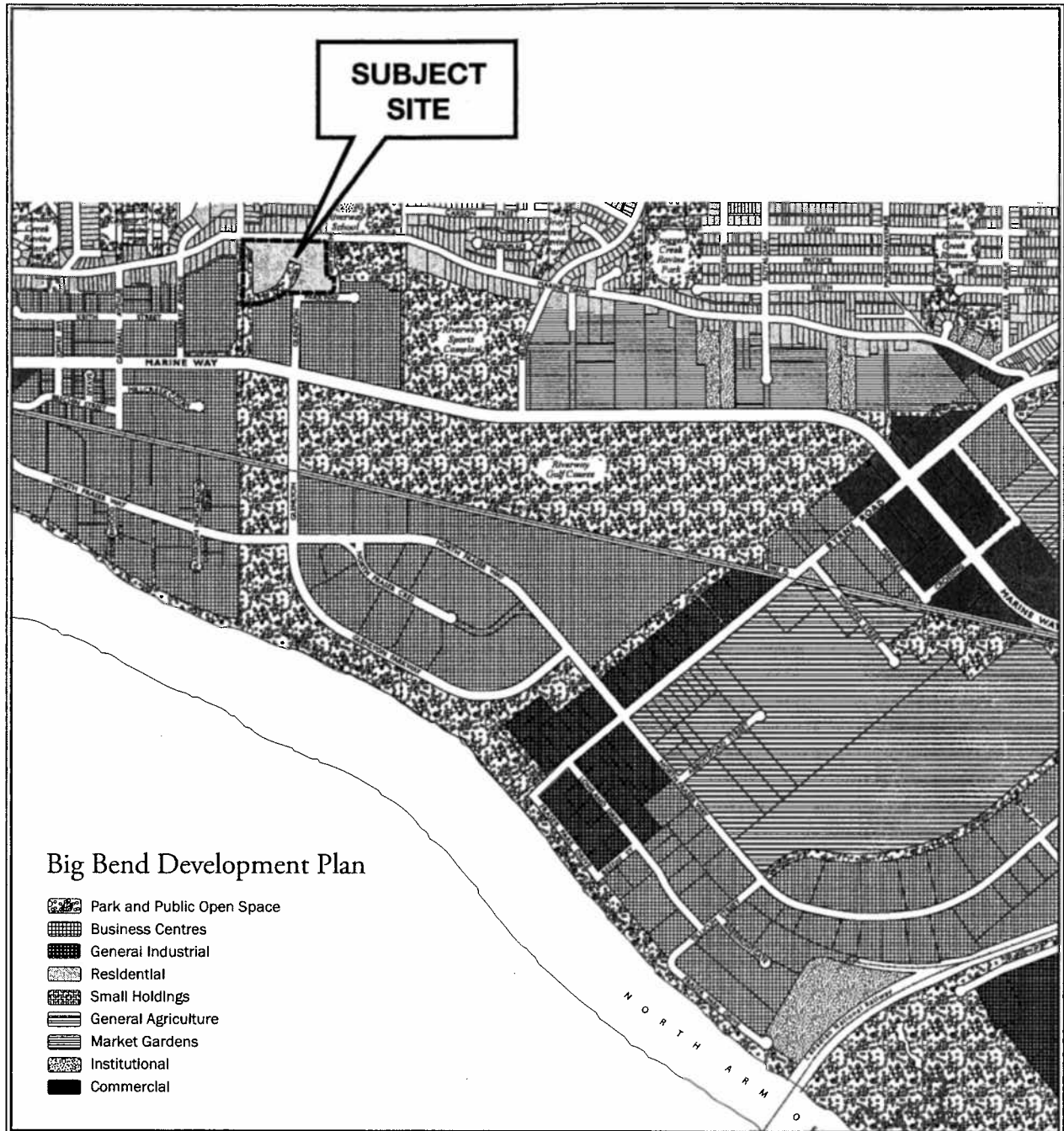
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rcn

REZONING REFERENCE #09-25

 4250 Marine Drive,

Sketch #1



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



DATE:
2009 11 03

SCALE:
1:2500

DRAWN BY:
rcn

REZONING REFERENCE #09-25

4250 Marine Drive

Sketch #2

A M A C O N

Robert Vrooman, Manager Development
AMACON
Suite 300 - 911 Homer Street,
Vancouver, B.C. V6B 2W6
Phone: 604.602.7700
Facsimile: 604.602.7110

2009 October 29

Basil Luksun, Director
City of Burnaby Planning Department
4949 Canada Way
Burnaby, BC V5G 1M2

**Re: Rezoning Letter of Intent
4250 Marine Drive (New Haven Lot 4)
Big Bend Development Plan Area**

I, Robert Vrooman, on behalf of Amacon, have submitted this application to rezone 4250 Marine Drive (New Haven Lot 4) from the current CD Comprehensive Development District (based on the RM1 Multiple-Family Residential District and the New Haven Conceptual Development Plan) to the A.CD Amended CD Comprehensive Development Plan (based on the RM1 Multiple-Family Residential District and the New Haven Conceptual Development Plan) for the purpose of amending the current development configuration approved under Rezoning Reference #05-50 due to poor soil conditions. The intent of the revised development concept is to relocate units from the southern end of the site to more suitable soils to the north while maintaining clear sight lines and courtyard spacing. As part of this requested rezoning the number of townhouse units 90 and the overall site density (0.327 FAR) is not proposed to be increased. Further, the overall Architectural character of the original Conceptual Development Plan is to be retained and no changes are proposed to the previously approved Heritage Precinct concept which accommodates 4 units in the house and 2 in the barn.

Thank you for your consideration of this rezoning request, we look forward to working with the City towards the approval of this application. If you have any further questions regarding this rezoning application, please feel free to contact me.



Robert Vrooman, Manager Development
AMACON

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #09-26 2009 NOVEMBER 23

ITEM #8

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Mitchell C. Smith Architect MAIBC
1110 – 112th Avenue N.E., Suite #500
Bellevue, WA 98004
(Attention: Craig Huether)
- 1.2 Subject:** Application for the rezoning of:
Lot 1, D.L.'s 70, 73 & 124, Group 1, NWD Plan BCP25458
- From:** CD Comprehensive Development District (based on M1 Manufacturing District, M5 Light Industrial District, C2 Community Commercial District and C6a Gasoline Service Station District)
- To:** Amended CD Comprehensive Development District (based on M5 Light Industrial District, C2 Community Commercial District and C6a Gasoline Service Station District and in accordance with the development plan entitled "Costco Willingdon BC Proposed Garden Centre" prepared by Mitchell C. Smith Architect MAIBC)
- 1.3 Address:** 4500 Still Creek Drive
- 1.4 Location:** The subject site is located at Still Creek Drive and Eastbrook Parkway, north of Still Creek (Sketch #1 attached).
- 1.5 Size:** The site has an area of 7.05 ha (17.4 ac).
- 1.6 Services:** The site is fully serviced.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit a seasonal outdoor garden centre for the existing Costco warehouse.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site is bounded on the north by Still Creek Drive and the BNR railway line, on the south by the Still Creek watercourse and the Trans Canada Highway, and on the east by City lands to be developed for works-yard use. Immediately to the west are the new Keg Restaurant, and across Eastbrook Parkway, two single-storey warehouse

buildings. Further west, across Willingdon Avenue are two sites being developed for auto dealerships, while beyond this is the Willingdon Business Park area, including the MacDonald's restaurant/office facility.

3.0 **BACKGROUND INFORMATION**

The subject site is occupied by the recently developed Costco wholesale/retail club sales warehouse with offices. Under the existing Comprehensive Development zoning (Rezoning Reference #03-51) there is also potential for development of a gas bar on the site, subject to determination by the City that parking demand is such that on-site parking provided could be reduced from 778 existing spaces to 718 spaces in order to accommodate the gas bar. The site also includes a naturally-vegetated, riparian area setback from Still Creek with a pedestrian gravel trail and GVS&DD maintenance access road, and bioswale and stormwater management landscape features.

Costco would like to develop a seasonal Garden Centre on the north side of the existing Costco warehouse on Still Creek Drive. Since the existing zoning does not provide for any outdoor display or sales area, this rezoning application is being pursued. The existing Costco development was approved with the understanding that it would be of high architectural and landscaping quality, consistent with the standard of the buildings in Willingdon Business Park to the west, rather than a typical Costco building. In line with this approach, Costco's architect has prepared plans to add a permanent architectural feature consisting of a series of concrete columns with a steel trellis to accommodate seasonal fencing during the nine weeks of the year the Garden Centre would be in operation. These plans are suitable for submission to a Public Hearing.

4.0 **GENERAL COMMENTS**

- 4.1 The proposed rezoning is considered supportable, given the architectural quality of the proposed addition. The architectural plans submitted make provision for pedestrian circulation on-site and for shopping cart storage, and do not reduce the number of parking spaces currently provided on-site.
- 4.2 The proposed rezoning requires Ministry of Transportation approval.

5.0 **PROPOSED DEVELOPMENT STATISTICS:**

The only change to the existing development statistics is the addition of the proposed seasonal Garden Centre, which will be in operation for 9 weeks every year, starting from the beginning of April.

- 5.1 Net Site Area: - 7.05 ha (17.4 acres)
- 5.2 Site Coverage: - 20%

- 5.3 Gross Floor Area:
- | | | |
|--|---|---|
| Warehouse Sales & Tire Centre:
(M5 & C2 guidelines) | - | 13,908m ² (149,710 sq.ft.) |
| Office: (M5 guidelines) | - | 1,753m ² (18,871 sq.ft.) |
| Gas Station Controller Enclosure:
(C6a guidelines) | - | 7m ² (72 sq.ft.) |
| Total: | - | 15,668m² (168,653 sq.ft.) |
- Seasonal Garden Centre display area
(C2 guidelines) - 434.6 m² (4,678 sq. ft.)
- 5.4 Building Height: - 9.9m (33 ft.)
- 5.5 Parking Required & Provided: - 778 spaces
(718 spaces if the gas station is developed)
- 5.6 Loading Required and Provided: - 4 bays
- 5.7 Bicycle Provisions Required & Provided: - 20 customer spaces
10 employee spaces

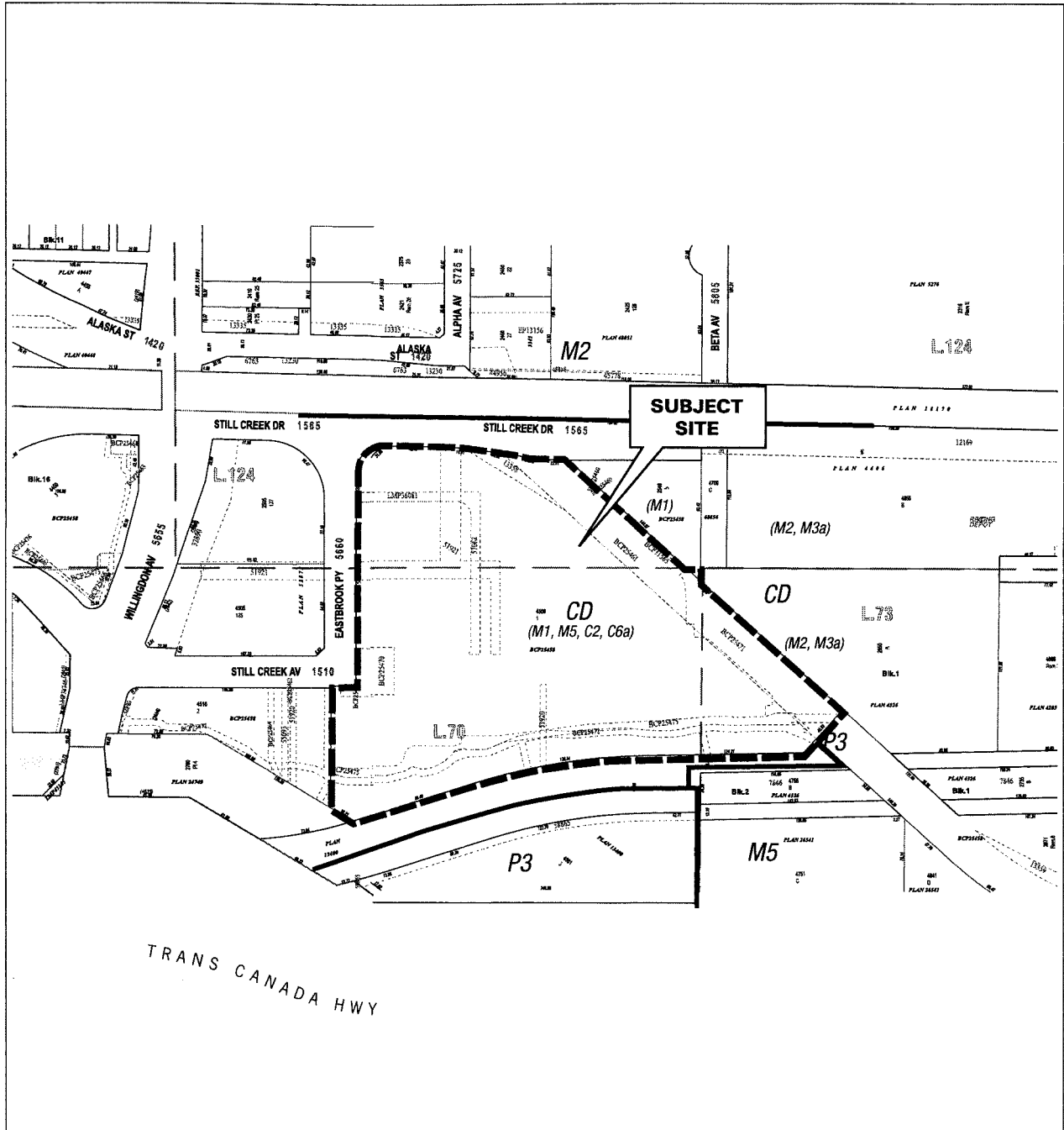
6.0 RECOMMENDATIONS



1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23, and to a Public Hearing on 2009 December 15 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 approval of the Ministry of Transportation to the rezoning application.

RR/

RR:gk
Attach

cc: Director Engineering
City Solicitor
City Clerk



		PLANNING & BUILDING DEPARTMENT			
DATE: 2009 11 04		REZONING REFERENCE #09-26 4500 Still Creek Drive			
SCALE: 1:2500					
DRAWN BY: rcn					

MITCHELL C SMITH
ARCHITECT MAIBC

October 27, 2009

Mr. Robert Renger
Senior Current Planner
City of Burnaby
Planning and Building Department
4949 Canada Way
Burnaby, B.C. V5G 1M2

**Re: Costco Wholesale - Garden Center
4500 Still Creek Drive
Burnaby BC
Project Number: 03-1571-04**

Subject: Letter of intent

Dear Mr. Renger:

We are submitting our application for review and approval of our proposed seasonal Garden Center project located at 4500 Still Creek Drive. The proposed project garden center sales area will be located on the North side of the building.

We are enhancing the sales area with pre-cast concrete pilasters to match existing building conditions as well as metal trellis elements. The sales area will be in place for a 9 week period starting in the beginning of April each year. The proposed sales area will be contained within a powder coated 'Modu-Loc' fencing. The fencing will be located between and along the precast columns and a portion the existing building canopy. The fencing will be placed and removed for the seasonal sales only. After the sales period, the fencing will be removed and stored off site.

The property has been recently developed to include the current 15,661 m2 warehouse and offices. There is no planned demolition to the existing building or site area. Zoning on the subject property is Comprehensive Development (CD). There are 3 existing access points to the property from the street which also will not change. No existing landscaping will be removed or added for this project.

425.463.2000
425.463.2002

1110 112TH AVENUE NE | SUITE 500 | BELLEVUE, WA | 98004
MulvannyG2.com

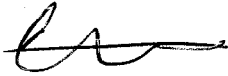
Costco Wholesale - Garden Center

October 27, 2009

Page 2 of 2

Based on the small nature of this project, we would appreciate the acceptance of this proposed project by Council. Should you require any additional information regarding this matter, please contact me at 425-463-1318. Thank you.

Sincerely,



Craig Huether
Senior Associate

CRH/crh

c: Costco Wholesale: Scott Tyler
Costco Wholesale: Kim Sanford

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CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-27
2009 NOVEMBER 23

ITEM #9

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** CEI Architecture Planning Interiors
500 – 1500 West Georgia Street
Vancouver, B.C. V6G 2Z6
(Attention: Eric Rojo)
- 1.2 **Subject:** Application for the rezoning of:
Lot 2 (BP247323), D.L. 70, Group 1, NWD Plan 71013
- From:** CD Comprehensive Development District (based on M5 Light Industrial District)
- To:** Amended CD Comprehensive Development District (based on M5 and M5r Light Industrial District, Willingdon Business Park guidelines and in accordance with the development plan entitled “Proposed Restaurant: Unit 100-4370 Still Creek Drive (Willingdon Park)” prepared by CEI Architecture Planning Interiors).
- 1.3 **Address:** 4350 Still Creek Drive (#100-4370 Still Creek Drive)
- 1.4 **Location:** The subject site is a ground floor tenant space (#100-4370 Still Creek Drive) within the easterly building of a two-building office complex that is currently under construction at 4350 Still Creek Drive (Sketch #1 attached).
- 1.5 **Size:** The subject tenant space is 264.8 m² (2,850 sq.ft.)
- 1.6 **Services:** No servicing is applicable to this application.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit a restaurant with 50 seats or less serving surrounding industrial/office developments.

2.0 NEIGHBOURHOOD CHARACTERISTICS

- 2.1 The subject site is a ground floor tenant space within a two-building office complex that is presently under construction in the Willingdon Business Park. The development was approved in connection with Rezoning Reference #99-53, which received Final Adoption on 2008 March 17. The subject tenant space is located in the east office building adjacent a courtyard, and has a gross floor area of 264.8 m² (2,850 sq.ft.). It is presently approved for accessory CRU use as part of the adopted Comprehensive Development plan. Developments in the vicinity include an office building with a McDonald's restaurant component to the northeast and other office buildings to the north and west. The subject property backs onto the Grandview Highway and on-ramp to the Trans Canada Highway.

3.0 BACKGROUND INFORMATION

- 3.1 On 1979 April 02, Council gave Final Adoption to a text amendment to the Burnaby Zoning Bylaw to create the M'r zoning district, which accommodates cafés or restaurants serving the day-to-day needs of industrial developments and their employees. The provision of restaurants in industrially zoned areas was considered appropriate in recognition of the apparent lack of public restaurant facilities in certain industrial areas. However, due to the potential problems that could result from the blanket addition of cafés and restaurants as a permitted principal use in industrial zones, it was considered prudent for Council to consider each application on its own merits, through the utilization of a sub-category in each zoning district. A set of locational policy guidelines were also adopted at that time to assist in the evaluation of each proposed rezoning to an M'r District.

4.0 GENERAL DISCUSSION

- 4.1 The applicant is requesting that the subject tenant space be rezoned from the CD(M5) District to the CD(M5'r) District to permit a "Bread Garden" style restaurant with 50 seats or less. The proposed restaurant is intended to operate during hours meeting the general meal service needs of employees within the office buildings on site and in the surrounding business park area. Signage is proposed to face the courtyard; no signage will face Still Creek Drive or the Grandview Highway. The overall office complex has a parking surplus, and six parking spaces adjacent the central courtyard are proposed to be specifically allocated for restaurant use.
- 4.2 The following is an assessment of this rezoning proposal utilizing Council adopted guidelines for M 'r' restaurants:
1. *Existing commercial restaurant facilities should not be situated in close proximity nor within easy walking distance of the people working within the industrial area.*

A McDonald's restaurant is located to the northeast of the subject property. However, given its prominent location adjacent Willingdon Avenue, it is expected that many of its customers tend to be drawn from areas outside of the Willingdon Business Park. A Keg Steakhouse & Bar is located at Still Creek Avenue, east of Willingdon Avenue, but is currently only open 3:30 pm onwards for dinner. Numerous commercial restaurants are located along the Lougheed Highway and along Dawson Street, but these are not within easy walking distance of the people working in the Willingdon Business Park.

2. *M'r' restaurants should not be located in close proximity, nor have direct access to a major traffic thoroughfare.*

The subject tenant space has frontage on Still Creek Drive, which is classified as a Major Collector – Primary road. Notwithstanding, the tenant space is set back over 23 m (75 ft.) from the street and the overall building complex has a high-quality office appearance. Restaurant signage is also oriented towards the courtyard between the two buildings and not towards the street.

3. *The accessibility to industrial development guidelines state that the site of M5 "r" restaurants should be centrally located, convenient, and accessible to the employees of the industrial area it will serve.*

Willingdon Business Park is bound by Gilmore Diversion to the west, Grandview Highway and ramp to the south, Willingdon Avenue to the east, and the Still Creek Avenue right-of-way to the north. The proposed restaurant is located within easy walking distance to all office buildings within the Willingdon Business Park.

4. *The restaurant facility should have a sufficient market in the industrial area to support it. Alternatively, the restaurant is not likely to draw a significant proportion of its patronage from outside locations and thus attract large volumes of traffic into the area.*

The applicant has indicated that upon completion of the two buildings at the subject site, Willingdon Business Park will be built out, with 916,900 sq.ft. of net floor area of tenant space. If fully occupied, the Business Park would house approximately three thousand employees. This is considered to be a sufficient market to support the proposed restaurant as well as the existing McDonald Restaurant. Alternatively, the proposed restaurant is not likely to draw a significant portion of its patronage from outside locations because of its relatively small size and internally oriented signage.

In summary, the proposed restaurant generally meets Council-adopted guidelines for assessing rezoning applications for M'r' restaurants.

- 4.3 If restaurant use within the subject tenant space ceases in the future, the space would revert back to its master CD (M5) zoning for accessory CRU or office use.

4.4 The overall property has been serviced in connection with Rezoning Reference #99-53. However, the Director Engineering has indicated that a new pedestrian crosswalk near the subject site is necessary. The applicant will be required to provide a 50% cash contribution towards a new overhead sign down-lit crosswalk.

4.5 Due to the proximity of the site to the Trans Canada Highway, approval of the Ministry of Transportation will be required.

5.0 DEVELOPMENT PROPOSAL

5.1 Overall Site Area - 17,586 m² (189,296 sq.ft.)
(no change from previous CD Plans)

Proposed restaurant area - 264.8 m² (2,850 sq.ft.)
(or alternate accessory CRU or office use)

5.2 Site Coverage *(no change)* - 20.5%

5.3 Gross Floor Area *(no change)*

West Building - 8,640 m² (93,005 sq.ft.)
East Building - 8,640 m² (93,005 sq.ft.)
 TOTAL - 17,280 m² (186,010 sq.ft.)

Floor Area Ratio *(no change)* - 0.985

5.4 Height *(no change)* - 4 storeys above one level underground parking

5.5 Parking *(no change)*

Required: 186,010 sq.ft. @ 1/495.16 - 375 stalls

Provided:

Underground - 339 stalls
Surface - 155 stalls
 TOTAL - 494 stalls

Loading *(no change)*

Required & Provided - 4 loading bays

Bicycle Parking and End of Trip Facilities

Required *(no change)* - 38 stalls

- Provided (no change)
- 49 employee & visitor stalls (32 secured indoor stalls and 14 stalls on outdoor rack). Other facilities include showers, water closets, wash basins, and clothing lockers

6.0 CONCLUSION

In view of the foregoing, the proposed restaurant is considered to be a suitable development in terms of its location, relatively small size, and orientation to the day-to-day meal service needs of the employees in the Willingdon Business Park area. The proposed restaurant is anticipated to provide a valuable service to local employees. It is therefore recommended that Council give favourable consideration to this rezoning request.

7.0 RECOMMENDATIONS

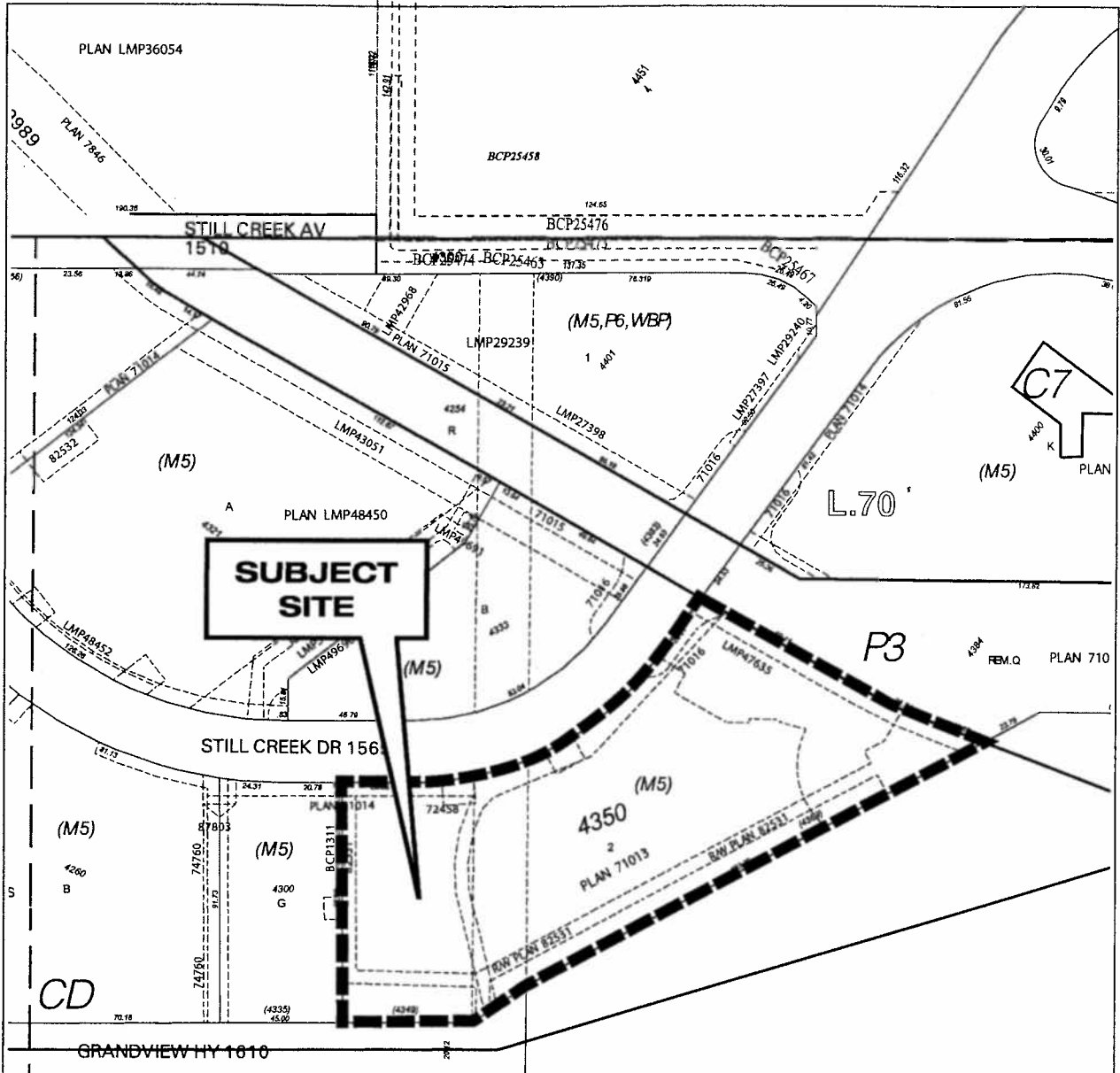
1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23, and to a Public Hearing on 2009 December 15 at 7:30 p.m.
2. **THAT** the following be established as a prerequisite to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of the 50% cash contribution towards a new pedestrian crosswalk.
 - c) The approval of the Ministry of Transportation to the rezoning application.



RSD/

KH:gk
Attach

cc: City Clerk
Director Engineering
City Solicitor

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		PLANNING & BUILDING DEPARTMENT		
DATE:	2009 11 03	REZONING REFERENCE #09-27 4350 Still Creek Drive		
SCALE:	1:2500			
DRAWN BY:	rcn			
		Sketch #1		



VANCOUVER
 1 604 667 1896 | 1 604 662 5349
 500 1500 WEST LEORDIA STREET
 VANCOUVER BC V6G 2P6

VICTORIA
 1 250 388 5588 | 1 250 367 9476
 212 655 TYLE ROAD
 VICTORIA BC V8A 6K5

KELOWNA
 1 250 861 1887 | 1 250 861 0810
 100 1060 MANHATTAN DRIVE
 KELOWNA BC V1Y 0K5

October 29th, 2009

PARTNERS

- Jim AALDERS
MAIBC LEED AP
- Richard BOLUS
MAIBC MRAIC LEED AP
- Mark HENTZE
Director of Recreation,
Culture and Community
- William LOCKING
MAIBC MAAA MRAIC
- John NEILSON
MAIBC/FP FRAIC
- Kirsten REITE
MAIBC
- John SCOTT
MAIBC MAAA MRAIC AIA
- Rod WINDJACK
MAIBC MRAIC
- Tim McLENNAN
Director of Kelowna Operations

Mr. Basil Luksun,
 Director of Planning and Building
 City of Burnaby Planning Department
 4949 Canada Way, Burnaby, B.C.

RE: Rezoning Application for 4350 Still Creek Drive, Burnaby, B.C.

Dear Sir,

This letter and supporting documentation is submitted on behalf of the owner of this property in order to apply for a rezoning from CD Comprehensive Development with M5 Guidelines to CD Comprehensive Development with M5'7' Guidelines in order to allow a restaurant use (seating max. 50 persons) on the ground floor of the east building presently under construction. The east building has been assigned a secondary address of 4370 Still Creek Drive.

Thank you and we look forward to being notified of the next phase in this process.

Sincerely,



Eric Rojo, IA.AIBC, B.Arch
 CEI Architecture Planning Interiors

Enclosed:

- Application for Rezoning Form
- Agent Authorization Form
- Title Search Print and Copies of Easements and Rights of Way.
- Cheque for Rezoning Application Fee #346 from Tonko Realty Advisors BC for \$1590.00
- Site Plan showing parking and location of proposed Restaurant
- Floor Plan of Building showing location of proposed Restaurant
- Exterior rendering showing location of proposed signage.

ASSOCIATES

- Mary CHOW
MAIBC BES B Arch LEED AP
- Shanti GHOSE
MAIBC MRAIC
- Leon HOOGENBOOM
B Arch EA
- Sid JOHNSON
MAIBC
- Albert LEUNG
MAIBC MRAIC
- Eddie WILLIAMS
MRAIC Dip Arch
- Michael D. McNAUGHT
MAIBC MRAIC
- Thomas ABELE
MAIBC MAAA MRAIC
- Hugh JANSEN
B.Sc
- Jason RUPP
Manager of Irvine Operations
- Peter BUCHANAN
MAIBC MAAA MRAIC

INTERIORS

Heidi MAE HILLS
 MAIBC LEED AP
 100 1060 MANHATTAN DRIVE

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #09-28
2009 NOVEMBER 23

ITEM #10

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Mela Design Group
130 – 8380 – 112th Street
Delta, B.C. V4C 7A2
Attention: Robert Kruger
- 1.2 **Subject:** Application for the rezoning of:
Lot 1, D.L. 119, Group 1, NWD Plan BCP29858
- From:** CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)
- To:** Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and Brentwood Town Centre Plan guidelines and in accordance with the development plan entitled “Browns Social House Restaurant” prepared by Hearth Architectural)
- 1.3 **Address:** 1908 Rosser Avenue (Unit #2)
- 1.4 **Location:** The subject site is located on the northeast corner of Rosser Avenue and the Lougheed Highway (Sketch #1 attached).
- 1.5 **Size:** The site is roughly rectangular in shape with a frontages on Rosser Avenue of 73.9m (242 ft.), on Buchanan Street 100.6m (330 ft.), on the Lougheed Highway of 100.9m (331 ft.), and an area of 7,331.95 m² (1.81 acres).
- 1.6 **Services:** The site has been fully serviced under Rezoning Reference #05-41 and Subdivision Reference #05-66.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit exterior changes to the building and a reduction in parking.

2.0 NEIGHBOURHOOD CHARACTERISTICS

- 2.1 The subject site is located within the Brentwood Town Centre Development Plan, and is designated for Core Development, involving mixed-use commercial and high-density multiple family residential (see Sketch #2 **attached**).

The subject site is currently under construction in accordance with Rezoning Reference #05-41, which is for a high rise office building of 11 storeys oriented to Lougheed Highway, a high rise apartment tower of 30 storeys oriented to Buchanan Street, ground-level commercial along Lougheed Highway and Rosser Avenue, and townhousing along Buchanan Street. To the east is a small strip commercial development which has recently undergone renovation under Preliminary Plan Approval, a bank and a gasoline station, with the Brentwood Shopping Centre and the Brentwood SkyTrain Station beyond. To the west is the Madison Centre, a large mixed-use development consisting of high-rise apartment towers, an office building and retail space. To the north, there is a seniors' high-rise apartment tower, a low-rise office building and a vacant site (approved for 12 storey office development under Rezoning Reference #04-08), while to the south across the Lougheed Highway and the SkyTrain line is a former automobile dealership and a restaurant, both of which form part of a major development site proposed to accommodate 3 high-rise apartment towers, 2 high-rise office buildings and significant commercial retail space (Rezoning Reference #06-47).

3.0 BACKGROUND INFORMATION:

- 3.1 The Brentwood Town Centre Development Plan designates the subject site for Core Development, for a mixed-use form of development utilizing the RM5 Multiple Family Residential and C3 General Commercial Districts as guidelines.

4.0 GENERAL INFORMATION

- 4.1 In order to accommodate a restaurant of approximately 200 seats, the proposal is for external changes to CRU #2, which is roughly located at the southwest corner of the development site, and has a principal frontage on Rosser Avenue. The external changes primarily involve the addition of ground-level patio space along Rosser Avenue. The applicant is also proposing to maintain the current parking standard for the development, rather than provide additional parking to support the restaurant use with more than 50 seats as would be required by the Zoning Bylaw.
- 4.2 Active uses which contribute to a vibrant town centre core are encouraged and supported. The proposal for a significant restaurant at the subject location is viewed as such a positive contribution. The proposed ground-level 50 seat patio does not relate directly to any of the surrounding high-rise apartment towers, and is unlikely to have a noise level above the ambient traffic noise of the adjacent Lougheed Highway. The usual liquor

licensing criteria for food primary establishments with patios would apply, namely: the registration of a Section 219 Covenant to limit the hours of use of the patio to 11:00 am to 10:00 pm, Monday to Saturday and 12:00 noon to 10:00 pm on Sundays; as well as prohibit any amplified or live music. The applicant will also have to provide a letter of undertaking to ensure that no loud music will be allowed to escape from indoors to the patio through open doors or other openings leading to the patio, and that no smoking will be permitted on the patio at any time.

- 4.3 The overall development site accommodates 134,294 sq. ft. of combined office and retail commercial space, requiring a total of 272 commercial parking spaces. All parking is located within the underground parking garage. This parking was calculated using the standard criteria for office and retail space, which is 1 stall per 495.16 sq. ft. of floor area. The same standard is applied to restaurants having less than 50 seats. For restaurants with more than 50 seats, the parking standard increases substantially to 1 stall per 5 seats.

Currently, 9 of 272 underground parking stalls are allocated to CRU #2 (4,222 sq. ft./495.16 sq. ft. = 9 stalls (rounded)). The proposal for a 200 seat restaurant for the subject CRU, including a 50 seat patio, would require 40 stalls, based on 1 stall per 5 seats (an increase of 31 stalls). As noted, the applicant is seeking to maintain the currently approved parking arrangement for the overall commercial development on the subject site; that no additional parking be required in connection with the restaurant proposal.

From a planning viewpoint, the request that parking not increase in connection with the subject restaurant proposal has merit. First and most important, the restaurant is located within a town centre and is part of a larger commercial development. As such, it is well served by transit, including the Brentwood bus loop and two Skytrain stations within two blocks of the site. It is also emphasized that the proposed restaurant is within walking distance of a large segment of the town centre's existing and future resident and employment populations. Moreover, it is anticipated that the parking demand of the restaurant can be absorbed by the site's approved commercial parking, namely by the office parking, the demand for which is expected to be at opposite times to that for the restaurant. In other words, the approved commercial parking for the overall development should be sufficient to accommodate a 200 seat restaurant in the subject CRU, especially given that the restaurant's peak hours are in the evening and weekends, when much of the office and retail parking is in less demand. It is noted that neither the office parking nor the remainder of the retail commercial parking is physically separated by a gate from CRU#2's parking. A Section 219 Covenant guaranteeing access to 40 office parking spaces by restaurant patrons during evening (after 6:00 p.m.) and weekend hours will be required. The applicant will be required to submit a parking impact study to confirm the sufficiency of this parking arrangement prior to the rezoning amendment receiving Third Reading.

- 4.4 Servicing for the subject site is provided under Rezoning Reference #05-41 and Subdivision Reference #05-66. No further servicing is required in connection with the subject rezoning application.
- 4.5 Given that the subject rezoning application proposes no changes to the site itself, no site profile, stormwater management or sediment control requirements are anticipated.

4.0 DEVELOPMENT PROPOSAL

- 4.1 Net Site Area - 7,145.3 m²/1.77 acres (no change)
- 4.2 Commercial Component:
Gross Floor Area - 12,402.4 m²/133,503' sq. ft. (no change)
- 4.3 Unit Area (Unit #2)
(150 internal seats; 50 patio seats) - 392.2 m²/4,222 sq. ft. (no change)
- 4.5 Commercial Vehicle Parking *Required and Provided Spaces (no change)*
 - 110,485 sq. ft. Office (1 space/495.16 sq. ft.) - 224
 - 23,018 sq. ft. Retail (1 space/495.16 sq. ft.) - 48 (inclusive of 9 spaces for Unit #2)
 - Total Commercial Parking: - 272

5.0 RECOMMENDATIONS

- 5.1 **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 at 7:30 p.m.
- 5.2 **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The granting of a Section 219 Covenant to limit the hours of use of the patio to 11:00 a.m. to 10:00 p.m., Monday to Saturday, and 12:00 noon to 10:00 p.m. on Sundays; as well as prohibit any amplified or live music.
 - c) The granting of a Section 219 Covenant guaranteeing restaurant use of 40 office parking stalls during evening (after 6:00 p.m.) and weekend hours.

- d) The approval of the Ministry of Transportation to the rezoning application.

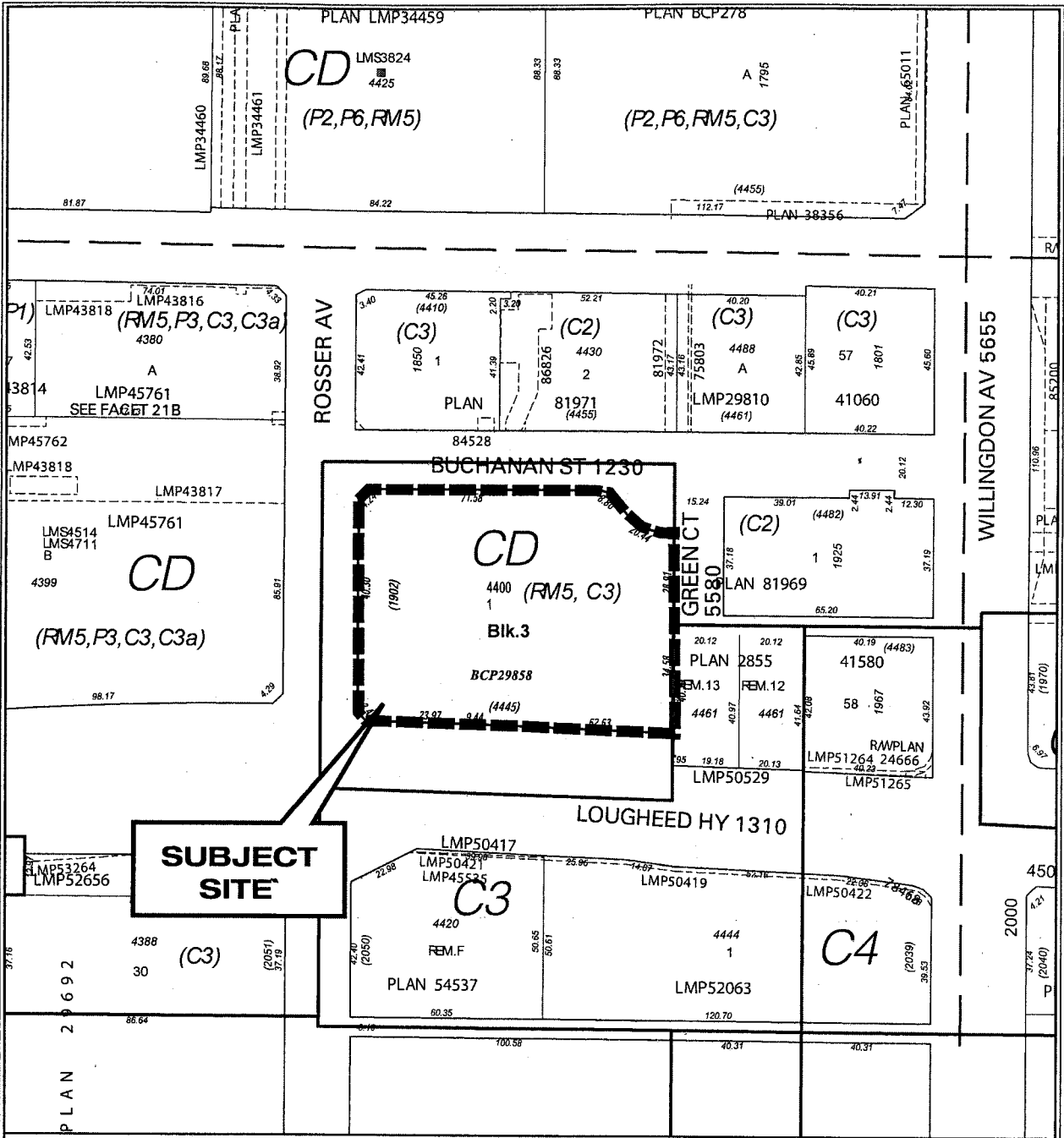
BSI.


EK: gk

Attachments

cc: Director Engineering
City Solicitor
City Clerk
Chief Licence Inspector


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PLANNING & BUILDING DEPARTMENT

REZONING REFERENCE #09-28

 Unit 2 - 1908 Rosser Avenue

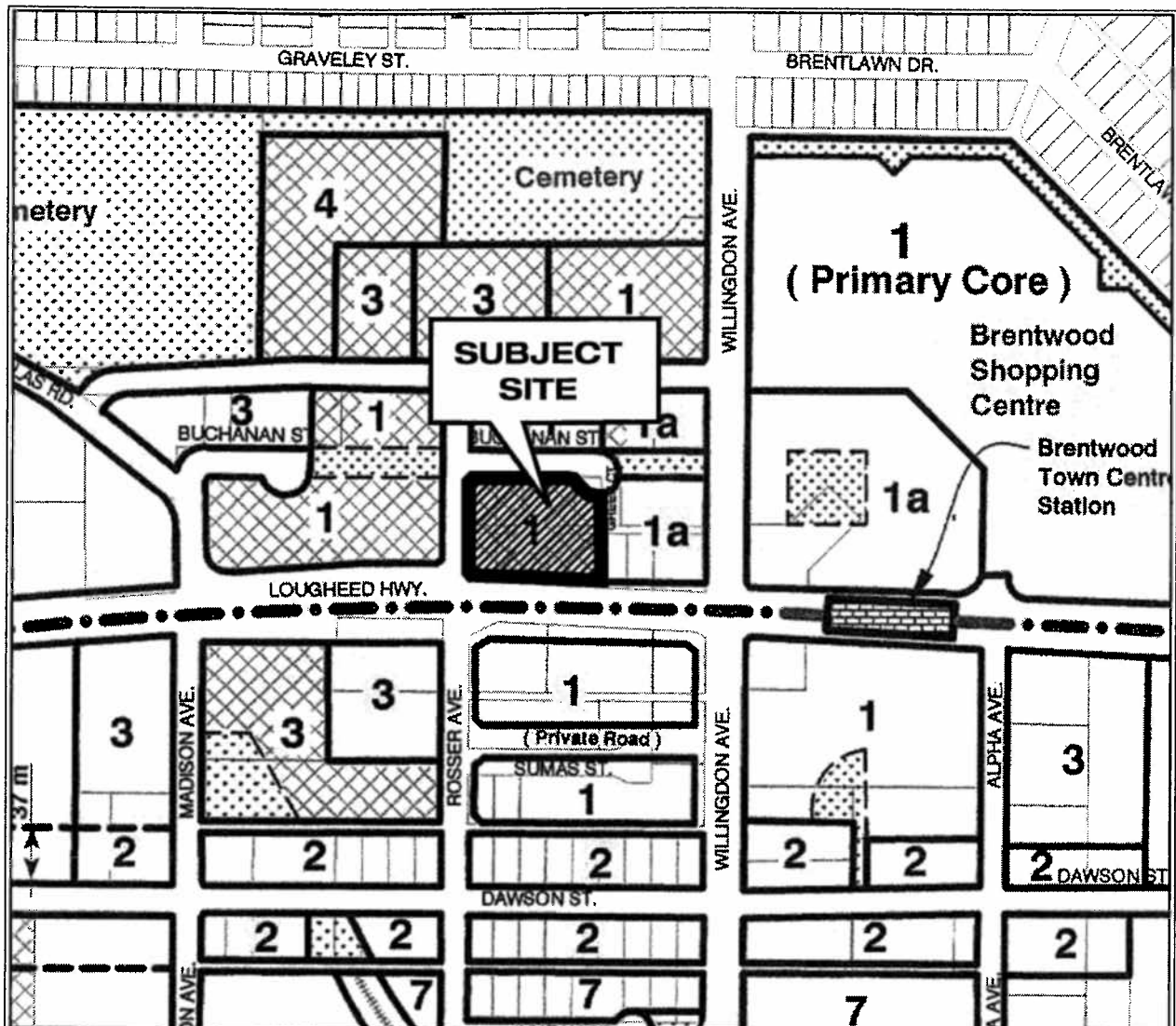


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rcn

Sketch #1



**Brentwood Town Centre
Development Plan
(Including Holdom Station Area Plan)
Land Use Concept**

City of Burnaby
Planning and Building Department



1, 1996
Updated to March 2009

- LEGEND:**
- 1 → Core Development CD (C3, RM5) — 1a → CD (C3)
 - 2 → Village Street CP
 - 3 → Residential (High Density) CD (RH02)
 - 4 → Residential (Medium Density) CD (RM3)
 - 5 → Residential (Medium Density) CD (RM2)
 - 6 → Residential (Low-Density Townhousing) CD (RM1)
 - 7 → Succession (Industrial to Multiple Family Residential)
 - 8 → Secondary Commercial (Council Adopted on 03.12.11)
 - 9 → Existing Service Commercial
 - 10 → Suburban Business Centre (B1)
 - 11 → Urban Business Centre (B2)

- 12 → Live/Work or Townhouse Buffer
- 13 → Street Front Commercial (See Holdom Station Area Guide Plan)
- ⊗ → Areas may include lower forms.
- ⊠ → Park, School, Public Open Space, Buffer

**Particular Clarification of Guidelines is Required with Planners for any serious development inquiries utilizing these Designated Guidelines as well as any specific Reports to Council.

⊠ → Completed or Re-zoned in Accordance with Development Guidelines



PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 03

SCALE:
NTS

DRAWN BY:
rcn

REZONING REFERENCE #09-28

Unit 2 - 1908 Rosser Avenue

Sketch #2

Re: 09:
EK

MELA DESIGN GROUP
#130 - 8380 112 STREET,
DELAT, BC V4C 7A2
P: 604-836-6703 / F: 604-598-3544

November 5, 2009

BY HAND

City of Burnaby – Planning Department
4949 Canada Way,
Burnaby, BC V5G 1M2

Attention: Mr. Ed Kozak

Dear Ed;

RE: Proposed new Browns Social House Restaurant Unit #2 – 1908 Rosser Avenue, Burnaby, BC “Amendment to Current CD Zoning for exterior patio and parking reduction”.

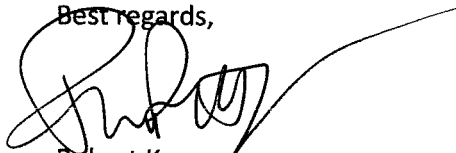
This letter of intent is requesting an amendment to the current CD zoning for address Unit #2 – 1908 Rosser Avenue, Burnaby, BC to accommodate a new exterior patio area and parking reduction.

Accompany this letter are copies of the following;

- Landscape plan
- Site plan
- Floor plan
- Exterior elevations noting enclosure sections
- Title search print for Parcel Identifier; 027-076-491, Lot 1 District Lot 119, Group 1 New Westminster District Plan BCP29858.

I trust you will find this in order. If you have any queries please do not hesitate to contact me anytime.

Best regards,



Robert Kruger
Project Manager

Copy;	Javed Mufti	-	Browns Social House
	Dean Reed	-	Bosa Development Corporation

c:\BrownsBurnaby\cooresp\cityppa1.doc

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #09-29 2009 NOVEMBER 23

ITEM #11

1.0 GENERAL INFORMATION

- 1.1 **Applicant:** Nancy Stern Architect Inc.
5975 Angus Drive
Vancouver, B.C. V6M 3N9
- 1.2 **Subject:** Application for the rezoning of:
Lot A, D.L. 121, Group 1, NWD Plan 13633
- From:** C8 Urban Village Commercial District (Hastings)
- To:** CD Comprehensive Development District (based on the C8 Urban Village Commercial District (Hastings) and Hastings Street Area Plan as guidelines)
- 1.3 **Address:** 4114 Hastings Street
- 1.4 **Location:** The subject site is located on the south side of Hastings Street, just east of Gilmore Avenue (Sketch #1 attached)
- 1.5 **Size:** The site is 10.21 m (33.5 ft.) in width, 31.09 m (102 ft.) in depth, with an area of 317.4 m² (3,417 sq.ft.)
- 1.6 **Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to seek an exemption from the required loading provision for a proposed single-storey commercial building.

2.0 NEIGHBOURHOOD CHARACTERISTICS

- 2.1 The subject site is located on the south side of Hastings Street just east of Gilmore Avenue (see attached Sketch #1). The property was previously improved with an older two-storey building with two commercial units on the ground floor and two residential units above. The building was destroyed by fire in 2007 and the property is now cleared and vacant. Commercial uses are located to the west, north, and east of the subject site

fronting Hastings Street. A City-owned public parking lot at 4103 Pender Street and single-family dwellings are located to the south across the lane.

3.0 **BACKGROUND INFORMATION**

- 3.1 The subject site is located within the Council-adopted Hastings Street Area Plan and is designated for Core Commercial Development. The site is zoned C8 Hastings Village District, which is intended to accommodate four-storey mixed use buildings with grade-level commercial and three storeys of residential above on appropriately sized assemblies.

4.0 **GENERAL INFORMATION**

- 4.1 The applicant is proposing to construct a single-storey, 237 m² (2,558 sq.ft.) commercial building on the subject site, with most parking to be provided through cash-in-lieu contributions as permitted under Section 800.4(34) of the Zoning Bylaw. While the proposed building form is contrary to the four-storey mixed-use form that is desired and envisioned for this area, it is permissible under the prevailing C8 District zoning, subject to Preliminary Plan Approval (PPA) and adherence to all Zoning Bylaw requirements. For the subject site, this includes the provision of one on-site loading space.

The applicant has explored redevelopment options under the prevailing C8 District zoning, and is requesting rezoning specifically to waive the requirement for the on-site loading space (see attached Letter of Intent). This variance is possible under rezoning to the CD Comprehensive Development zoning district. The applicant is therefore requesting rezoning of the subject site to the CD Comprehensive Development District (based on the C8 Urban Village Commercial District (Hastings) and Hastings Street Area Plan as guidelines).

- 4.2 The proposed rezoning to permit a new building with no provision for loading is not considered supportable. Currently, there are numerous older properties along the Hastings corridor that are legally non-conforming for loading provision, with either no loading on site or sub-standard sized loading spaces. As a result, loading activities often take place in the lane, which impedes vehicular and pedestrian traffic. Where new development occurs through the rezoning or the Preliminary Plan Approval process, on-site loading has been sought to alleviate lane congestion and to improve safety. Reducing the loading requirement for the site from one space to nil would be contrary to this desired direction. The Engineering Department has also confirmed that a loading bay, including an appropriate turning radius, can be accommodated on the subject site. It is noted that 4142 Hastings Street, an older single-storey commercial property to the east of the subject site that has the same lot dimensions, was recently granted PPA approval for tenant improvements, including the construction of a new loading space, whereas no loading space was previously provided. This suggests that the provision of a loading space on a C8 zoned site of limited width and area is feasible. One loading space can

service a building with a gross floor area of up to 460 m² (4,951.56 sq.ft.), and the applicant has the option of constructing a second commercial storey under the prevailing C8 zoning to gain additional leasable area. The additional parking required from a second commercial storey could be provided offsite as per Section 800.4(34) of the Zoning Bylaw.

- 4.3 It is staff's understanding that the owner of the abutting property at 4106 Hastings Street has made previous attempts to acquire the subject property to achieve a larger site for C8 redevelopment. However, the owner was unable to achieve a larger site assembly, and the current tenant (Westminster Savings Credit Union) is currently undertaking numerous improvements to the existing building. The abutting property to the east of the subject site at 4120 Hastings Street is also noted to have high improvement value. Redevelopment on a larger site assembly therefore does not appear to be an option at this time.
- 4.4 The alleviation of lane congestion and improvement to traffic and pedestrian safety in the area continues to be desirable. The Engineering Department has also confirmed that a loading space can be accommodated on the subject site. The use of the Comprehensive Development District solely to circumvent the need for a loading bay is not considered supportable. The Planning Department therefore does not support this rezoning request. If the applicant desires to construct a single-storey commercial building, adherence to the prevailing C8 District zoning requirements, including provision for on-site loading, is necessary.

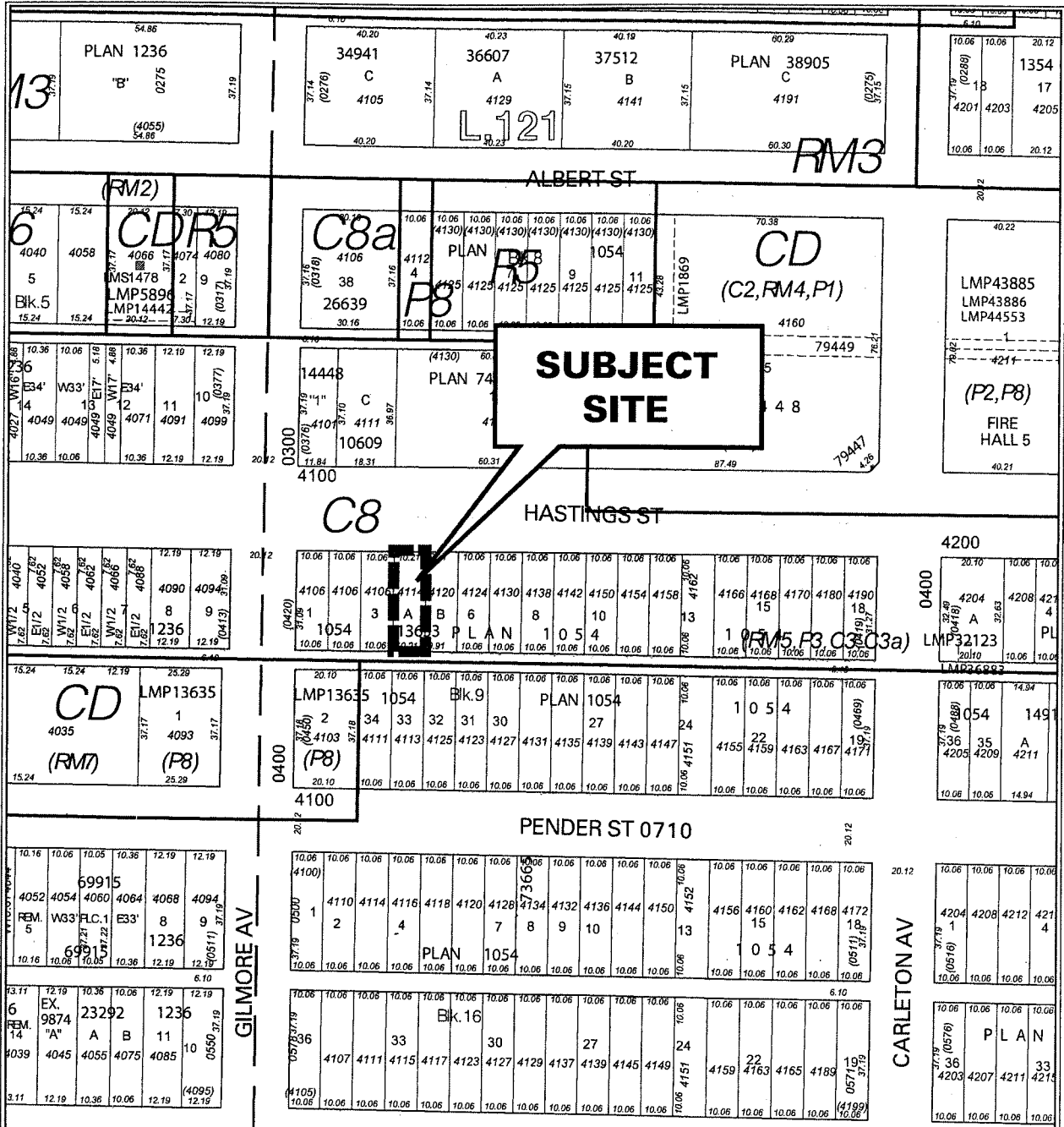
5.0 RECOMMENDATIONS


1. **THAT** Council reject this rezoning request.
2. **THAT** copies of this report be sent to the rezoning applicant and to the property owner.

BH/

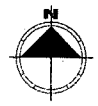
KH:gk
Attach

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





PLANNING & BUILDING DEPARTMENT

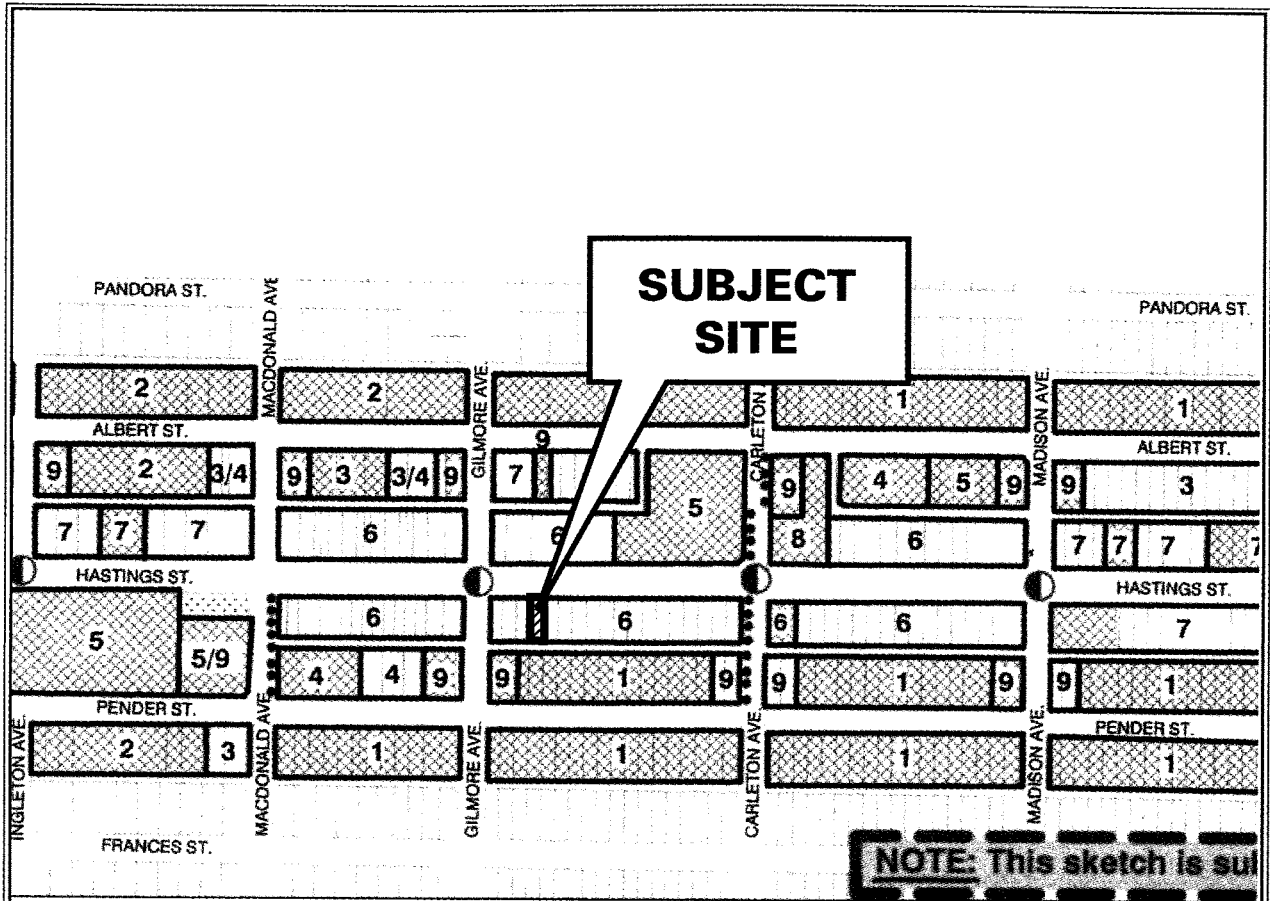


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REZONING REFERENCE #09-29

4114 East Hastings Street

Sketch #1



NOTE: This sketch is subject to rezoning.

Hastings Street Area Development Plan
 (Including Extension)
Land Use Concept

City of Burnaby Planning and Building Department
 North Updated to April 2008

LEGEND:

- 1 → Single and Two Family dwellings (Retained)
- 2 → Low Rise Multi-Family Residential (RM3)
- 3 → Single, Two Family or 2 1/2 Storey Townhousing (RM6)
- 4 → 3 1/2 Storey Townhousing (CD RM7)
- 5 → Comprehensive Development (CD)
- 6 → Core Commercial (4 Storey Mixed Use) (C6)
- 7 → Non-Core Commercial (4 Storey Mixed Use) (C6a)
- 8 → Institutional
- 9 → Parking
- 10 → Non-Core Commercial CD (RM3, C2)
- 11 → Commercial Retail (C4a)

- Park, Public Open Space
- Existing Traffic Signal
- Existing Angled Street Parking
- Future Angled Street Parking
- Completed or Rezoned in Accordance with Development Guidelines

City of Burnaby
 PLANNING & BUILDING DEPARTMENT

DATE:
2009 11 04

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rcn

REZONING REFERENCE #09-29
 4114 East Hastings Street

Sketch #2

October 30, 2009

City of Burnaby
Planning & Building Department
Approving Officer, City Clerk
4949 Canada Way
Burnaby, BC V5G 1M2

Attention: Penny
Sent by Courier

Re: Letter of Intent for Rezoning of 4114 East Hastings

*Legal Description – Lot A, Block 9, District Lot 121, Group 1, New Westminster District Plan 13633
Rezoning Application from C8 to Proposed CD-C8 for a new building for 2 retail tenants*

Current zoning for this size property requires a loading bay, which seriously compromises the viability of the proposed redevelopment. We are requesting a rezoning of the property from C8 to CD-C8 to delete this requirement of the zoning bylaw. As set out below, this requirement on a property of this size is injurious and unnecessary.

The original structure, built over 50 years ago, was destroyed by fire in 2007. There were 2 retail units on the main floor and 2 residential rental units on the second floor. The structure was damaged beyond repair and was demolished at the request of the City of Burnaby. Economics for redevelopment dictate that the best use of the site is a smaller structure with two ground floor retail tenant spaces.

A new development on this site cannot meet the current zoning by-laws without seriously compromising the viability of the project on a site of this size. The original structure was built to the property line along East Hastings. The proposed structure will meet this zoning by-law requirement for a 6.57' front setback, although the existing adjacent properties are built to the property line without that setback. From a planning perspective, the proposed setback is not desirable given the existing streetscape, including a bus stop. However, the owner is prepared to meet that requirement of the current by-law.

We can meet all other zoning requirements with the exception of the requirement for Off Street Loading. The requirement for a loading bay, set out in the zoning bylaws, given the limited use and small size of the site (only 33.47ft x 102.72ft) seriously compromises the site.

Present zoning in Schedule No. IX - Off Street Loading

- *900.4 Required Off-Street Loading Spaces: (1) On every site used as a retail, business, industry, warehouse or other similar use, the minimum number of spaces shall be as follows:*
 - (a) *Total Gross Floor area of Bldg less than 460 m2 (4951.56sq ft) - 1 loading bay*

- *900.6 Development and Maintenance Standards:*
 - (2) *The minimum dimension of an off-street loading space shall be a length of 9.0m (29.53 ft) width 3.0m (9.8) and height 3.5m (11.48 ft). (B/L No. 10302-96-02-12)*

This application is to rezone the site from C8 to the proposed CD-C8 to delete the requirement for a loading bay. Discussions with the city engineering department confirm that access for a 5 ton delivery truck is viable, as shown in Option B, attached. The current requirement for a loading bay significantly limits the size of the new building, the rear parking and rear building access.

Reduced tenant space -

Due to the narrow width of the site and the economic need for two retail units, the most efficient location for a loading bay is along the east property line. The city engineer has required that a loading bay at that location, which is the only viable location, would require an increased width from 10ft to 13ft. The loading bay requirement reduces the east retail tenant space by 134.46 sq ft. This is a considerable loss of leaseable space and reduced revenue over the life of the project.

Impact of the turning radius -

The loading bay and turning radius for a 5 ton truck (the minimum size required by the city engineer), limits the useable space within the rear setback. The site slopes down 5.58 feet from East Hastings to the lane requiring a rear set of stairs up to the main floor and a second set down to the lower level service space. The remaining width of the site only allows for a single parking space, though there will be two tenants. In addition, the city requires a waste bin at the rear of the site. All of these elements must be outside of the 5 ton truck turning radius. To accommodate all of these features there would be less than 36 inches between the stairs and the delivery vehicle – not enough clearance for egress or delivery of goods.

Small retail building -

The proposed building is relatively small, only 237 m² (2558 sq ft) on the main floor plus a small lower level service space. The maximum gross area for buildings requiring a single loading bay is 460 m² (4951.56sq ft), almost double the size of this project. Over the 50 plus years that the owners have leased space to retail tenants on this site, goods have always been delivered in small delivery vans not 5 ton trucks requiring a 13' x 30' loading bay.

We respectfully request that Council consider this request to rezone the site from C8 to CD-C8 and to delete the requirements for a loading bay as set out in the Zoning Bylaws noted above. Option A attached shows a proposed site plan without the loading bay. This option provides two parking spaces, one of which can be coordinated for deliveries, adequate space for egress from the building, and space for a waste bin and possibly recycling containers.

Yours truly,



Nancy Stern MAIBC MRAIC